

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION # 6-2010

A RESOLUTION APPROVING MINOR SUBDIVISION AND PRELIMINARY AND FINAL PLAN WITH BULK VARIANCES TO EDWARD C. CONDIRACCI FOR BLOCK 46, LOTS 17 AND 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, Lots 17 and 23.02 located in South Amboy); and

WHEREAS, the Planning Board held a public hearing on October 27, 2010 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 is to subdivide Block 46, Lot 17 into two lots, a portion of which will be conveyed to the Applicant, and Lot 23.02 to be conveyed to the City of South Amboy.

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

WHEREAS, the Application will require a variance for impervious coverage – 88 percent on Lot 17 and 80 percent on Lot 23.03 where 50 percent is permitted.

WHEREAS, the following Findings of Fact were made:

FINDINGS OF FACT

1. The Applicant seeks to obtain subdivision approval to subdivide Block 46, Lot 17 into two lots with a portion to be conveyed to the Applicant and utilized for the construction of a three-story 6 unit building with four parking spaces, with newly created lot to be conveyed to the City of South Amboy and utilized for the construction of eight off-street parking spaces to be utilized by the residents of Applicant.
2. The subdivision and site plan applications will require variances for impervious coverage.
3. That a Plan entitled "Area Maps and Zoning Requirements (Minor Subdivision) prepared for Edward Condiracci", prepared by Carr Engineering Associates, P.A., dated 9/8/10, consisting of six sheets, was submitted and considered by the Board.
4. That architectural plans entitled, "Proposed New Residential Building for: Mr. Condiracci", prepared by Michael V. Testa, Architect, dated 9/9/10, consisting of three sheets was submitted and considered by the Board.
5. That the Applicant testified regarding the nature of the proposed development and the changes from prior subdivision and site plan approval.
6. That the Applicant provided testimony from Michael Carr, P.E. P.P. regarding the nature of the application and the variance requested.
7. 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 preliminary and final subdivision approval and preliminary and final site plan with bulk variances 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 October 13, 2010 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 October 13, 2010 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 October 13, 2010.
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 October 13, 2010.
3. The acceptance by the City of South Amboy of a conveyance of the newly-created Lot.
4. The execution of a Redevelopment Agreement between the Applicant and the South Amboy Redevelopment Agency.
5. Subject to the provision of fencing and landscaping acceptable to Carlton Rose of 218 David Street, South Amboy.
6. Approval is subject to review and approval by the Architectural Review Committee of the architectural renderings for the entire project.
7. Applicant shall prepare and file an easement to perfect the right to access and park on the lot to be conveyed to the City of South Amboy. The said easement shall be reviewed by the Board Planner and Board Attorney prior to execution and filing.
8. 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.
9. 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.
10. 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.

CERTIFICATION

Certified to be a True Copy of a Resolution adopted by the South Amboy Planning Board
at a duly convened meeting of the Board held on *October 27, 2010.*

DATE:

Stacey Kennedy, Secretary