

PLANNING BOARD  
CITY OF SOUTH AMBOY

**RESOLUTION #06-2008**

**A RESOLUTION APPROVING MINOR SUBDIVISION AND PRELIMINARY AND FINAL PLAN WITH BULK VARIANCES TO EDWARD C. CONDIRACCI FOR BLOCK 46, LOTS 23.02**

**WHEREAS**, application has been made by Edward C. Condiracci ("Applicant") to the Planning Board of the City of South Amboy ("Board") for minor subdivision and preliminary and final site plan approval with variances (Block 46, Lot 23.02 located in South Amboy); and

**WHEREAS**, the Planning Board held a public hearing on February 21, 2008 and has carefully considered the application as well as the testimony and exhibits presented by the Applicant; and

**WHEREAS**, said Applicant was represented by Walter Toto, Esquire; and

**WHEREAS**, the Application for subdivision was to subdivide Block 46, Lot 23.02 into two lots, one lot of approximately 2,016 square feet to be conveyed to the City of South Amboy and named Lot 17.01 to be utilized with the adjacent property owned by the City of South Amboy, and the remainder of Lot 23.02, approximately 4,620 square feet to be named Lot 23.03, to be utilized for the construction of a three story, four unit townhouse with off-street parking spaces; and

**WHEREAS**, the Application for site plan approval was for the construction of a three story, four unit townhouse with off-street parking spaces and other amenities; and

**WHEREAS**, the Application will require variances for minimum lot area, minimum lot depth, minimum rear yard and maximum lot coverage.

**WHEREAS**, the following Findings of Fact were made:

## FINDINGS OF FACT

1. The Applicant seeks to obtain subdivision approval to subdivide Block 46, Lot 23.02 into two lots to be designated Lots 17.01 and 23.03, with newly created 17.01 to be conveyed to the City of South Amboy and utilized for the construction of four off-street parking spaces; and the remainder to be designated Lot 23.03 to be utilized for the construction of one three-story 4 unit building with four off-street parking spaces.
2. The subdivision and site plan applications will require variances for minimum lot area, minimum lot depth, minimum rear yard and maximum lot coverage.
3. That a Plan entitled "Area Maps and Zoning Requirements (Minor Subdivision) prepared for Edward C. Condiracci", prepared by Carr Engineering Associates, P.A., dated 12/2/07 and revised through 1/9/08, consisting of four sheets, was submitted and considered by the Board.
4. That architectural floor plans entitled, "Proposed New Buildings for Mr. Condiracci," prepared by Michael V. Testa, Architect, dated 12/31/07, consisting of five sheets was submitted and considered by the Board.
5. That the project is located in the Broadway/Main Street Redevelopment Area and consists of a permitted use.

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

## CONCLUSION

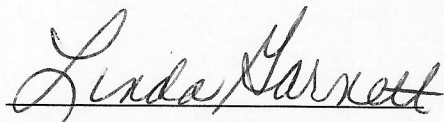
1. That the Bulk Variances for minimum lot area, minimum lot depth, minimum rear yard and maximum lot coverage are herein granted. The benefit of granting such Variances outweighs the detriment, and can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.
2. The requested variances are created as a result of providing additional parking spaces to be utilized in conjunction with the existing adjacent parking lot owned and operated by the City of South Amboy and the benefits of granting the variances outweigh the burdens.
3. That the Preliminary and Final 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. report of February 12, 2008 (with the exception of Comment Number 6 – regarding grading of the proposed parking area and drainage to August St.) and the conditions set forth on the record.
4. 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. report of February 12, 2008 (with the exception of Comment Number 6) and the conditions set forth on the record.

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

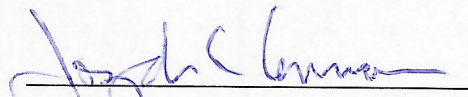
1. Applicant shall comply with the terms of the AJV Engineering, Inc. report of February 12, 2008, with the exception of Comment Number 6.
2. That any revisions of the Plans and Exhibits be submitted in accordance with the comments of said Board Engineer, as set forth in the AJV Engineering, Inc. report of February 14, 2008.
3. The acceptance by the City of South Amboy of a conveyance of the newly-created Lot 17.01
4. The execution and filing of a permanent access easement across Lot 17 and the newly-created Lot 17.01 to provide access to the parking spaces on the newly-created Lot 23.03 in conformance with the outline of such easement placed on the record at the February 21, 2008 hearing, with the terms and conditions of the easement to be reviewed and approved by the Board Engineer and Attorney prior to execution and filing.
5. Revision to the plans to indicate that there will be eight rather than four parking spaces in the carport area of newly-created Lot 23.03.
6. The eight spaces in the carport area of Lot 23.03 shall be used only for the parking of automobiles and no other residential purposes and a provision setting forth this restriction shall be contained in any deed conveying any interest in the subject property from the current owner to any subsequent owner, which provision shall run with the land.
7. Approval is subject to review and approval by the Architectural Review Committee of the architectural renderings for the entire project as well as the plantings and vinyl fence that will be located on newly-created Lot 17.01.
8. Approval is subject to the repaving, by the Applicant, of any area disturbed by the installation of new utility lines, such repaving to be done in accordance with the review and approval by the Board Engineer.
9. Subject to revisions of the plans (Sheets 3 of 4 and 4 of 4 of the Carr Engineering Plans) to eliminate two of the three columns on the outside of the carport area, leaving only one center column.
10. The carports to be constructed on Lot 23.03 will be converted to garages by the installation of garage doors, which shall be indicate on the Plans.
11. The provision of striping in the parking area of newly-created Lot 23.03 area to delineate the parking spaces

12. 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.
13. 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.
14. 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.
15. That all outstanding taxes, application, and escrow fees be paid in full.
16. This Resolution shall take effect as provided by law.

ATTEST:

  
LINDA GARNETT, Secretary

PLANNING BOARD OF THE  
CITY OF SOUTH AMBOY

  
~~MICHAEL WILDAY, Chairman~~  
Joseph Connors, CHAIR