

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION # 4 -2020

**A RESOLUTION GRANTING SITE PLAN WITH VARIANCE SOUGHT BY FROG
HOLLOW SWIM AND TENNIS CLUB**

WHEREAS, on October 27, 2010 at a duly advertised Meeting of the Planning Board of the City of South Amboy, Frog Hollow Swim and Tennis Club ("Applicant") presented an application for a Preliminary and Final Site Plan Approval with use variance (the "Application"); and

WHEREAS, said Applicant was represented by James Vail, Esquire; and

WHEREAS, the Application was for approval to replace an existing tennis court with a swimming pool, along with an associated retaining wall and pump house, on property known as Block 19, Lot 19; Block 24, Lots 1 & 2; and Block 18.02, Lot 31, Louisa Street, in the City of South Amboy; and

WHEREAS, the following Findings of Fact were made:

FINDINGS OF FACT

1. The property is owned by the Applicant.
2. The subject property consists of a swim and tennis club, with two tennis courts and a single pool approximately 50 years in age. The Applicant seeks to replace one of the tennis courts with a second swimming pool.
3. The Applicant's secretary, William Henry, testified about the operation of the club and the need for an additional pool in the event that the single existing pool develops a problem or needs to be repaired or replaced.
4. The Applicant has 325 bondholders / members, which is the maximum number allowed by the Applicants' bylaws.
5. The Applicant is open each year from Memorial Day to Labor Day each summer.

6. The subject property (Block 24, Lots 1 & 2) is located in the M-1 industrial zone and the proposed use is not permitted and thus requires a use variance.
7. That plans consisting of a signed and sealed plan entitled "Area Maps and Zoning Requirements Prepared for: Frog Hollow Swim & Tennis Club" prepared by Carr Engineering Associates, P.A., dated 9/16/09, revised through 1/21/10 consisting of seven sheets, were submitted and considered by the Board.
8. That the Board's Engineer, Angelo Valetutto, P.E. prepared a report dated October 14, 2010, which was reviewed by the Applicant and made a part of the record.
9. That the Applicant's Engineer, Michael Carr, P.E., P.P. testified regarding the proposed replacement of the tennis court with the pool and parking and access issues.
10. Mr. Carr testified that the location of the club in relation to nearby residential areas with naturally existing buffers of elevation and vegetation minimize potential off-site impacts from operation of the club.
11. The Applicant testified that there will not be any increased use or membership as a result of the additional pool.
12. That members of the public raised questions about the sufficiency of the size of parking spaces on the subject property.

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

CONCLUSION

1. That the Application is for site plan approval with a use variance.
2. That the Applicant has put forth evidence to justify the grant of a use variance.
3. That the Use Variance is herein granted. The benefit of granting such Variance 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.
4. That the Preliminary and Final Site Plan as submitted and made part of the record, is herein approved subject to the conditions set forth in the AJV Engineering, Inc. Report of October 14, 2010, the conditions placed on the record and the conditions set forth below.

5. That the granting of the requested variance advances the purposes of zoning by allowing the continued use of an existing business.

NOW, THEREFORE, BE IT RESOLVED that the Application for a Preliminary and Final Site Plan and Use Variance as above described are herein **GRANTED** subject to the following conditions:

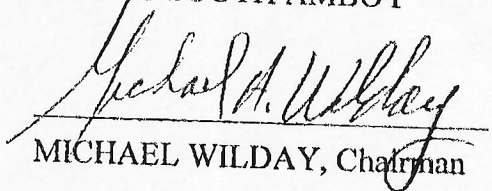
1. Applicant shall comply with the terms of the AJV Engineering, Inc. report of October 14, 2010 and all other conditions placed on the record.
2. Applicant shall meet and confer with Angelo Valetutto, P.E. regarding the sufficiency of the size of parking spaces as discussed during the meeting held on October 27, 2010 and shall change the striping of any parking spaces deemed of insufficient size, which changes shall be a condition of approval.
3. That the Applicant submit copies of all approvals of any other Governmental Agencies having jurisdiction over this Site.
4. That all outstanding taxes, application, and escrow fees be paid in full.
5. No building permit of any kind shall be issued to the Applicant until all escrow fees are paid in full.

The above memorialization is the result of a Motion duly made and seconded on the 27th day of October, 2010.

ATTEST:

LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY



MICHAEL WILDAY, Chairman