

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION # 5-2011

A RESOLUTION APPROVING PRELIMINARY MAJOR SUBDIVISION AND PRELIMINARY AND FINAL MAJOR SITE PLAN TO VENETIAN HEALTHCARE, LLC AND PERON DEVELOPMENT/SOUTH AMBOY II, LLC FOR BLOCK 22, LOTS 3, 3.01, 3.02, 4, 4.01 & 4.12; BLOCK 23, LOTS 1, 1.03, 1.04 & 2; BLOCK 24, LOT 2.01

WHEREAS, application has been made by VENETIAN HEALTHCARE, LLC and PERON DEVELOPMENT/SOUTH AMBOY II, LLC (“Applicant”) to the Planning Board of the City of South Amboy (“Board”) for preliminary major subdivision and preliminary and final major site plan approval (Block 22, Lots 3, 3.01, 3.02, 4, 4.01 and 4.12; Block 23, Lots 1, 1.03, 1.04 and 2; Block 24, Lot 2.01 located in South Amboy) (“Application”); and

WHEREAS, the Planning Board held a public hearing on June 8, 2011 and has carefully considered the Application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, said Applicant was represented by John S. Wisniewski, Esquire; and

WHEREAS, the Applicant presented the testimony of Diane Cox, Denis Keenan, P.E., Scott Hoffman (architect), Vincent Meyers (architect) and Stephen Santola, Esq.; and

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

1. Outbound survey, entitled, “Minor Subdivision of Lot 4.12, Block 22”, prepared by French and Parrello Associates, P.A., dated 4/11/11.
2. Stormwater Management Report, prepared by French and Parrello Associates, P.A., dated 4/14/11.

3. Architectural plans entitled, "Venetian Care and Rehabilitation Center, South Amboy, NJ", prepared by Design Ideas Group Architecture and Planning, LLC, dated 5/11/11, and consisting of 5 sheets.
4. Site Plan entitled, "Amended Preliminary and Final Site Plan for South Amboy – Lower Broadway Redevelopment", prepared by French and Parrello Associates, P.A., dated 5/11/11 and consisting of 15 sheets.
5. A-1 Subdivision Map 4/4/11
6. A-2 Site Plan 5/11/11 (combined)
7. A-3 Site Plan 5/11/11 (Nursing)
8. A-4 Ground Floor Plan
9. A-5 Resident floor plan
10. A-6 Front elevation
11. A-7 Town Home elevation
12. A-8 Redeveloper's Agreement

WHEREAS, the Application is to permit the construction (by Venetian Healthcare) of a skilled nursing facility on what is currently Block 23, Lot 1 and Block 24, Lot 2.01; and to amend Minor Subdivision Approval (December 18, 2007) and final site plan approval (January 23, 2008) obtained by Peron Development to decrease the number of townhomes previously permitted in order to accommodate the skilled nursing facility on a portion of the subject property; and

WHEREAS, the Board received and considered a report by Angelo J. Valetutto, P.E., P.P. of AJV Engineering, Inc., dated June 1, 2011 (“Valetutto Report”); and

WHEREAS, the Board received and considered O-1, Boundary and Topographic Survey, by Carr Engineering, dated 5/26/09; 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 subdivision approval in order to subdivide approximately 3.3 acres from the subject property which portion will be used for the construction of the skilled nursing facility.
3. The proposed preliminary major subdivision does not require the approval of any variances.
4. The Applicant seeks to obtain preliminary and final amended site plan approval in order to permit the construction of a skilled nursing facility and to reduce the number of townhome units from 118 to 86 and to relocate eight units on the portion of the subject property to be developed with townhome units.
5. Mr. Keenan testified as to the 3.3 acres to be subdivided and developed with the skilled nursing facility and that the subdivision complied with the subdivision ordinance.
6. Mr. Keenan testified as to the changes to the prior site plan approval, including the reduction in units from 118 units to 86 units, which include the relocation of 8 units to the portion of the property to be developed with townhomes.
7. Mr. Keenan testified that there will be 15 two-bedroom units and 71 three-bedroom units.
8. There are 133 parking spaces provided on the portion of the property to be developed with the skilled nursing facility which is in compliance with the Redevelopment Plan.
9. Stephen Santola, Esq., attorney for Peron Development, 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.
10. Mr. Santola testified as to the expected construction schedule.
11. Mr. Santola testified that the maintenance of anything marked “driveway” on the plans would be the responsibility of the Applicant (Peron Development) to maintain, and that “roadways” and “alleyways” would be the responsibility of the City.
12. Ms. Cox testified about the proposed skilled nursing facility, and that the Briarwood Care Rehabilitation Facility will be undergoing extensive reconstruction and the residents will be permanently moved to the proposed facility which is the subject of this Application.
13. Ms. Cox testified as to the operations of the facility, the staffing level and expected activities.
14. Mr. Meyers testified as to the design of the skilled nursing facility and the various design features.
15. Mr. Hoffman also testified as to the design of the skilled nursing facility.
16. The Applicant agreed to comply with all of the conditions set forth in the Valetutto Report.

17. William Henry, a resident of South Amboy and on the Executive Board of the Frog Hollow Swim Club questioned the Applicant's witnesses.
18. The subdivision and site plan applications do not require any variances.
19. That an outbound survey entitled "Minor Subdivision of Lot 4.12, Block 22", prepared by French and Parrello Associates, P.A., dated 4/11/11 was submitted and considered by the Board.
20. That architectural plans entitled, "Venetian Care and Rehabilitation Center, South Amboy, NJ", prepared by Design Ideas Group Architecture and Planning, LLC, dated 5/11/11, and consisting of 5 sheets were submitted and considered by the Board.
21. That Plans entitled, "Amended Preliminary and Final Site Plan for South Amboy - Lower Broadway Redevelopment", prepared by French and Parrello Associates, P.A., dated 5/11/11 and consisting of 15 sheets were submitted and considered by the Board.
22. That a Stormwater Management Report, prepared by French and Parrello Associates, P.A., dated 4/14/11, was submitted and considered by the Board.

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

CONCLUSION

1. That the preliminary major subdivision approval and preliminary and final amended site plan approval are herein granted subject to the conditions set forth in the Valetutto Report and all conditions placed on the record.

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

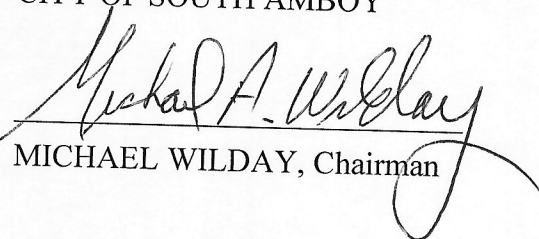
1. Applicant shall comply with the terms of the AJV Engineering, Inc. report of June 1, 2011, except as modified herein and on the record.
2. Applicant shall modify its subdivision plans, subject to the review and approval of the Board's Engineer, to show the fifty-five (55) foot right of way for the extension of John T. O'Leary Boulevard, and in conformance with the conditions set forth in the Valetutto Report.
3. Drug and alcohol rehabilitation and mental health treatment is prohibited on the subject property.
4. 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 June 1, 2011.

5. Applicant (Peron Development) shall consult with the City of South Amboy as to the method by which the extension of the John T. O'Leary Boulevard Right of Way shall be created, and upon such approval by the City of South Amboy, shall prepare and file the appropriate documentation. Said documents utilized to create the subject Right of Way shall be reviewed by the Board Planner and Board Attorney prior to execution and filing.
6. 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.
7. 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.
8. 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.
9. That all outstanding taxes, application, and escrow fees be paid in full.
10. Applicant will ensure that existing entranceway to the Frog Hollow Swim Club will not be impeded and Applicant will ensure that the entranceway will be no less than the current width of the existing entranceway.
11. Applicant (Peron Development) shall grade and seed the Sayreville tract adjacent to the subject property.
12. This Resolution shall take effect as provided by law.

ATTEST:

LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


MICHAEL WILDAY, Chairman

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