

**IN THE MATTER OF
APPLICATION NO. PB16-13
OF J&L BAYSIDE DRIVE, LLC
BLOCK 8, LOT 23.01**

**RESOLUTION GRANTING
EXTENSION OF MINOR
SUBDIVISION APPROVAL**

WHEREAS, J&L BAYSIDE DRIVE, LLC, hereinafter the "Applicant", previously proposed the development of property located at 25 Bayside Drive, in the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey which property is further known and designated as Block 8, Lot 23.01 on the Tax Map of the Borough of Atlantic Highlands; and

WHEREAS, The initial Applicant, J&L Bayside Drive, LLC proposed to construct a single family residential home on the subject property with multiple variance relief. That application was opposed by adjacent and nearby property owners. During the course of the hearing J&L Bayside, LLC agreed to sell the subject property to the adjacent property owners for assemblage with their properties. The Planning Board granted minor subdivision approval to Subdivide the Lot into four parcels, each of which to be merged with an adjacent property, increasing the sizes of Lots 23, 34, 35 and 41. Lot 23 to receive approximately 3,901 sq. ft. Lot 34 to receive approximately 1,950 sq. ft. Lot 35 to receive approximately 1,950 sq. ft and Lot 41 to receive approximately 1,950 sq. ft. resulting in the elimination of existing Lot 23.01; and

WHEREAS, the Applicant received minor subdivision approval pursuant to a subdivision plan prepared by Richard E. Stockton & Associates dated February 26, 2019 which approval was memorialized by Resolution adopted on October 10, 2019; and

WHEREAS, pursuant to N.J.S.A. 40:55D-48 the approval shall expire 190 days from the date on which the resolution of municipal approval is adopted unless a deed is filed with the county recording officer, municipal engineer and municipal tax assessor; and

WHEREAS, pursuant to N.J.S.A. 40:55D-48(f) the Planning Board may extend the period for filing the minor subdivision deed if the applicant diligently pursues all required approvals but is delayed in securing same; and

WHEREAS, the Applicant experienced delays in obtaining all necessary approvals to timely perfect the minor subdivision and has applied to the Planning board for an extension of approval to permit the filing of deeds within ninety (90) days from the grant of extension of approval; and

WHEREAS, the applicants request was considered by the Planning Board of the Borough of Atlantic Highlands at its meeting held on December 2, 2021, due notice of said meeting having been given in accordance with New Jersey Statutes, the Open Public Meetings Act and the Municipal Land Use Law and a quorum of the Planning Board being present, the request for extension of approval was heard; and

WHEREAS, the Planning Board having considered the request for extension and having determined that the request should be granted and that the request is in the best interest of the Borough and its residents:

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Atlantic Highlands on this 2nd day of December, 2021 that the request for extension be and is hereby granted for a period of ninety (90) days from the date hereof, which approval is expressly conditioned upon compliance with the following terms and conditions:

1. All conditions of prior resolutions in connection with this application are continuing conditions of this resolution.

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: Mr. Neff

SECONDED BY: Mr. Pepe

ROLL CALL:

YES: Neff, Pepe, Colangelo, Crowther, Josko, Krupinski, Dougherty

NO: None


ABSTAIN: None

ABSENT: Crowley, Hawley, Caccamo, McGoldrick, Murray



**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 December 2, 2021.



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