

**A RESOLUTION OF THE BOROUGH OF WOODBURY HEIGHTS  
PLANNING/ZONING BOARD GRANTING MINOR SUBDIVISION APPROVAL  
TO BRUCE FARRELL AND JOHN FARRELL**

WHEREAS, Bruce Farrell and John Farrell have applied to the Woodbury Heights Planning/Zoning Board for minor subdivision approval for Lots 1, 2 and 7 of Block 104, which property is located at 900 Chestnut Avenue; and

WHEREAS, the Planning/Zoning Board of the Borough of Woodbury Heights heard this application on April 1, 2013, at which time the applicants presented evidence to the Board in support of their application; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicants in support of their application for a minor subdivision as aforesaid at the April 1, 2013 meeting, has made the following findings of fact:

1. The applicants have submitted an application for minor subdivision approval, providing the Board with a subdivision plan and other supporting documents.
2. No variances are being sought in connection with this minor subdivision.
3. The property is located in the R Residential Zone.
4. The taxes on the subject property have been paid.
5. The applicant has paid and/or posted all required fees.
6. The applicants own Lots 1, 2 and 7 of Block 104.
7. As currently configured, the three lots of Lots 1, 2 and 7 are each fifty foot (50') wide and are not conforming to the current Zoning Code requirements.

8. As proposed, the two new lots would each be seventy-five foot (75') wide, which would be conforming with the current Zoning Code requirements.

9. Accordingly, both of the two proposed lots, after subdivision, shall conform to the existing Zoning Code requirements, such that no variances are needed in order to consolidate Lots 1, 2 and 7 into two (2) new conforming lots.

10. The applicant has agreed to comply with all applicable conditions set forth in the March 22, 2013 Review Report of Mark R. Brunermer, P.E. of Sickels & Associates, the Board Engineer; Mr. Brunermer's March 22, 2013 report is hereby incorporated into this resolution as if set forth at length.

11. This hearing was opened to the public; there were no public comments that affected the Board's consideration of this application.

12. The minor subdivision shall be filed by deeds (not by plan).

13. This application does not involve any variances that might be needed to construct a single-family residence on either lot; if any such variances are determined to be needed in the future, then a new application would be required to be filed with the Board.

14. Although the application does not contain a request to waive sidewalks, the applicants, during the April 1, 2013 meeting, made such a request, due to the topography at the site; the Board, however, based upon the recommendation of the Board Engineer, has decided not to waive sidewalks completely, but rather authorizes the Borough Engineer to work out the details and dimensions of the sidewalks to be installed, as part of the review and approval of the grading plan that is required for each new home to be constructed.

15. Based upon the above facts as presented to the Board, the Board finds that the purposes of the Municipal Land Use Law would be advanced by the grant of the minor subdivision as set forth above.

WHEREAS, based upon the above factual findings, the Planning/Zoning Board of the Borough of Woodbury Heights has come to the following conclusion:

The applicant has satisfied all requirements imposed upon it by the Planning/Zoning Board, or as may be required in accordance with all applicable ordinances of the Borough of Woodbury Heights, or as may be required in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.).

NOW, THEREFORE, BE IT RESOLVED by the Planning/Zoning Board of the Borough of Woodbury Heights that this Board hereby grants Bruce Farrell and John Farrell minor subdivision approval to consolidate Lots 1, 2 and 7 of Block 104 and then subdivide into two conforming lots, subject to compliance with all applicable conditions contained in the March 22, 2013 Review Report of the Board Engineer (as referenced above), as well as the approval of the subdivision deeds by the Board Engineer and Board Solicitor as per usual procedure, and subject to all of the applicant's agreements and statements as made during the April 1, 2013 hearing in this matter.

BE IT FURTHER RESOLVED that the appropriate Borough officials are hereby authorized and directed to take all appropriate actions to effectuate the intent and purpose of this resolution.

