

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION #5 -2009

**A RESOLUTION APPROVING PRELIMINARY SITE PLAN WITH VARIANCES TO
VINTAGE AUTO COLLECTIBLES, LLC**

WHEREAS, on July 29, 2009, at a duly advertised Meeting of the Planning Board of the City of South Amboy, Vintage Auto Collectibles, LLC (“Applicant”) presented an application for a Preliminary and Final Site Plan Approval with variances (the “Application”); and

WHEREAS, said Applicant was represented by Richard H. Rybak, Esquire; and

WHEREAS, the Application was for the construction of an addition of 19’ by 66’ for use in its high-end auto restoration business on property known as Block 72, Lot 3, 519 Main 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 Applicant seeks to construct a 19’ by 66’ addition onto the existing building for use in the storage and display of vintage automobiles as part of its high-end auto restoration business.
3. The Applicant’s owner, Gerard Moringiello testified about the business of the Applicant and the need for the addition and use that will be made of the proposed addition.
4. The subject property is located in the B-1 Building zone and is a permitted use.
5. That plans, as prepared by Michael Carr, P.E., P.P. of Carr Engineering Associates, P.A. dated June 1, 2009, were submitted and considered by the Board, which plans consisted of two sheets.
6. That Gerard Moringiello, an owner of the Applicant, was sworn and testified as to the nature of the proposed project and the need for the expansion.

7. Mr. Moringiello testified that the Applicant would like to be able to store and show restored vehicles within the building.
8. Mr. Moringiello testified that the operations of the Applicant are governed by State regulations and the Applicant has all necessary permits.
9. That Michael Carr, the Applicant's Engineer, was sworn and testified as to the nature of the proposed project.
10. That Mr. Carr testified as to the need of the following Variances from the Development Regulations:
 - a Total lot coverage, where 81 percent is proposed
 - b Off Street parking, 23 spaces required and 16 spaces being proposed;
 - c Impervious coverage
 - d Rear yard set back, 25 feet required, 1.79 (existing) proposed.
11. Mr. Carr testified that the benefit of the requested variances outweighed the detriment and the relief could be granted by the Board without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance.

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

CONCLUSION

1. That the Application is for a permitted use in the B-1 Zone and consistent with the City Master Plan as well as the current Zoning Ordinances of the City.
2. That the Bulk Variances for total lot coverage, off street parking, impervious coverage and rear yard setback, are herein granted. 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.
3. That the Preliminary 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 July 17, 2009, the conditions placed on the record and the conditions set forth below.
4. That the granting of the requested variances advances the purposes of zoning by helping to develop the property with a permitted use, and provides for the safe utilization of the property.

NOW, THEREFORE, BE IT RESOLVED that the Application for a Preliminary Site Plan and Bulk Variances 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 July 17, 2009.
2. Applicant shall meet with officials of the Sacred Heart Church regarding an agreement to limit the time that paint spraying will be conducted on the Applicant's Property in order to address the concerns of the Church in relation to the preschool it operates on the adjacent property, as well as the potential to park cars in the Church parking lot.
3. The Applicant will retain the services of an outside consultant to test and confirm that the Applicant is in compliance with all regulations related to painting and paint and odor emissions, with a copy of such report being provided to the Board upon receipt by the Applicant.
4. The Applicant will be limited to seven employees at the subject property.
5. Applicant will provide an internal floor plan of the building.
6. That the Applicant submit copies of Application Approvals of any other Governmental Agencies having jurisdiction over this Site.
7. That all outstanding taxes, application, and escrow fees be paid in full.

The above memorialization is the result of a Motion duly made and seconded on the 26th day of August, 2009, on the following vote:

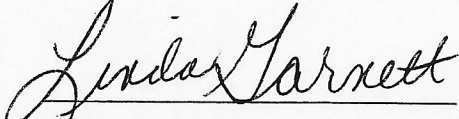
Those in favor: Francis Mulvey, Ryan Tooker, Joseph Connors, Robert Iremonger

Opposed: Peggy Scarillo

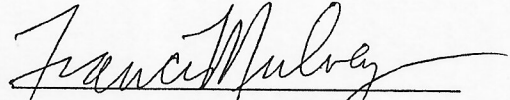
Abstained:

Not Voting/ Not participating: Michael Wilday

ATTEST:


LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


FRANCIS MULVEY, Vice Chairman

CITY OF SOUTH AMBOY

LEGAL NOTICE

Taken Notice that on the 26th day of August 2009, the Planning Board of the City of South Amboy, adopted a resolution memorializing Preliminary Site Plan Approval and Bulk Variance Approvals pursuant to an application made by Vintage Auto Collectibles, LLC in regard to property at 519 Main Street known as Block 72, Lot 3 on the City of South Amboy Tax Map. The approval is subject to the terms and conditions set forth in the aforesaid resolution.

The resolution, the report and other related documents are on file and available for inspection during regular business hours in the Office of the Planning Board in the City Hall, 140 North Broadway, South Amboy, New Jersey.

Linda Garnett, Secretary
South Amboy Planning Board