

**RESOLUTION
SUBDIVISION/SITE PLAN COMMITTEE
PLANNING BOARD
TOWNSHIP OF LIVINGSTON**

Decided: May 16, 2017

Re: Application No. 2017-10-MS
Applicant Bobby Management, LLC
Premises: Block: 5901; Lots: 7 & 10
465-471 West Mt. Pleasant Avenue
Zone: B-1

WHEREAS, application has been made by Bobby Management, LLC (“Applicant”) to the Planning Board of the Township of Livingston (“Board”) for Preliminary and Final Minor Site Plan approval for the removal of the shared screened refuse storage and collection area that straddles the property line between Lots 7 and 10 and for replacing it with a new screened refuse storage and collection area to be installed at a location on Lot 7 for continued shared use.

WHEREAS, the Board has a Subdivision/Site Plan Committee (“Committee”), pursuant to § 170-3 of the Code of the Township of Livingston, with jurisdiction to determine whether a site plan Application meets the definition of “minor” and, if so, to take final action of approval or disapproval of such Application; and

WHEREAS, the Committee has determined that the Application is an Application for Minor Site Plan approval and that notice by the Applicant and public hearing are not required; although public notice of this Meeting of the Committee and its agenda have been provided; and

WHEREAS, the Committee has considered:

1. The Site Plan, dated September 14, 2015 with final revision dated March 2, 2016, prepared by Applicant’s architect James Chai; and
2. The Reciprocal Easement and Cost Sharing Agreement for Lots 7 and 10 dated August 6, 2015 (“Agreement”).

NOW, THEREFORE, the Committee does make the following findings of fact and conclusions with respect to the Application:

1. The Agreement provides for shared off-street parking and sharing of the refuse area; and specifically calls for relocation of the refuse area as sought by this Application.
2. The screening of the sides and rear of the new refuse area shall match the materials and colors of such screening of the present refuse area. The plan shall be amended to show both that requirement and removal of the proposed new fencing at the refuse area relocation as shown on the Site Plan.

3. The location from which the existing refuse area shall have been removed shall be cleared of any remaining elements of that structure and that location shall then be planted with grass.

4. The Application as amended is hereby approved subject to the terms herein and the following Conditions:

A. Final Plans

Prior to the issuance of any permits, or the commencement of any work:

(1) The full text of this Resolution and all plan changes agreed to in the course of the hearing shall be set out on final plans submitted to the Construction Official and the Board Secretary.

(2) Such final plan shall have been reviewed by the Board Secretary or the Township Planner for determination of whether the plan conforms to the Committee's approvals and shall then have been signed by the Board Chairman, the Board Secretary and the Township Engineer.

B. As Built Plan

The full text of all of the conditions of this approval, and all plan changes agreed to in the course of the hearing, shall be set out on four (4) properly signed and sealed as-built final plans submitted to the Construction Official, the Township Engineer and the Board Secretary.

C. Certificate of Occupancy

Any final Certificate of Occupancy required shall not be issued until the Applicant shall have submitted the as-built plans.



Peter M. Klein
Chairman, Planning Board

I certify this to be a true and accurate copy of the Resolution adopted by the Subdivision/Site Plan Committee of the Planning Board of the Township of Livingston on May 16, 2017 by the affirmative votes of Members Ratner, Dinar and Klein; they being all of the Members of the Committee.



Debra Coonce
Planning Board
Assistant Secretary