

RESOLUTION OF APPROVAL
FOR CONSTRUCTION OF SINGLE FAMILY HOME

UNIFIED PLANNING BOARD
BOROUGH OF KEYPORT

BLOCK 82 LOT 6.01
Application # 15-06
RUSSELL R. WEBER
84 CHURCH STREET

WHEREAS, Russell R. Weber has applied to the Unified Planning Board of the Borough of Keyport for approval to construct a single family home at property located at 84 Church Street and which property is officially designated as Block 82, Lot 6.01 as shown on the Tax Map of the Borough of Keyport; and

WHEREAS, the applicant has provided notice to all property owners within two hundred feet and have caused notice to be published regarding said application in accordance with N.J.S.A. 40:55D-1 et. seq., this Board gaining jurisdiction thereunder; and

WHEREAS, a public hearing was held in the within matter during a regularly scheduled meeting of the Unified Planning Board held on November 12, 2015 and;

WHEREAS, the Board having carefully considered the evidence and exhibits presented by the applicant and the review of the Borough experts;

NOW THEREFORE, be it Resolved by the Unified Planning Board of the Borough of Keyport that the following findings of facts are made:

1. The applicant, Russell R. Weber, who was present at the meeting, was placed under oath and gave testimony in support of the application.
2. Mr. Weber indicated he is the contract purchaser of certain property located at 84 Church Street which is officially designated as Block 82, Lot 6.01 as shown on the official Tax Map of the Borough of Keyport.
3. This lot was created as part of an earlier subdivision application brought by Robert Carlin under application # 14-03. That subdivision was memorialized by way of a Resolution adopted by the Planning Board on July 24, 2014. Pursuant to Condition # 4 of the resolution, nothing is permitted to be constructed upon Lot 6.01 without first obtaining approval from the Planning Board. The applicant is appearing now in order to satisfy that condition.
4. In support of the application, the Mr. Weber marked into evidence the following exhibits:
Exhibit A-1: Application package
Exhibit A-2: "Plot Plan" dated March 27, 2015, prepared by Robert T. Kee, Jr., P.E. & L.S. of Kee Engineering Enterprises.
Exhibit A-3: "Proposed Elevations" dated July 21, 2010 as prepared by Paul V. Giammona, P.A. of Brick City Reconstruction.

5. In addition to the exhibits presented by the applicant, the Board also marked its own **Exhibit B-1** which was the "Satisfaction of Condition" letter dated October 21, 2015 and authored by the Board Engineer, Francis W. Mullan, P.E., C.M.E.
6. Mr. Mullan, who was placed under oath, testified that he has no objections to the granting of the waivers identified in the letter. He also had no objections to the Board granting the application as presented.
7. Upon questioning of the Board, the applicant confirmed that the brick patio which had presently been located at the site had been removed. This had been a condition of the earlier subdivision application.
8. There was discussion regarding the existing fence at the property. Mr. Weber indicated that the fence did not belong to him and he did not plan on having any fences on his property.
9. Michael Lane, 51 First Street, Keyport, spoke in favor of the application. He indicated that he was familiar with the homes constructed by Mr. Weber and thought they were very nice. He inquired whether the home would have a basement and Mr. Weber responded that it would. He reminded Mr. Weber of the flooding issues associated with basements in Keyport and advised him of the Borough's ordinance regarding pumping into the street. Mr. Weber indicated he was so advised.
10. Tim Ferrante, 90 Church Street, Keyport, appeared and indicated he owns the neighboring house. He inquired what the new home would look like. After reviewing the plans, Mr. Ferrante indicated he was satisfied with the design.
11. No one else testified with respect to the application.
12. In considering this application, the Board has reviewed the plans which were submitted with the application and find them to be in compliance with all Borough ordinances. The Board further recognizes that the only reason this application has been brought before the Board is as a result of Condition # 4 of the original July 24, 2014 Subdivision Resolution. The applicant has now complied with that condition. There is no further action for the Board to take other than to approve the application.

NOW THEREFORE, be it further resolved by the Unified Planning Board of the Borough of Keyport that the application of Russell R. Weber, for premises known as Block 82, Lot 6.01, be granted subject to the following conditions:

1. Subject to further conformance with any and all conditions related to Lot 6.01 as included within the original Resolution of July 24, 2014 which created the lot in question.
2. Subject to construction of the house detailed in the plans marked into evidence as **Exhibit A-2 and A-3.**

3. This approval shall be deemed void by abandonment if permits to construct the new home have not been issued.
4. All representations made under oath by the applicant or his agents shall be deemed conditions of this approval, and any misrepresentations or actions by the applicant contrary to the representations made before the Board shall be deemed a violation of this approval.
5. This application is granted only in conjunction with the conditions noted herein and but or the existence of the same, the within application would not be approved.
6. Subject to all laws and ordinances enacted by either the State or the Borough relative to affordable Housing, including, but certainly not limited to, payment of any required fees.
7. Subject to any and all other approvals as may be required by the Borough, County, State or Federal regulations.
8. Subject to the payment of any fees, escrows and taxes as may be due the Borough, prior to the filing of a subdivision deed or signing of a subdivision map.
9. The action of the Unified Planning Board in approving this application shall not relieve the applicant of responsibility for any damage caused by this project, nor does the Unified Planning Board of the Borough of Keyport or its reviewing professionals and agencies accept any responsibility for the structural design of the proposed improvements or for any damage that may be caused by the development.
10. The applicant must publish adequate notice of this Resolution in the official newspaper of the Borough of Keyport at his sole cost, within ten days, and provide proof of publication to the Board Secretary within thirty days.

The foregoing was Moved by Dennis Fotopoulos, second by Robert Burlew and on Roll Call, the following vote was recorded:

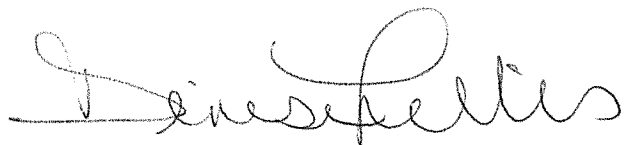
Affirmative: R. Burlew, M. Sessa, R. Benedict, D. Fotopoulos, J. Kovacs, G. Sappah

Negative:

Abstentions: T. Musson

Absent: Mayor Aumack, Councilman Cooper, J. Kovacs-Olsen

The foregoing is a true copy of a Resolution adopted by the Unified Planning Board of the Borough of Keyport as copied from the Minutes of its meeting on December 10, 2015.

A handwritten signature in cursive script, appearing to read "Denise Nellis".

Denise Nellis, Secretary of the Board