

RESOLUTION NO. 90-21
APPLICATION NO. 90-4
PLANNING BOARD MEETING DATE: APRIL 25, 1990

RESOLUTION GRANTING SITE PLAN APPROVAL WITH WAIVERS
TO VIC FICUCIELLO/SUNOCO STATION

Mrs. Battle offered the following Resolution, and moved its adoption, which was seconded by Mr. Basket,

WHEREAS, Vic Ficuciello/Sunoco Station is the applicant with respect to the premises known as Block 282, Lot 1-5, as shown on the Tax Map of the Township of Neptune, which property is located at State Highway #33, Neptune Township, Monmouth County, New Jersey; and

WHEREAS, the Applicant has applied to the Neptune Township Planning Board requesting site plan approval to renovate, modernize and add a one-story garage to the existing Sunoco service station at the site; and

WHEREAS, public notice was given by the applicant as required by the Statutes of the State of New Jersey and the Neptune Planning Land Use Ordinance pertaining to public hearing(s) to be held on said application; and

WHEREAS, the Planning Board conducted a hearing on April 25, 1990 to consider this application, whereupon the following exhibits of applicant were marked for identification and introduced into evidence:

A-1 Site Plan consisting of eleven sheets prepared by Frank W. Hahne, P.E. dated February 23, 1990.

WHEREAS, the applicant requested waivers for pre-existing non-conforming conditions; and

WHEREAS, the Planning Board introduced into evidence the

following reports, documents, and exhibits prepared by municipal and county experts, employees, agencies, boards, authorities, and others with respect to the application:

B-1 Consisting of engineering reports prepared by Alan P. Hilla, P.E. Planning Board Engineers, dated April 10, 1990.

B-2 Consisting of letter reports NBP-6-90 from Community Housing and Planning Associates dated April 5, 1990.

B-3 Consisting of report from the Neptune Township Public Works Department dated April 10, 1990.

B-4 Consisting of a report from the Neptune Township Shade Tree Commission dated April 16, 1990.

B-5 Consisting of report from the Neptune Township Environmental Commission dated April 16, 1990.

WHEREAS, based upon the testimony, reports, and exhibits offered by the applicant into evidence and based upon the record of proceedings before the Neptune Township Planning Board, which record is incorporated into this Resolution as if set forth at length herein, the following findings of fact and conclusions of law were made by the Township Planning Board:

1. Applicant intends to add a one-story masonry garage to the existing structure and to renovate and modernize the existing Sunoco Station.

2. The premises are located in the I.L. Zoning District as defined in the Neptune Township Land Ordinance and the proposed use is a continuation of a special use.

3. Applicant has demonstrated that due to the limited nature of the application literal enforcement of site plan requirements is impractical, unnecessary, and will exact undue hardship on the

applicant.

4. The Board is of the opinion that based upon the evidence submitted, the application will further promote development in the municipality and that the waivers sought can be granted without substantial detriment of the public good.

NOW, THEREFORE, BE IT RESOLVED by the Neptune Township Planning Board, based upon the foregoing findings of fact and conclusions of law, that the application of Vic Ficuciello/Sunoco Station for site plan approval with design waivers approval to the subject premises be granted, subject, however, to the following conditions:

1. Publication by the applicant of a Notice of this decision in one of the official newspapers in the municipality and the return of proof of said publication to the administrative officer of the Neptune Township Planning Board.

2. Payment of taxes and assessments due and owing the municipality to date.

3. Compliance with all requirements and conditions contained in the record of the proceedings in this matter, including the reports of agencies, commissions, staff, and planning board members which have not been satisfied or specifically waived by the Planning Board.

4. Revision by the applicant and approval by the Board Engineer of plan for lighting and the trash enclosure.

5. Approval of the Monmouth County Planning Board.

6. Obtaining an access permit from N.J.D.O.T.

BE IT FURTHER RESOLVED that the Chairman and Secretary are hereby authorized to sign any and all documents necessary to

effectuate the purpose of this Resolution, providing there is compliance by the applicant with the above conditions.

BE IT FURTHER RESOLVED that nothing herein shall excuse compliance by the applicant with any and all other requirements of this municipality or any other governmental subdivision as set forth in any laws or regulations.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Secretary of the Planning Board to be a true copy of this Resolution, certified by the Construction Code Official, Neptune Township Clerk, Neptune Township Planning Board Engineer, Neptune Township Assessor, Neptune Township Board of Health, and within ten days of today's date, to the applicant herein.

YES: Bascom, Basket, Battle, Mancino, Mooij, Roberts, Quimby, Manning,
NO: None & Chairman Jones
ABSENT: Kibbler and Sears
ABSTAINED: None
DISQUALIFIED: None
DATED: April 25, 1990

I hereby certify that the within is a true copy of the Resolution adopted by the Neptune Township Planning Board at its meeting on April 25, 1990, Memorialized on May 23, 1990.


SECRETARY, NEPTUNE TOWNSHIP PLANNING BOARD