

**RESOLUTION OF FINDINGS AND CONCLUSIONS
PLANNING BOARD OF THE
BOROUGH OF WOODBURY HEIGHTS
08-2017**

WHEREAS A. C. Schultes, Inc. has applied to the Planning Board of Borough of Woodbury Heights seeking an extension of preliminary and final major site plan approval; and

WHEREAS, the property in questions is located on Hudson Street, Block 27, Lots 6 & 7 and Block 34, Lots 1, 2 and 3; and

WHEREAS, the Borough of Woodbury Heights Planning Board has the right to exercise to the same extent and subject to the same restrictions, all the powers of the Zoning Board of Adjustment; and

WHEREAS, the Borough of Woodbury Heights Planning Board has had an opportunity to review the application for A. C. Schultes, Inc. seeking an extension of preliminary and final major site plan approval and a hearing having been held thereon; and

WHEREAS, the Borough of Woodbury Heights Planning Board has made the following factual findings:

1. John H. Shindle, Esquire of the Ward Law Firm appeared on behalf of the applicant. The applicant received preliminary and final major site plan approval by resolution 2009-09 adopted on February 2, 2009. The approval remained valid through December 31, 2015 pursuant to the New Jersey Permit Extension Act. The applicant now seeks the two year extension to which they are entitled pursuant to Municipal Land Use Law. Based on that extension the approval would remain valid through December 31, 2017. The applicant provided updated plans dated October 11, 2016. Because of the significant amount of time that has passed since the original approval, the application was reviewed by the Planning Board Engineer and Planner. The Board therefore carefully considered the review letter of October 31 prepared by Planning Board Engineer, Mark R. Brunermer, PE, CME and Planning Board Planner, Tiffany A. CuvIELLO, PP, AICP. The only changes from the original plan include the addition of a 6" water main extension along Hudson Street, the addition of a fire hydrant near the terminus of the water main extension and a 4" fire services line extension to the building to be constructed as part of the approved plan. The Board determined that the updated plans did not involve any significant changes which would require a new hearing

or approval. The applicant agreed to address all comments set forth in the review letters of the Planning Board Engineer and Planner and to address all conditions of the original approval. One of the most significant conditions was the requirement to vacate portions of various streets. The applicant understands that that issue must be addressed directly with the Mayor and Council.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Woodbury Heights that the application of A. C. Schultes, Inc. seeking an extension of preliminary and final major site plan approval is hereby granted subject to the following conditions:

1. The applicant is granted a two year extension which will expire on December 31, 2017.

2. The applicant agrees to satisfy all comments set forth in the Planning Board Engineers' review letter of October 31, 2016 and the Planning Board Planner's letter of November 6, 2016.

3. The applicant shall satisfy all conditions of the original approval memorialized in Resolution 2009-09 adopted on February 2, 2009.

4. The applicant shall address the issue of vacation of streets directly with the Mayor and Council.

Adopted at a regular meeting of the Borough of Woodbury Heights Planning Board on February 6, 2017.

PLANNING BOARD OF THE BOROUGH
OF WOODBURY HEIGHTS



BRUCE FARRELL, CHAIRMAN

ATTEST:



SHANNON ELTON, SECRETARY
PLANNING/ZONING BOARD

CERTIFICATION

The foregoing resolution was duly adopted by the Planning/Zoning Board of the Borough of Woodbury Heights at the regular meeting of said Board on February 6, 2017.



SHANNON ELTON, SECRETARY
PLANNING/ZONING BOARD