

RESOLUTION 2026-244

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG
HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING DEVELOPER'S AGREEMENT AS TO
VENUE AT SUMMERS CORNER DEVELOPMENT
(DOCKET OCN-L-3269-25) TO PROTECT ROUTE 9
ACCESS CONDITION OF APPROVAL**

WHEREAS, U.S. Homes, LLC (hereinafter "Developer") received approval for preliminary and final major subdivision approval and preliminary and final major site plan approval for Block 286, Lots 3, 5 & 6 and Block 287, Lots 5 & 7, located at 451 Center Street, in the Township, memorialized by Township Planning Board Resolution 2025-14 ("Venue at Summers Corner development" or "Development"); and

WHEREAS, Developer filed a Complaint against the Township and Township Planning Board, Docket No. OCN-L-3269-25, in Superior Court, Ocean Vicinage, based, in part, upon an objection to Condition #11 by which Developer

"shall pursue the connection to the development to Route 9, including right-of-way dedications of off-site property(ies) and roadway construction, at the applicant's own cost and expense; It is the applicant's intention and the board's requirement that when the necessary right-of-way and all governmental approvals are obtained, the applicant shall improve the traffic signal at Route 9 and extend the access road from the traffic signal to the southerly limit/property line of Block 287, Lot 4. Should the necessary right-of-way or governmental approvals not be achievable at fair market value, the applicant is [sic] shall return to the Board for an amendment to the application[;]" and

WHEREAS, the Court indicated that the parties had 60 days to finalize a Developer's Agreement, or the Court could excise rule that the Route 9 access condition as an illegal exaction on the approval, which would lead to major traffic issues for the Township if the development was constructed without Route 9 access; and

WHEREAS, so as to resolve the litigation and maintain Route 9 access that the Township

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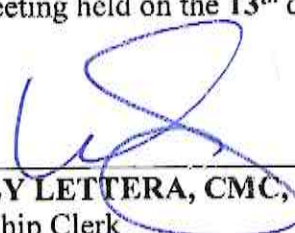
deems critical, the Developer and the Township agree to resolve the litigation between the parties with regard to Condition #11 as to construction of a roadway on township property and creating a 4-legged-controlled intersection at Route 9.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby authorize the execution of a Developer's Agreement with Developer to maintain the Route 9 Access, subject to approval of the Township Attorney, Township Planner and Township Engineer to form.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to, respectively, the Developer's Agreement to maintain Route 9 Access.
3. That a certified copy of this resolution be provided to the Interim Township Administrator, Township Planner, Township Engineer, Township Attorney and Joseph Coronato, Sr., Esq.

CERTIFICATION

I, KELLY LETTERA, CMC, RMC, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 13th day of **August, 2026**.


KELLY LETTERA, CMC, RMC
Township Clerk
Little Egg Harbor Township

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