

**IN THE MATTER OF
APPLICATION NO. PB#23-04
OF SANDY HOOK SCOOTER
BLOCK 123.01 LOT 1.01**

**RESOLUTION DISMISSING
APPLICATION WITHOUT PREJUDICE**

WHEREAS, SANDY HOOK SCOOTER, hereinafter the "Applicant", has proposed the development of property located at 25 West Highland Ave. in the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey, which property is further known and designated as Block 123.01, Lot 1.01, on the Tax Map of the Borough of Atlantic Highlands; and

WHEREAS, the Applicant has applied to the Planning Board of the Borough of Atlantic Highlands for a use variance to permit a nonconforming retail use requiring use variance and site plan approval; and

WHEREAS, by e-mail dated August 5, 2023, the Applicant requested a that the application be withdrawn without prejudice; and

WHEREAS, at its meeting conducted on September 7, 2023 the Planning Board considered the request and, having not commenced a hearing and having made no determination as to the merits of the application, the Planning Board finds that the application should be dismissed without prejudice.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Atlantic Highlands on this 5th day of October, 2023 that the request for dismissal without prejudice of **SANDY HOOK SCOOTER** be and is hereby granted and the application is dismissed without prejudice.

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, to the Code Enforcement Official of the Borough of Atlantic Highlands and to 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:
SECONDED BY:
ROLL CALL:
YES:
NO:
ABSTAIN:
ABSENT:

**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 October 5, 2023.

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