

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION # 7-2011

RESOLUTION GRANTING AMENDED PRELIMINARY AND FINAL SITE PLAN
APPROVAL AS TO BLOCK 160, Lot 1.03

WHEREAS, application has been made by Raritan Pointe, LLC ("Applicant") for an amendment to previously approved final site plan approval in regard to property known and designated as Block 160, Lot 1.03 on the Tax Map of the City of South Amboy ("Application"); and

WHEREAS, by Resolution No. 03-2006, this Board previously granted preliminary and final subdivision approval to the Applicant; and

WHEREAS, the present applicant seeks certain amendments to the approval set forth in Resolution No. 03-2006; and

WHEREAS, the Planning Board held a public hearing on July 27, 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 Paul Swanicke, Esq.; and

WHEREAS, the Applicant presented the testimony of Seth Yaroni, Nicholas C. Rotunda, P.P., P.P, and Ronald Weiss, Architect; and

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

- A. Site Plan entitled, "Raritan Point, LLC Amended Preliminary/Final Site Plan Development Plan Block 160, Lot 1.03", prepared by T&M Associates, dated 3/29/11, consisting of thirty-four (34) sheets;

B. Sanitary Sewer Pump Station Calculations, prepared by T & M Associates,
dated March 2011;

C. Amended Stormwater Management Report, prepared by T & M Associates,
dated March 2011

D. A-1 Sewer Infrastructure Agreement and Redevelopment Agreement

WHEREAS, said property is located in an area heretofore duly designated as the
Broadway/Main Street Redevelopment Area; and

WHEREAS, proper proof of advertisement and service of notices of a public
hearing in regard to this Application have been furnished; and

WHEREAS, the aforementioned plans were reviewed by Angelo J. Valetutto,
P.E., P.P., the consultant to the Planning Board, who provided a report to the Planning
Board, dated June 16, 2011; and

WHEREAS, the Board deemed said Application complete and further the Board
did review the Application, including but not limited to the submitted plans and heard
testimony and reviewed the aforesaid report of Mr. Valetutto, at public meetings held on
July 27, 2011; and

WHEREAS, the previous application included a three building, three phase mixed
use development involving retail, hotel, office and condominium unit uses; and

WHEREAS, the current Application also seeks a three building, three phase
mixed use development, with deletion of the hotel use, decrease in size of Building C and
reconfigured parking area

WHEREAS, the Board has considered the plans, the respective testimony
aforesaid and the report to it by its consultant, Angelo J. Valetutto, P.E., P.P., and finds

that:

- (A) The Planning Board has jurisdiction in this matter.
- (B) Applicant's proposal will not be in conflict with the Master Plan, the Official Map, the Development Regulations of the City Ordinances or the Broadway/Main Street Redevelopment Plan, and will not adversely effect adjoining or nearby properties.
- (C) The proposal before the Board is the overall plan for the development of the site.
- (D) The amendments proposed in the Application will comply with the DEP approval previously obtained by the Applicant.
- (E) Building C has been decreased in size and moved away from the property line and the previously approved Recreation Building has been deleted from the plans.
- (F) During the course of the proceedings Applicant agreed to comply with all of the comments offered by Mr. Valetutto, as well as the items set forth in his letter of June 16, 2011.

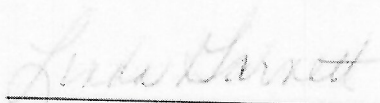
NOW, THEREFORE, Be It Resolved by the Planning Board of the City of South Amboy, on this 24th day of August, 2011 that Amended Preliminary and Final Site Plan Approval in conformance with the plans submitted by the Applicant shall be and are hereby granted, subject to the following conditions:

1. Submission and approval of revised plans in accordance with the aforesaid report of Angelo J. Valetutto, P.E., P.P.
2. Review and approval of all architectural elements of the proposal, as well

- lighting and landscaping, by the Architectural Review Committee.
3. Compliance with the terms and conditions of the Broadway/Main Street Redevelopment Plan.
 4. Compliance with the terms and conditions of the Redevelopment Agreement.
 5. Approval by the County Planning Board.
 6. There will be no psychiatric care or treatment in the offices.
 7. Construction of a fence around the drainage area, the design of such fence to be reviewed and approved by the Board Engineer.
 8. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives, including but not limited to approval by or an exemption letter from the Middlesex County Planning Board.
 9. Each and all other applicable approvals, if any, required by law or statute or regulation.
 10. Subject to review and approval by the City of South Amboy Police Department and Fire Department
 11. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on July 27, 2011, or otherwise.
 12. All other matters set forth above, and/or incorporated herein.
 13. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.
 14. Payment of all sums now and/or hereafter due for application fees and/or escrows.
 15. The Applicant shall publish a brief notice of this determination in an official newspaper of the municipality within twenty (20) days of the date of receipt of a copy of this resolution by the Applicant, and the Applicant shall furnish, to the Planning Board Secretary, an Affidavit of Publication by said newspaper.
 16. No municipal permits of any type or kind shall issue, nor shall the site plans be executed by or on behalf of the Board unless and until there has been full compliance with conditions 1 through 15 above, except that

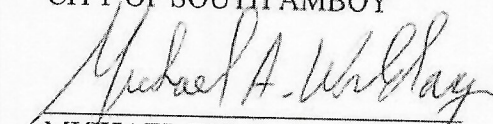
permits for demolition, site work and foundations only, may be issued before compliance with Condition Number 2.

ATTEST:



LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY



MICHAEL WILDAY, Chairman