

Introduced by:

Seconded by:

**BOROUGH OF OLD TAPPAN
PLANNING BOARD**

RESOLUTION

WHEREAS, by resolution dated December 1, 1993, the Planning Board granted preliminary site plan approval and PRD conditional use approval to The Village, Inc., the predecessor in interest to **THE VILLAGE AT OLD TAPPAN, LLC** and **KALIAN COMPANIES** (collectively referred to as "the Developer"), so as to permit the construction of 7 one-family dwellings and 133 townhouse units on premises known and designated as Block 303, Lot 8, Block 603, Lot 9, and Block 603, Lots 1 and 2 (hereinafter referred to as "the Property" or "the Development") as depicted on the tax assessment map; and

WHEREAS, the Planning Board granted amended preliminary site plan approval and PRD conditional use approval by resolution dated September 21, 1994 and

WHEREAS, a Developer's Agreement was entered into on or about November 28, 1994 between The Village, Inc., the Borough and the Planning Board which details the obligation of The Village, Inc. in connection with the Development and the construction of various site improvements; and

WHEREAS, Developer and the Association have requested that the Borough and Planning Board modify and amend the Developer's

Agreement in connection with certain obligations to be performed as required by such Agreement and the above-described approving resolutions; and

WHEREAS, an Amendment To Developer's Agreement has been prepared.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Old Tappan that it does hereby approve the amendment to the Developer's Agreement and the Board Chairman and Secretary be and are hereby authorized to execute the same subject to the following conditions:

1. Except as otherwise provided in the Amendment, the terms and conditions of the Developer's Agreement dated November 28, 1994 shall continue in force and in effect.

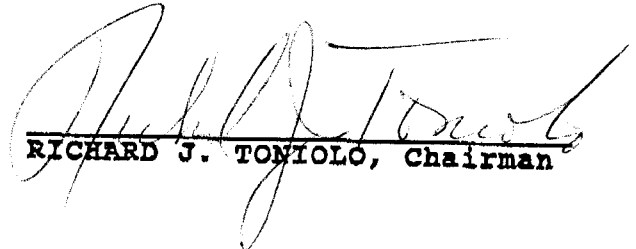
2. Approval by the Borough engineer.

3. In connection with the request for items to be removed from the performance bond as set forth in correspondence from Mark S. Bellin, Esq. of Kalian Companies to the Board attorney dated June 11, 2001, any items to be removed from the performance bond shall be required to be reviewed and approved by the Borough engineer and the reduction in the amount of such bond shall be subject to the approval of such official, as well as approval by the Mayor and Council.

ADOPTED: June 20, 2001 on roll call vote as follows:

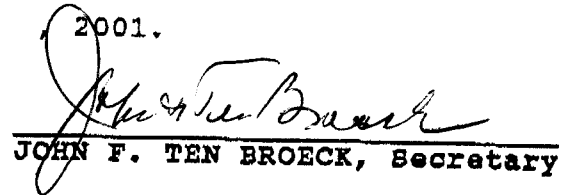
AYES: 6

NAYS: 0


RICHARD J. TONIOLO, Chairman

Certified to be a true copy of a Resolution adopted by
the Planning Board of the Borough of Old Tappan at its regular
meeting on Wednesday,

2001.


JOHN F. TEN BROECK, Secretary