

RESOLUTION
PLANNING BOARD
TOWNSHIP OF LIVINGSTON

Decided: October 15, 2013
Memorialized: November 7, 2013

Re: Application No.2013-42-MS
Applicant: Health Resources of New Jersey, LLC
Premises: Vacant Lot on East Cedar Street Extension
Block: 7300; Lot: 4.01
Zone: R-5D

WHEREAS, an Application has been made to the Planning Board of the Township of Livingston (“Board”) by Health Resources of New Jersey, LLC (“Applicant”). Contract purchaser of undeveloped Lot 4.01 in Block 7300 for subdivision of such lot (“Site”); and

WHEREAS, the Application was considered by the Board in Open Conference on October 15, 2013 because a majority of the Minor Subdivision/Site Plan Committee are disqualified from hearing the Application; and

WHEREAS, the Board having determined that a complete Application has been filed, the fees required by ordinance have been paid, it otherwise appearing that the jurisdiction and powers of the Board have been properly invoked and exercised; that the Application is in compliance with all statutory requirements, and that proof has been submitted that there are no taxes due or delinquent with respect to the Site:

NOW, THEREFORE, the Board does make the following findings of fact and conclusions of law regarding this Application:

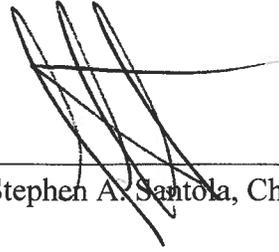
1. The Applicant is the contract purchaser of Lot 4.01 in Tax Block 7300. The owner, East Cedar Street LLC, has consented to the Application.
2. Lot 4.01 presently has an area of 39,594+/- square feet equal to 5.5003+/- acres.

3. The Applicant has requested minor subdivision to reduce the size of Lot 4.01 by approximately 37,777 square feet or 0.8573=-/ acres and to create a new Lot 4.03 of that size as shown on a Minor Subdivision Map with date 08/28/13 signed and sealed by Zdravko Lucin, N.J. Professional Land Surveyor. Both resulting lots would meet the area requirements of the R-5D Residence District.
4. The Minor Subdivision Map bears the following note: “THIS MINOR SUBDIVISION MAP ANNEXES A PORTION OF LOT 4.01 BLOCK 7300 TO LOT 5 BLOCK 7300”. However, the Application has a Rider that makes it clear that the Applicant seeks only subdivision approval at this time.
5. Because Lot 5 is in the HH – Hospital Healthcare District, a different zone district, such an annexation would place Lot 5 in two different zone districts. Township Code §170-87.EE prohibits creation by any means of a lot having area extending beyond a single zone district.
6. The subdivision proposed meets the requirements of a minor subdivision under the Township Code
7. The Application for minor subdivision is approved. This approval does not extend to annexation of the new small lot to Lot 5.
7. This approval is subject to the Condition that the Minor Subdivision Map be replaced by a Minor Subdivision Plat consistent with this Resolution.
8. The approval contained in this Resolution shall not be effective until such Plat has been submitted to the Township Engineer and the Board’s Secretary for final signatures.

NOW, THEREFORE, for the reasons stated herein and at the Open Conference Meeting by Members of the Planning Board of the Township of Livingston, it is resolved that a minor subdivision is approved to permit the subdivision of Lot 4.01 in Block 7300 to create two Lots the larger to retain the designation Lot. 4.01 and the smaller to be designated as Lot 4.03 in Block 7300.

This is a memorialization of the decision of the Planning Board of the Township of Livingston made in Open Conference Meeting on October 15, 2013 wherein Members Anthony, Leopold, Meade, Santola, Alternate No. 1 Alvarez in place and stead of Member Klein) and

Alternate No. 2 Wishnew (in place and stead of Member Dinar) voted in accordance with the action memorialized herein. There were no negative votes. All other Members were absent.



Stephen A. Santola, Chairman Pro Tempore

I certify this to be a true and accurate copy of a Resolution adopted by the Planning Board of the Township of Livingston on November 7, 2013 memorializing the decision of the Planning Board made on October 15, 2013.



Jackie Coombs-Hollis, Secretary