

**THIRD 1-YEAR EXTENSION OF
SITE PLAN APPROVAL
TOWNHOMES AT SEA OAKS
BLOCK 191.03, LOT 154.02
Zone: Planned Retirement Development Zone**

Application No. 2016-02B

**RESOLUTION OF APPROVAL NO. 2019-16
PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR**

WHEREAS, an application has been made by **TOWNHOMES AT SEA OAKS** for an extension of the final site plan approval for **BLOCK 191.03, LOT 154.02**, as set forth on the Tax Maps of the Township of Little Egg Harbor; and

WHEREAS, the Planning Board, after carefully considering the application presented by the applicant at a public meeting held on August 1, 2019, and the evidence introduced by the applicant, hereby makes the following findings of fact:

1. The applicant has a proprietary interest in the property.
2. The applicant has requested approval in accordance with the Ordinances of the Township of Little Egg Harbor. The applicant was represented by Melanie Appleby, Esq. at the hearing.
3. The site in question is located at the northeast corner of the intersection of Golf View Drive and Club House Drive, and is in the Planned Retirement Development (PRD) Zone. The applicant has requested an extension of the final site plan approval granted in Resolution 2007-21, for the construction of 16 townhomes with parking and common area improvements.
4. The applicant originally received site plan approval pursuant to Resolution No. 2007-21. The applicant is requesting a third and final one-year extension of the final site plan approval granted by this Board, due to unfavorable market conditions. The Board's 2007 approval has previously been extended through June 30, 2016 by operation of the Permit Extension Act, NJSA 40:55D-136.1 et seq., and has further been extended through June 30, 2018 by Resolution No. 2016-14 and again through June 30, 2019 by Resolution No. 2018-16.
5. Pursuant to the Municipal Land Use Law, NJSA 40:55D-52, the zoning requirements applicable to the final site plan approval shall not be changed for a period of two years after the date on which the resolution of approval is adopted; provided that the planning board may extend such period of protection for extensions of one year but not to exceed three such extensions.
6. T&M Associates, the Board's engineers, prepared a report to the Board dated May 13, 2019. The Board hereby adopts the findings in the reports and incorporates them in this Resolution by reference.

7. Many members of the public testified at the hearing regarding the state of disrepair and scattered construction debris onsite, which needs the applicant's immediate attention.

8. The Little Egg Harbor Township Planning Board has reviewed applicant's request and finds it appropriate and reasonable to grant a third one-year extension of statutory rights, from July 1, 2019 through June 30, 2020, subject to the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Little Egg Harbor Township Planning Board that the Board does hereby grant and approve a second one-year extension of the final site plan approval for Block 191.03, Lot 154.02, for the period of July 1, 2019 through June 30, 2020, subject, however, to all of the terms and conditions set forth in Resolution 2007-21, and also upon the condition that the applicant take immediate steps to remediate the current state of disrepair and scattered construction materials onsite. Furthermore, the applicant shall be required to be in strict compliance with the outstanding permits on the property.

BE IT FURTHER RESOLVED that the application, limited to the terms and conditions as set forth more fully in the preamble of this Resolution, be and hereby is approved.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant, the Building Department, and the Township Clerk by the Planning Board secretary.

BE IT FURTHER RESOLVED that the applicant shall cause notification of this favorable Resolution to be published in an official newspaper of the Little Egg Harbor Township notification of this favorable Resolution within ten (10) days of the adoption of this resolution.


GEORGE GARBARAVAGE, Chair

CERTIFICATION

I, **Robin Schilling**, Secretary of the Little Egg Harbor Township Planning Board, certify that the foregoing Resolution was duly adopted at a meeting held on September 5, 2019, memorializing the vote of the Little Egg Harbor Township Planning Board at a meeting previously held on August 1, 2019, a quorum being present and voting in the majority.


Robin Schilling, Board Secretary