

**CITY OF SOUTH AMBOY PLANNING BOARD
RESOLUTION PB 14-26**

**Application Number 455-25
BODY WELLNESS & REHABILITATION, LLC**

**MAJOR PRELIMINARY AND FINAL SITE PLAN, USE AND BULK
VARIANCE APPROVAL APPLICATION AS AMENDED**

**200 Mason Avenue
Block 35, Lot 15**

**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 Major Preliminary and Final Site Plan, Use and Bulk Variance Approval has been submitted to the City of South Amboy Planning Board (the "Board") by Lawrence B. Sachs, Esq. on behalf of Body Wellness & Rehabilitation, LLC (the "Applicant"), as to premises located at 200 Mason Avenue, also known as Block 35, Lot 15 (the "Property") located on the Tax Map of the City of South Amboy (the "Application"); 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 June 30, 2026; and

WHEREAS, the Application was certified as complete and a Public Hearing with respect to the Application was held by the Board on July 22, 2026 and August 26, 2026, 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 **MAJOR PRELIMINARY AND FINAL SITE PLAN, USE AND BULK VARIANCE APPROVAL** from the RA-Single Family Residential Zone requirements of the City of South Amboy, as set forth in the applicable ordinances as set forth on the report of AJV engineering Inc. dated June 30, 2026, annexed hereto as Exhibit A:

WHEREAS the following reports were entered into the record:

Description of Reports

Date of Report

AJV Engineering, Inc.

June 30, 2026

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 Report), makes the following findings of fact:

The Applicant's attorney presented and the Board swore in the following witnesses;

1. Marc S. Leber, P.E. East Point Engineering, LLC
2. Irwin Jay Feifer, R.A.-I.J. Feifer Associates
3. Nicholas Graviano PP, AICP, Graviano & Gillis Architects & Planners

The "Applicants Witnesses".

Applicant's Witnesses in the aggregate testified in support of Applicants application to add a two-story addition to one of the buildings and create two additional one-bedroom apartments together with construction of a shed, walkway, new fencing and legalize unimproved grass and graveled parking lot.

Mr. Sachs on behalf of Applicant acknowledged receipt of the AJV letter of June 30, 2026.

The Board carefully reviewed the testimony of Applicant's Witnesses, and at the conclusion of the hearing following candid discussions on the record with Applicant's Attorney, Applicant elected to carry its application to the Board meeting of August 26, 2026, without further notice to review and possible revise its application.

The complete record of the proceedings is contained in the transcripts of proceedings dated July 22, 2026, and August 26, 2026.

At the continued hearing dated August 26, 2026, Applicant's Attorney advised the Board that Applicant was eliminating its request for two additional residential units, and thereby eliminating any need for a parking variance or waiver as to EV parking.

CONCLUSIONS

Based upon the findings of facts and for the reasons set forth below, and the agreement of the Applicant through its Attorney on the record, the Board concludes as follows:

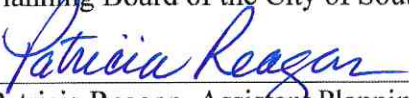
1. The existing use on the Property is an existing non-conforming use and as a result of the elimination of any request for additional structures or additions, no bulk variances and/or use variances are required.
2. The only relief requested is:

- a. Waiver as to proximity and setback of parking lot from the side yard, required 5 ft. proposed approximately 4 ft.
- b. Waiver of width of driveway required 24 ft. proposed 22 ft.

NOW, THEREFORE, BE IT RESOLVED THAT the City of South Amboy Planning Board hereby **grants** Application #455-25 for Amended Approval for a. Waiver as to proximity and setback of parking lot from the side yard, required 5 ft. proposed approximately 4 ft. b. Waiver of width of driveway required 24 ft. proposed 22 ft as to premises located at 200 Mason Avenue Block 35, Lot 15 with the following conditions.

1. Applicant shall post signage on the premises that the Property is private property and any entity or individual parking/trespassing on the Property will have their vehicle removed at their cost and expense pursuant to applicable state statutes.
2. The first 25 ft of fencing along John Street shall be reduced from 6 ft to 4 ft to comply with city ordinances
3. Compliance with the requirements of the AJV report dated June 30, 2026, as it related to the approved items.
4. Compliance with each and all other applicable approvals, if any, required by law or statute or regulation.
5. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on August 26, 2026.
6. All other matters set forth above, and/or incorporated herein.
7. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.
8. Payment of all sums now and/or hereafter due for Application fees and/or escrows.
9. The Board Attorney shall publish a brief notice of this determination in the official newspaper of the City of South Amboy within twenty (20) days of the date of receipt of a copy of this Resolution.
10. Prior to the commencement of any site work, all professional escrow fees due to the Board Planning Consultant and Planning Board Attorney shall be paid in full and the Applicant must submit a revised Site Plan for review by the Board to ensure Resolution Compliance.

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 September 23, 2026.



Patricia Reagan, Assistant Planning Board Secretary