

PLANNING BOARD
CITY OF SOUTH AMBOY

**RESOLUTION PB-9-17
LIGHTHOUSE BAY RECREATION ASSOCIATION
Case Number 371-17**

**RESOLUTION APPROVING AMENDED FINAL MAJOR SITE PLAN APPROVAL
FOR PROPERTY LOCATED ON
BLOCK 161.03, LOT 20.10
33 LIGHTHOUSE DRIVE
CITY OF SOUTH AMBOY**

WHEREAS, an application has been made by Lighthouse Bay Recreation Association (“Applicant”) to the Planning Board of the City of South Amboy (the “Board”) for an Amended Final Major Site Plan Approval related to property located at 33 Lighthouse Drive, (Block 161.03, Lot 20.10) (the “Property”); and

WHEREAS, Applicant is the owner of Property; and

WHEREAS, the Property is located in the Southern Waterfront Redevelopment Area; and

WHEREAS, the Property has been subject to the removal of certain trees without approval, which landscaping was approved and required pursuant to a final major site plan approval; and

WHEREAS, the Application seeks Amended Final Major Site Plan Approval to replace and plant a total of six (6) Trees (the “Trees”) as described in the Planning Report; and

WHEREAS, the Planning Board held a public hearing on May 31, 2017 and has carefully considered the Application as well as the testimony presented by the Applicant; and

WHEREAS, the Applicant was represented by counsel, John Kwasnik, Esq., of the firm of Mezzacca & Kwasnik, LLC; and

WHEREAS, the Applicant produced one witness, Albert Smith, representative of the applicant; 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 proposal was reviewed by Angelo J. Valetutto, P.E., P.P., the consultant to the Planning Board, who provided a report to the Planning Board, dated April 7, 2017 (the "Planning Report"); and

WHEREAS, the Applicants witnesses testified:

1. That he is the representative of the owner of the Property.
2. That Applicant has consented to the conditions contained in the Planning Report
3. That the prior Trees were removed without notice to the City and without authorization.
4. That the new Trees shall be planted in accordance with the Planning Report.
5. All proposed Trees shall be staked prior to installation with notice given to the City of South Amboy, Building Department for review and approval as to location, and
6. All proposed Trees shall be planted at the very earliest opportunity by Applicant;

WHEREAS, the Board deemed said Application complete and did review and consider the Application, including but not limited to the testimony of Applicant and the Planning Report at a public meeting held on May 31, 2017; and

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

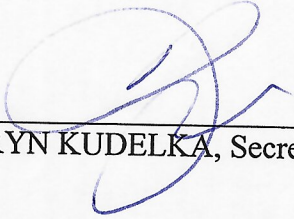
The Planning Board has jurisdiction in this matter.

1. Applicant's proposal will not be in conflict with the Master Plan, the Official Map or the Development Regulations of the City Ordinances and will not adversely affect adjoining or nearby properties.
2. The Board's Engineer, Angelo Valetutto, P.E. prepared a report dated April 7, 2017, which was reviewed by the Applicant, which Applicant agrees to comply with and which was made a part of the record
3. That the Applicant has put forth evidence to justify the approval requested as modified.

NOW, THEREFORE, Be It Resolved by the Planning Board of the City of South Amboy, on this 28th day of June, 2017 that Amended Final Site Plan Approval in conformance with the request submitted by the Applicant and pursuant to the conditions set forth in this Resolution shall be and are hereby granted, subject to the following conditions:


1. Compliance with all conditions set forth in the Planning Report.
2. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives.
3. Each and all other applicable approvals, if any, required by law or statute or regulation.
4. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on May 31, 2017.
5. All other matters set forth above, and/or incorporated herein.
6. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.
7. Payment of all sums now and/or hereafter due for application fees and/or escrows.
8. 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.

ATTEST:



KATHRYN KUDELKA, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY



ROBERT PAULUKIEWICZ, Chairman

CERTIFICATION

Certified to be a true copy of a Resolution adopted by the Planning Board of the City of South Amboy on June 28, 2017 at a duly convened meeting.

Kathryn Kudelka, Secretary

Date: June 28, 2017