

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB - 4 -2016

A RESOLUTION APPROVING AMENDED PRELIMINARY AND FINAL MAJOR SITE PLAN TO PERON DEVELOPMENT/SOUTH AMBOY II, LLC FOR BLOCK 22, LOTS 3.03 & BLOCK 24, LOT 2.03, LANDS OF THE CITY OF SOUTH AMBOY

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 amended preliminary and final major site plan approval (Block 22 Lot 3.03 and Block 24, Lot 2.03 located in South Amboy) ("Application"); and

WHEREAS, Applicant previously obtained Site Plan approval in 2008 permitting the construction of 126 Townhome units; and

WHEREAS, in 2011, Applicant obtained Subdivision and Amended Site Plan approval whereby a portion of the Applicant's property was subdivided to be utilized by Venetian Healthcare, with the remainder to be utilized by the Applicant for the construction of 85 townhome units; and

WHEREAS, the Application seeks to amend the existing Site Plan Approval to permit the construction of 126 townhome units in 11 buildings with associated roadways and related improvements; and

WHEREAS, the Planning Board held a public hearing on March 23, 2016 and has carefully considered the Application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, said Applicant was represented by Philip J. Morin, Esquire; and

WHEREAS, the Applicant presented the testimony of Stephen Santola, Esq., Dennis Keenan, P.E., and Richard Arzberger, AIA; and

WHEREAS, the Applicant submitted, and the Board considered, the following documents:

1. Site Plan entitled, "Amended Preliminary and Final Major Site Lower Broadway Redevelopment", prepared by French and Parrello Associates, P.A., dated 1/29/16 and consisting of 15 sheets.
2. Exhibit A-1 – Site Plan Booklet
3. Exhibit A-2 Rendering of an O'Leary Building
4. Exhibit A-3 Subdivision Plan
5. Exhibit A-4 Colored Rendering of Site Plan
6. Exhibit A-5 Elevation of Broadway Building
7. Exhibit A-6 Elevation of Uphill Building
8. Exhibit A-7 Elevation of O'Leary Building
9. Exhibit A-8 Front, Side and Rear Elevation of O'Leary Building
10. Exhibit A-9 Front, Side and Rear Elevation of Uphill Building
11. Exhibit A-10 Front, Side and Rear Elevation of Broadway Building
12. Exhibit A-11 Front, Site and Rear Elevation of Maintenance Building

WHEREAS, the Application is to amend the 2011 preliminary and final site plan approval to increase the number of units to 126, which is the number approved in the original Site Plan approval obtained by the Applicant in 2008; and

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WHEREAS, the Board received and considered a report by Angelo J. Valetutto, P.E., P.P. of AJV Engineering, Inc., dated March 16, 2016 ("Valetutto Report"); and

WHEREAS, the following Findings of Fact were made:

FINDINGS OF FACT

1. The subject property is located in the Southern Waterfront Redevelopment Area.
2. The Applicant seeks to obtain amended preliminary and final amended site plan approval in order to permit the construction of 11 buildings with 126 residential units (as provided in the Applicant's original Site Plan approval from 2008) along with 345 parking spaces, associated roadways and other related site improvements.
3. The Application does not seek or require variances from the applicable zoning requirements but does request several deviations from standards contained in the Redevelopment Plan.
4. Stephen Santola, Esq., testified as to the reasons why no development took place following the 2008 site plan approval, which reasons included the downturn in the economy and significant environmental contamination.
5. Mr. Santola testified as to the expected construction schedule and the proposed development.
6. Mr. Santola testified that there will be a maintenance person who lives in one of the units.
7. He further testified that the Applicant will be responsible for trash collection and will handle all snow removal except on O'Leary Boulevard.
8. The Application requires 290 parking spaces per RSIS, 252 parking spaces per the Redevelopment Plan and is providing 325 parking spaces, with an additional 20 parallel parking spaces as delineated on John T. O'Leary Boulevard.

9. Mr. Keenan testified about the site plan, parking and building layout and infrastructure construction which has already been undertaken pursuant to the existing approvals.
10. Mr. Keenan testified that the proposed amended Site Plan does not require any variances, but the Applicant does seek a deviation from design standards in the Redevelopment Plan including the requirement for one garage space per unit, minimum set back from the property line and maximum units per building.
11. Mr. Keenan testified that the design standards in the Redevelopment Plan require one garage space per unit, whereas the Applicant proposes 106 garage spaces for 126 units. He testified that in the one building with no garages, each unit will have its own designated space in a parking area underneath or adjacent to the residential portion of the building.
12. Mr. Keenan testified that the Application seeks relief from the design standard in the Redevelopment Plan requiring a 25 foot set back from the property line. The reason for the deviation is the construction of John T. O'Leary Boulevard and he further testified that the proposed 15 foot set back is not changed from the prior approval.
13. Mr. Keenan testified that an additional deviation is to have the maintenance building set back 5 feet from John T. O'Leary Boulevard. He testified that the maintenance building is necessary and is in fact approximately 13 feet set back from the actual roadway (the remainder being the right-of-way) and it would be difficult to comply with the 25 foot setback because of the topography.
14. Mr. Keenan testified that the Applicant had reviewed and would comply with the March 16, 2016 review letter from Angelo J. Valetutto, P.E., P.P.
15. Mr. Arzberger testified about the site plan and lay out of the proposed buildings.

16. Mr. Arzberger testified regarding three additional deviations from the Redevelopment Plan.
The Architectural Review Board had requested changes to the roofline of the Broadway building which resulted in the height being 44 feet, one foot higher than the allowable height of 43 feet.
17. The second deviation sought by the Application is number of units per building, where 10, 12 and 20 are proposed and eight is the maximum. The scale and footprint of the buildings are the same as what was previously approved, with the only change being more units inside.
18. The third deviation is to reduce the square footage of the largest units to 1300 square feet, 200 of which is garage space. The reduction in size is due largely to the reduction from townhouse to apartment and from three to two-bedroom units.
19. During the hearing the Applicant agreed to meet with officials from the Frog Hollow Swim Club to discuss the widening of the access road to Frog Hollow in order to investigate the potential of making it a wider, two way road and to put in a sign, to be approved by Angelo J. Valettuto, P.E., P.P. prohibiting through traffic into the Frog Hollow Club.
20. The Applicant agreed to comply with all of the conditions set forth in the Valettuto Report dated March 16, 2016.
21. The site plan applications do not require any variances but does seek several variations from certain standards contained in the Redevelopment Plan, all of which are found and determined to be reasonable and justified due to site conditions.

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

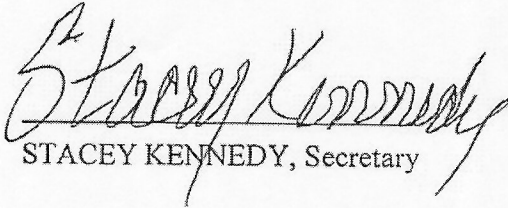
CONCLUSION

1. That the amended preliminary and final site plan approval are herein granted subject to the conditions set forth in the March 16, 2016 review letter of AJV Engineering and all conditions placed on the record.

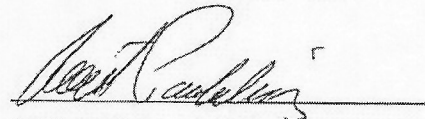
NOW, THEREFORE, BE IT RESOLVED that the Application for Amdended Preliminary and Final Major Site Plan Approval are herein granted subject to the following conditions:

1. Applicant shall comply with the terms of the AJV Engineering, Inc. report of March 16, 2016, except as modified herein and on the record.
2. That any revisions of the Plans and Exhibits be submitted in accordance with the comments of said Board Engineer, as set forth in the AJV Engineering, Inc. report of March 16, 2016.
3. Applicant (Peron Development) shall consult with officials from the Frog Hollow Swim Club regarding the potential for widening the access road into Frog Hollow in order to accommodate two way traffic.
4. Applicant shall comply with all applicable local, county, state and federal laws, rules, regulation and approvals, including but not limited to the New Jersey Department of Environmental Protection.
5. 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.
6. Approval is subject to review and approval of the South Amboy Fire Department, Architectural Review Committee and any other governmental agency having jurisdiction or authority over the application, and subject to the terms and conditions of the Redevelopment Agreement between Peron Development and the South Amboy Redevelopment Agency, as amended.
7. That all outstanding taxes, application, and escrow fees be paid in full.
8. This Resolution shall take effect as provided by law.

ATTEST:


STACEY KENNEDY, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


ROBERT PAULUKIEWICZ, Chairman

CERTIFICATION

Certified to be a True Copy of a Resolution adopted by the Planning Board of the City of South Amboy on April 27, 2016, 2016 at a duly convened meeting.

DATE:

Stacey Kennedy, Secretary