

CITY OF SOUTH AMBOY PLANNING BOARD
RESOLUTION PB - 8 -23

Application Number 435-22

**RESOLUTION GRANTING
BULK VARIANCE APPROVAL**

**Paul Ciani
349 Ward Avenue
Block 12, Lot 22**

**City of South Amboy
RA Single Family Residential Zone**

WHEREAS, pursuant to the applicable provisions of the City of South Amboy Land Use Ordinance, the within Application for Bulk Variance Approval has been submitted to the City of South Amboy Planning Board (the “Board”) by Paul Ciani appearing *pro se* (the “Applicant”), for Bulk Variances for Maximum Lot Coverage, Maximum Impervious Coverage, and Minimum Landscape Coverage; and

WHEREAS, the Application reviewed by the Board consisted of those plans and documents as identified in the Report prepared by Jason C. Valetutto, P.E., P.P., the consultant to the Planning Board, dated May 11, 2023; and

WHEREAS, the Application was certified as complete by the Completeness Committee and a Public Hearing with respect to the Application was held by the Board on June 28, 2023, per public notice and personal notice pursuant to N.J.S.A. 40:55D-12; and

WHEREAS, based upon the plans submitted and reviewed by the consultant to the Planning Board, the Applicant required Bulk Variances from the zoning requirements of the City of South Amboy as set forth in the applicable ordinances as follows:

Variances Required

Bulk Variances

	Requirement	Proposed
Minimum Lot Coverage	25%	27.97%
Maximum Impervious Coverage	60%	61.94%
Minimum Landscape Coverage	40%	38.06%

And

WHEREAS, at the previously mentioned public hearing, the following reports were entered into the record:

Description of Reports

Date of Report

AJV Engineering, Inc.

May 11, 2023; and

WHEREAS, the Board, after carefully considering the evidence presented to it by or on behalf of the Applicant, and upon the advice and recommendations of the advisory municipal personnel, and consultants (including, without limitation, those set forth in the aforesaid Planning Reports), makes the following findings of facts:

FINDINGS OF FACT

1. Paul Ciani, the Applicant, acknowledged receipt of the AJV Engineering, Inc. report May 11, 2023 (the "AJV Report"), represented himself *pro se*.
2. Mr. Valetutto presented a summary of the application as follows;
 - The Applicant is adding a small addition to the rear of his house and a small concrete walkway.
3. Mr. Ciani testified to his reasoning for the addition.
 - The premises have only one bathroom and Mr. Ciani would like to add a second bathroom on the second level.
 - The residence currently has three-bedrooms
 - The addition would remove the smaller bedroom on the second level to extend a hallway and create a bathroom on the second level.
 - The addition would enlarge the kitchen on the floor level, and create a new bedroom on the second level, thus keeping the residence a three-bedroom residence.
 - Mr. Ciani stated that the garage with the second floor barn door in the backyard was present when he bought the property and is currently used for storage, however, he would like to remove the second floor door eventually.
 - Mr. Ciani intends to update the gravel driveway to an asphalt driveway once the project is finished.
4. Mr. Valetutto confirmed that the driveway cannot be expanded.

- Board member Gary Forshner asked that there be a condition that Mr. Ciani finishes the driveway.
5. Mr. Valetutto inquired as to what the Applicant's plan is regarding the tree and bushes toward the northern property line where the fence is proposed.
 - Mr. Ciani responded that the neighbor was okay with him removing them thus opening up the surrounding area.
 6. Mr. Valetutto mentioned that the attic floor plan does not have a door being installed for the unfinished space.
 - Mr. Ciani replied that he wants to create a dormer to have additional space to walk up the stairs, to which Mr. Valetutto articulated to the Applicant that the dormer must not exceed the peak of the roof.
 7. Mr. Valetutto stated that the architect needs to update the plans and requested details on the privacy fence.
 8. Mr. Valetutto then told Mr. Ciani that if he is granted the approval, he is required to get letters of no interest from Freehold Soil Conservation and the Middlesex County Planning Board.
 9. The Board by affirmative vote opened the meeting to the public.
 10. No one from the public desired to be heard.
 11. The Board by affirmative vote closed the public portion.
 12. Prior to the consideration of a motion, Mr. Stahl summarized the conditions to be considered by the Board in addition to those set forth in the AJV Report:
 - The Applicant is required to get letters of no interest from Freehold Soil Conservation and the Middlesex County Planning Board.
 - The Applicant is required to have their architect update the plans and provide details on the privacy fence to the Board.
 - Upon completion of the project, the driveway shall be paved, however not expanded.

CONCLUSIONS

Based upon the findings of facts and for reasons set forth below, the Board concludes as follows:

- The Applicant is adding a small addition to the rear of his house and a small

concrete walkway on his existing lot and existing home.

- The residence currently has three-bedrooms
- The addition would remove the smaller bedroom on the second level to extend a hallway and create a bathroom on the second level.
- The addition would enlarge the kitchen on the floor level, and create a new bedroom on the second level, thus keeping the residence a three-bedroom residence.
- The requested variances are *de minimis*.
- The variances can be granted under the C (2) criteria where the benefits outweigh the detriments.
- There is no negative impact on the neighborhood,
- The Bulk Variances can be granted without substantial detriment to the City of South Amboy for the reasons set forth in the record and this Resolution, and further do not create substantial detriment to the public good. The Applicant has satisfied its burden of proof as to both the positive and negative criteria required for the granting of the requested relief.

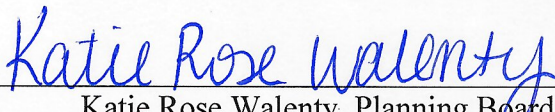
NOW, THEREFORE, BE IT RESOLVED that the City of South Amboy Planning Board hereby **grants** Application #435-22 for Bulk Variances, for Maximum Lot Coverage, Maximum Impervious Coverage, and Minimum Landscape Coverage for premise located at 349 Ward Avenue, also known as Block 12, Lot 22, located on the Tax Map of the City of South Amboy with the following conditions:

1. The Applicant agreed that it would comply with the recommendations set forth in the Planning Report dated May 11, 2023;
2. The Applicant is required to get letters of no interest from Freehold Soil Conservation and the Middlesex County Planning Board.
3. The Applicant is required to have their architect update the plans and provide details on the privacy fence to the Board.
4. Upon completion of the project, the driveway shall be paved, however not expanded.
5. The obligation of the Applicant to comply with the requirements of the City of South Amboy and compliance with all rules and regulations remains in full force and effect;
6. Compliance with each and all other applicable approvals, if any, required by law or

statute or regulation;

7. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearings held on June 28, 2023;
8. All other matters set forth above, and/or incorporated herein;
9. Payment of all outstanding unpaid taxes, and other municipal charges and assessments;
10. Payment of all sums now and/or hereafter due for Application fees and/or escrows;
11. The Board Secretary shall publish a brief notice of this determination in an official newspaper of the City of South Amboy 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; and
12. Prior to the commencement of any site work, all professional escrow fees due the Board Planning Consultant and Planning Board Attorney shall be paid in full.

THIS IS TO CERTIFY that the foregoing is a true copy of the Resolution adopted by the Planning Board of the City of South Amboy at its public meeting held on July 26, 2023.


Katie Rose Walenty, Planning Board Secretary

The Home News Tribune

NOTICE OF DECISION

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RESOLUTION PB - 8 -23**

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BULK VARIANCE APPROVAL**

**Paul Ciani
349 Ward Avenue
Block 12, Lot 22**

**City of South Amboy
RA Single Family Residential Zone**

NOTICE IS HEREBY GIVEN THAT AT A REGULAR MEETING of the Planning Board of the City of South Amboy on July 26, 2023, a Resolution was memorialized as follows:

GRANTED, Application #435-22 for Bulk Variances approval as to premises located at **349 Ward Avenue**, also known as **Block 12, Lot 22**, located on the Tax Map of the City of South Amboy

A copy of this resolution has been filed with the Planning Board of the City of South Amboy, 140 North Broadway, South Amboy, and New Jersey and is available for inspection during normal business hours.

James E. Stahl, Esq.
Borrus, Goldin, Foley, Vignuolo,
Hyman & Stahl, P.C.
Attorney for the Planning Board of
The City of South Amboy
2875 U.S. Highway 1
North Brunswick, NJ 08902
(732) 422-1000