

(3) 04-92 THOMAS CRADEN L.S. 102 & 2102
(4) 04-92 345 POINTS CROFTVIEW ASSOC INC. BOP 187 LOTS 8 & 9 AND DRIVEWAY 14.5
(5) 04-92 NEW BOSTON NW 100.00
(6) 04-92 MARYLOU TO 20240L SYSTEM
(7) 04-92-95 LOTS 08 & 09 & 10 & 11 & 12 NEW BLOCK 1021
(8) 2-21-94 1400 SOUTH OF 10TH 12 & 15 & 16 & 17 NEW LOT 14
(9) 04-11-94 SUBDIVISION OF LOTS 55 & 56 BLOCK 104
(0) 9-23-94 CONSIDERATION OF LOTS 51 & 52 BLOCK 104
(1) 12-17-94 SUBDIVISION OF LOTS 57 & 58 BLOCK 104
(2) 04-28-94 CONSIDERATION OF NEW SUBDIVISION LOTS 54 & 55 & 56 BLOCK 104 TO 1040 NEW LOTS 53 & 55

NOV 2307 BLOCK 188 LOT 15 3 A 1/4 & 1/4 ACRES SURV. SEC. 10
 BLOCK 79 LOT 48 - GRANVILLE TOWNSHIP
 JAN 2005 3 SUBDIVISION OF LOT 2 IN BLOCK 178 NEW LOT 51
 BLOCK 188 LOT 114 - BROWNIE TWP
 NOV 2003 BLOCK 179 LOT 87 - BROWNIE TWP
 NEW LOT = BLOCK 185 LOT 68
 DEC 2302 BLOCK 159 LOT 15 2 & 1/4 CORNER LOT 10
 DEC 2001 1/4 LOT 107 IN 1/4 & 1/4 ACRES TWP 42N
 JUNE 2005 MINOR SUBDIVISION LOT 2 & 3 BLOCK 186
 DEC 25 1/4 ACRES (SEE APPENDIX)
 1981 3/4 ACRES SUBDIVISION LOT 1 & 1/4 ACRES TWP

[illegible]

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QUEST

221

5/15

STAFFORD TOWNSHIP TAX MAP
OCEAN COUNTY, NEW JERSEY
SCALE 1"=100'
APRIL 1960
AERIAL SERVICE CORPORATION

4

**RESOLUTION OF THE STAFFORD TOWNSHIP PLANNING BOARD GRANTING
PRELIMINARY AND FINAL MINOR SUBDIVISION APPROVAL FOR THE
PREMISES KNOWN AS BLOCK 188, LOTS 2, 3 & 4 AS REFLECTED ON THE
OFFICIAL TAX MAP OF THE TOWNSHIP OF STAFFORD**

APPLICATION NO. P07-04

WHEREAS, application having been made by Frank D. Penrose, Jr. to the Stafford Township Planning Board seeking Preliminary and Final Minor Subdivision approval for the premises known as Block 188, Lots 2, 3 & 4 as reflected on the official tax map of the Township of Stafford; and

WHEREAS, the applicant submitted for the Board's consideration, the Minor Subdivision Plan prepared by Eric R. Glasser, P.L.S. bearing a latest revision date of April 5, 2007. The applicant also submitted a complete Development Application along with other documentation as set forth in the review letter of Birdsell Engineering, Inc. dated April 23, 2007, along with the following exhibits:

- A-1 Tax Map of surrounding properties
- A-2 Aerial of the subject property
- A-3 Four (4) photographs of the subject property

WHEREAS, the property in question is an irregularly shaped tract which is located at the southwest corner of the intersection of Avenue "A" and Avenue "B". It is located in the RR-2 Residential Zone and has an area of 7,997.06 sf or .18 acres. Lots 3 and 4 are presently occupied by a one (1) story dwelling (#14) and a shed while Lot 2 is occupied by a one (1) story dwelling (#16) and a wood shed. The existing dwellings are serviced by on-site wells and are connected to the sanitary sewer mains in Avenue "A" and Avenue "B"; and

WHEREAS, the applicant has requested Minor Subdivision approval to consolidate and resubdivide the property into two (2) new lots. New Lot 2 will be a corner lot having an area of 4,037.06 sf and will contain the existing dwelling (#16) and the wood shed while new Lot 3 will have an area of 3,960 sf and will front on Avenue "B". The existing dwelling (#14) and shed on Lots 3 & 4 are to be removed and a new two (2) story dwelling is proposed on new Lot 3. This dwelling will be serviced by an on-site well and connection to the existing sanitary sewer system. In addition, the applicant proposes to dedicate to the Township of Stafford a 4 ft wide roadway easement along Avenue "B" and a roadway easement varying from 3.36 ft to 5.15 ft along Avenue "A"; and

WHEREAS, the applicant has requested the following variances:

1. A variance to permit a lot area of 3,960 sf for new lot 3 whereas a minimum lot area of 4,000 ft is required.
2. A variance to permit a lot depth of 57.5 ft from Avenue "A" for new lot 2 whereas a minimum lot depth of 80 ft is required for a corner lot.
3. A variance to permit a lot depth of 69.1 ft from Avenue "B" for new lot 2 whereas a minimum lot depth of 80 ft is required for a corner lot.
4. A variance to permit a lot depth of 60 ft for new lot 3 whereas a minimum lot depth of 80 ft is required.
5. A variance to permit a lot width of 58 ft along Avenue "A" for new lot 2 whereas a minimum lot width of 80 ft is required for a corner lot.
6. A variance to permit a lot width of 69 ft along Avenue "B" for new lot 2 whereas a minimum lot width of 80 ft is required for a corner lot.

7. A variance to permit a front yard setback of 4.9 ft from Avenue "A" to the existing dwelling on new lot 2 whereas a minimum front yard setback of 20 ft is required. This is an existing nonconformity which is not affected by the proposed minor subdivision.

8. A variance to permit a front yard setback of 4.6 ft from Avenue "B" to the existing dwelling on new lot 2 whereas a minimum front yard setback of 20 ft is required. This is an existing nonconformity which is not affected by the proposed minor subdivision.

9. A variance to permit a front yard setback of 16.19 ft from Avenue "B" to the proposed dwelling on new lot 3 whereas a minimum front yard setback of 20 ft is required.

10. A variance to permit a rear yard setback of 16.4 ft to the existing dwelling on new lot 2 whereas a minimum rear yard setback of 20 ft is required. This is an existing nonconformity which is not affected by the proposed minor subdivision.

11. A variance to permit a rear yard setback of 16.19 ft to the proposed dwelling on new lot 3 whereas a minimum rear yard setback of 20 ft is required.

12. A variance to permit an accessory structure rear yard setback of 0.1 ft to the existing wood shed on new lot 2 whereas a minimum accessory structure rear yard setback of 10 ft is required. This is an existing nonconformity which is not affected by the proposed minor subdivision.

WHEREAS, the applicant has requested the following design waivers:

1. Waivers from providing sidewalks and curbing across the site frontages.
2. A waiver from submitting a Tax Map Resolution sheet, which will be a condition of final approval.

3. Waivers from submitting an Environmental Assessment, Traffic Impact Study, Drainage Calculations and Soils Report.

4. A waiver from showing a Sight Triangle Easement on the plans at the intersection of Avenue "A" and Avenue "B".

WHEREAS, the Stafford Township Planning Board Engineer, John J. Hess, P.E., P.P., C.M.E., having reviewed the application and plans submitted, issued a report to the Board dated April 23, 2007, which is incorporated herein and made a part hereof; and

WHEREAS, the Stafford Township Water and Sewer Consultant, Frank Weisensee, P.E. of Schoor DePalma, having reviewed the application and plans submitted, issued a report to the Board dated March 16, 2007, which is incorporated herein and made a part hereof; and

WHEREAS, the Stafford Township Environmental Commission, Historic Preservation Commission and Fire Company #1 each having reviewed the application and plans submitted, issued letters of no comment to the Board; and

WHEREAS, the application was considered by the Stafford Township Planning Board at a public hearing on May 2, 2007; and

WHEREAS, testimony was provided by the applicant, Frank D. Penrose, Jr. and his engineer, Timothy Holmes, P.E., in support of the requested variances and design waivers, several of which are due to existing conditions on the subject property. Mr. Penrose testified that the existing dwelling (#14) on Lots 3 and 4 is old and is in disrepair. The house will be demolished and a new two (2) story house on pilings will be constructed, similar to newer houses built in the area. The applicant, along with his engineer, testified that the proposed subdivision would be an improvement over the existing conditions and more conforming to the other properties in the neighborhood; and

WHEREAS, the public portion of the meeting was lawfully conducted and testimony was received from adjoining property owners; and

WHEREAS, the Board, after considering and weighing all of the evidence presented by the applicant in support of the application, along with all of the comments and testimony, presented to the applicable standards set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. and the code of the Township of Stafford, found that the applicant's proposal for Preliminary and Final Minor Subdivision approval, along with the requested variances and design waivers, would not cause a substantial detriment to the public good and that the approval of the application would not impair the intent and purpose of the zoning ordinances of the Township of Stafford; and

WHEREAS, the Stafford Township Planning Board hereby adopts all the evidence and testimony in favor of the application and finds that the applicant has met the burden of proof as set forth in Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. and the code of the Township of Stafford. The Board has made a finding of fact that, based on the credible testimony of the applicant and the applicant's engineer, the variances and design waiver requests should be granted, as there would be no adverse impact to the Township, the Zone Plan and the surrounding property owners.

NOW, THEREFORE, BE IT RESOLVED by the Stafford Township Planning Board that the application of Frank D. Penrose, Jr. for Preliminary and Final Minor Subdivision approval, along with the requested variances and design waivers, for premises known as Block 188, Lots 2, 3 & 4 is hereby approved, subject to the following conditions:

1. Subject to the review and/or recommendations of the Board Attorney, Engineer, Landscape Architect and Traffic Consultant with respect to compliance with any and

all conditions of approval set forth herein or stipulated to on the record during the public hearing or contained in any of the reports to the Stafford Township Planning Board.

2. Compliance with the Board Engineer's report and recommendations therein dated April 23, 2007.

3. Compliance with the Stafford Township Water and Sewer Department Consultant's report and recommendations therein dated March 16, 2007.

4. The applicant will notify the surrounding neighbors, in writing, of the demolition and construction schedules.

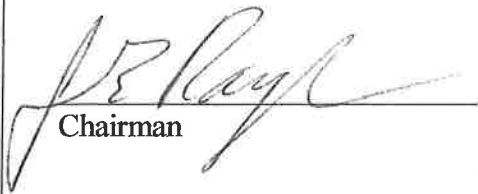
5. The applicant's engineer will submit written documentation from a wetlands scientist confirming that the property has been investigated and an "absence of wetlands" letter will be provided to the Planning Board.

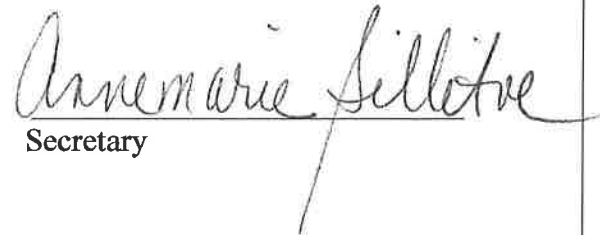
6. The applicant, his agents, owners or assigns shall comply with all federal, state, county and local requirements as provided by law.

7. The applicant, his agents, owners or assigns shall be responsible for reimbursement of all "developmental review fees" pursuant to Chapter 130, Article XI, Section 130-95 et seq. If the applicant fails to comply with this Section within sixty (60) days of notice of amount due, this Resolution shall become null and void as if never granted. This shall occur without further notice to the applicant.

CERTIFICATION

The undersigned Chairman and Secretary of the Stafford Township Planning Board hereby certify that the above is a true copy of a resolution voted on for approval by the said Board at a meeting held on the 2nd day of May, 2007 and as later memorialized by the Stafford Township Planning Board at a meeting held on the 6th day of June, 2007, a quorum being present and voting in the majority.


Chairman


Secretary