

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB- 07-09
RESOLUTION TO APPROVE PRELIMINARY AND FINAL MINOR SUBDIVISION OF
BLOCK 38, LOT 6, LANDS OF THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by the Estate of Helen Sorrentino, ("Applicant") to the Planning Board of the City of South Amboy ("Board") for preliminary and final minor subdivision approval (Block 38, Lot 6); and

WHEREAS, the Planning Board held a public hearing on November 23, 2009 and has carefully considered the application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, The Applicant was represented by James Vail, Esq.; and

WHEREAS, the Application seeks the subdivision of a single 100' by 100.55' lot with one existing single-family residential building such that the existing buildings will remain on one 50' by 100.55' lot (proposed Lot 6.02) and the resulting 50' by 100.55' lot (proposed Lot 6.01) will be vacant; and

WHEREAS, the Applicant presented the testimony of Ms. Beverly Wojcie, Executor of the Estate of Helen Sorrentino and Michael Carr, P.E.

WHEREAS, the Board has made the following findings and conclusions:

1. Applicant seeks a minor subdivision intended to divide Block 38, Lot 6 (a 100' by 100.55' lot) into two lots, one being 50' by 100.55' and the second being 50' by 100.55'.
2. The creation of Lot 6.02 (occupied lot) will require a variance for side yard (1' whereas 3' required); rear yard set back (2.9' whereas 3' required) (existing);

front yard setback (17.1' vs. 20' required)(existing) and ; total lot coverage (26.3% vs. 25% maximum).

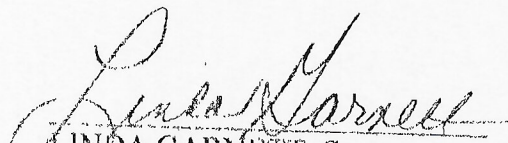
3. The creation of Lot 6.01 (vacant lot) will not require any variance for construction of a single-family residential building.
4. The variances as set forth in this Resolution are herein granted. The benefit of granting such variances outweighs the detriment, and can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.
5. The application does not seek authorization for any additional construction, buildings, or site work.
6. The subject property is depicted upon a plan entitled "Area Maps and Zoning Requirements (Minor Subdivision) Prepared for Estate of Helen Sorrentino, prepared by Carr Engineering Associates, P.A., dated 7/27/09, consisting of two sheets.
7. The nature of the application is a minor subdivision.
8. The Applicant consented to the imposition of a condition that no variances shall be sought in connection with the future development of proposed Lot 6.01 and that any application for development will fully conform to the City of South Amboy Land Use Ordinance.

NOW, Therefore Be It Resolved by the Planning Board in the City of South Amboy in the County of Middlesex and State of New Jersey on this 15th day of December, 2009 Minor Subdivision Approval with variances is hereby granted subject to the following conditions:

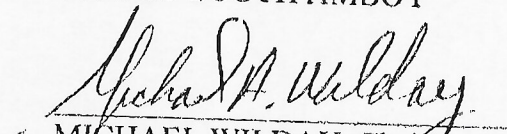
1. Applicant shall publish a brief notice of determination in an official newspaper of the City within 20 days of receipt of a copy of this Resolution from the Planning Board Secretary. Applicant shall furnish to the Board an Affidavit of Publication by said newspaper.
2. Satisfaction of all conditions set forth in the November 10, 2009 report of Angelo J. Valetutto, P.E., P.P., which shall be confirmed by review and approval of revisions to the Plans as set forth in the November 10, 2009 report and as placed on the record during the hearing on November 23, 2009.
3. That any building to be constructed on Lot 6.01 will be fully conforming with all zoning regulations, including all zoning regulations related to setbacks and lot coverage.

4. That all outstanding taxes, application, and escrow fees be paid in full.
5. That the Applicant submit copies of Approvals of any other Governmental Agencies having jurisdiction over this Site.
6. 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 subdivision deed shall be reviewed by the Board Planner and Board Attorney prior to execution on behalf of the Board. The proposed lot numbers of 6.01 and 6.02 shall be reviewed and approved by the Tax Assessor prior to execution of the subdivision deed on behalf of the Board.
7. Applicant and its successors in interest shall comply with all applicable state, county, and municipal laws and requirements in the use of the property.
8. This Resolution shall take effect as provided by law.

ATTEST:


LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


MICHAEL WILDAY, Chairman

CERTIFICATION

Certified to be a True Copy of a Resolution adopted by the Planning Board of the City of South Amboy on December 15, 2009 at a duly convened meeting.

DATE:

Linda Garnett, Secretary