

**IN THE MATTER OF  
APPLICATION NO. PB 15-03  
OF RICHARD G. SULLIVAN/  
THOMAS PAINE HOUSE, LLC  
SUCCESSOR IN INTEREST  
BLOCK 17, LOT 8.01**

**RESOLUTION GRANTING  
SECOND ONE YEAR EXTENSION OF  
CONDITIONAL USE AND  
SITE PLAN APPROVAL**

**WHEREAS, RICHARD G. SULLIVAN**, hereinafter the "Applicant", has previously proposed, and by Resolution adopted August 13, 2015 received, approval for the development of property located at 170 Ocean Boulevard in the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey which property is further known and designated as Block 17, Lot 8.01 on the Tax Map of the Borough of Atlantic Highlands; and

**WHEREAS**, Thomas Paine House, LLC subsequently purchased the property from Richard G. Sullivan and is now the owner and successor in interest to the original Applicant for the subject property; and

**WHEREAS**, the approval was for conditional use and site plan to convert an existing single family residential home into a bed and breakfast facility, pursuant to Chapter 150, Article VI, Section 150-46.1 of the Development Regulations of the Borough of Atlantic Highlands. The proposal required conditional use permit approval and site plan approval pursuant to Chapter 150, Article VI, Section 150-34 of the Development Regulations of the Borough of Atlantic Highlands; and

**WHEREAS**, the subject property is located in the R-3 Zone District and bed and breakfast establishments are a permitted conditional use in the Zone, subject to conformance with the conditions set forth in Section 150-46.1 of the Development Regulations Ordinance; and

**WHEREAS,** pursuant to N.J.S.A. 40:55D-52 the Zoning requirements and all other rights conferred upon the Developer shall not be changed for a period of two (2) years after the date on which the Resolution of final approval is adopted, which period of repose in the instant case concluded on August 13, 2017; and

**WHEREAS,** pursuant to N.J.S.A. 40:55D-52 the Planning Board may extend the period of protection for extensions of one-year, but not to exceed three extensions; and

**WHEREAS,** the Applicant requested and was granted it's first one-year extension of approval commencing on August 13, 2017 and concluding on August 12, 2018, by Resolution of the Planning Board of the Borough of Atlantic Highlands adopted on September 14, 2017; and

**WHEREAS,** the Applicant has requested it's second one-year extension of approval commencing on August 13, 2018 and concluding on August 12, 2019, by letter from the Applicant's Attorney Chad Warnken, dated July 27, 2018; and

**WHEREAS,** the Planning Board of the Borough of Atlantic Highlands at it's meeting conducted on August 9, 2018 considered the Applicant's request for it's second one-year extension of approval; and

**WHEREAS,** the Planning Board is satisfied that the Applicant has been diligent in pursuing satisfaction of the conditions of approval and requires additional time to complete the process; and

**WHEREAS,** the Planning Board finds that there have been no changes to the Ordinance or changes in the character of the neighborhood surrounding the subject property such that the

findings and conclusions contained in the Resolution adopted August 13, 2015 supporting the grant of approval are unchanged and remain valid and the Planning Board having determined that it is appropriate at this time to grant the extension of approval.

**NOW THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Atlantic Highlands on this 13th day of September, 2018 that the Application of THOMAS PAINE HOUSE, LLC, (successor in interest to RICHARD G. SULLIVAN) for extension of approval be and is hereby approved, which approval is expressly conditioned upon compliance with the following terms and conditions:

1. This Resolution grants a second one-year extension of approval commencing on August 13, 2018 and concluding on August 12, 2019.

2. Except as set forth herein, all conditions of all prior Resolutions with respect to this application will be continuing conditions of this approval.

**BE IT FURTHER RESOLVED** that nothing herein shall excuse compliance by the Applicant with any and all other requirements of this Municipality or any other governmental entity.

**BE IT FURTHER RESOLVED** that a written copy of this Resolution, certified by the Secretary of the Planning Board to be a true copy, be forwarded to the Applicant, the Code Enforcement Official of the Borough of Atlantic Highlands, and the Construction Code Official of the Borough of Atlantic Highlands. A written copy of the certified Resolution shall also be filed in the office of the Administrative Officer of the Municipality, which copy shall be made available to any

interested party and available for public inspection during normal business hours.

**BE IT FURTHER RESOLVED** that a proper notice of this decision be published once in the official newspaper of the Municipality or in a newspaper in general circulation within the Borough.

OFFERED BY: Dr. Cetron

SECONDED BY: Ms. Hoffman

ROLL CALL:

YES: Mr. Illiano, Councilman Fligor,  
Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr.  
Colangelo, Ms. Hoffmann, Mrs. Murray,  
Chairman Neff

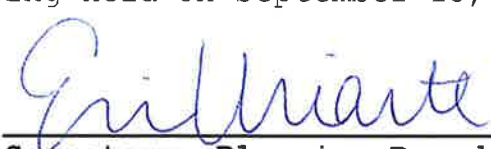
NO: None

ABSTAIN: None

ABSENT: Mr. Ilarazza

  
\_\_\_\_\_  
**Chairperson, Planning Board  
Borough of Atlantic Highlands**

I certify that the above is a true and exact copy of the Resolution passed by the Planning Board of the Borough of Atlantic Highlands at its meeting held on September 13, 2018.

  
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**Secretary, Planning Board  
Borough of Atlantic Highlands**