

**THIRD EXTENSION OF
FINAL MAJOR SUBDIVISION APPROVAL
LITTLE EGG 23 LLC
Block 172, Lot 9
Zone: R-100 Residential & General Business Zones**

Application No. 2017-02B

**RESOLUTION OF APPROVAL NO. 2019-17
PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR**

WHEREAS, an application has been made by **Little Egg 23 LLC** for an extension of the final major subdivision approval for **Block 172, Lot 9**, 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, as a contract purchaser.
2. The applicant has requested approval in accordance with the Ordinances of the Township of Little Egg Harbor. The applicant was represented by John Mensching Esq. at the hearing.
3. The site in question is located in the R-100 Residential Zone and the General Business Zone, between Route 9 and Railroad Avenue. The applicant has been granted final major subdivision approval to create 23 residential lots, 1 stormwater management lot and 1 commercial lot. The original approval was under the name of applicant Todd Bernstein, and the project was later known as Sea Breeze Estates, and is now known as The Estates.
4. 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, as well as the process for finalizing all approvals with outside agencies (which is now well in progress). The Board's 2007 approval has previously been extended through June 30, 2017 by operation of the Permit Extension Act, NJSA 40:55D-136.1 et seq., and has been further extended through June 30, 2018 by operation of Resolution 2017-17 and again extended through June 30, 2019 by operation of Resolution 2018-20.
5. Pursuant to the Municipal Land Use Law, NJSA 40:55D-52, the Board may grant an extension of final approval for one year, not to exceed 3 such extensions. The subject application represents the applicant's third and final one-year extension.
6. T&M Associates, the Board's engineers, prepared a report to the Board dated June 28, 2019; the Board hereby adopts the findings in the report and incorporates them in herein by reference.

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

NOW, THEREFORE, BE IT RESOLVED by the Little Egg Harbor Township Planning Board that the Board does hereby grant and approve a third and final one-year extension of the final major subdivision approval for Block 172, Lot 9, for the period of July 1, 2019 through June 30, 2020, subject, however, to all of the terms and conditions set forth in Resolution 2007-43.

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 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