

BRICK, TOWNSHIP OF (PLANNING AND ZONING DEPT.)



LDS BR-PZ 10503996

BRICK TOWNSHIP PLANNING BOARD

RESOLUTION PERMITTING WITHDRAWAL OF AMENDED
PRELIMINARY AND FINAL SITE PLAN

RESOLUTION R-99-97

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CASE NO. 2033-ASP-9/93

October 22, 1997

WHEREAS, by Resolution R-13-94, adopted on February 2, 1994, the Brick Township Planning Board granted amended preliminary and final site plan approval to the Price Club, for property designated as Lots 5, 6, 6.01 and 6.02, Block 1170 on the Municipal Tax Map, to allow for a seasonal plant sales area, subject to conditions set forth in the aforesaid Resolution; and

WHEREAS, the final site plan map has been signed by the Board; and

WHEREAS, the applicant has posted all required inspection fees and escrow deposits; and

WHEREAS, the applicant has advised the Planning Board that it has determined not to proceed with the approved development plan; and

WHEREAS, the applicant has requested that the inspection fees and escrow deposits be refunded; and

WHEREAS, a refund may only occur upon agreement of the applicant to withdraw the approved site plan and surrender all rights granted under the resolution of approval and the applicant has agreed to these conditions in order to obtain a refund of the inspection fees and escrow deposits.

NOW, THEREFORE, BE IT RESOLVED by the Brick Township Planning Board on this 22nd day of October, 1997, that it hereby grants the request of the Price Club for withdrawal of its amended preliminary and final site plan approval, subject to the following additions:

1. All rights obtained by Price Club under Resolution

File-2
Castro
Montenegro
Burdwell
Ford
Cunley
Bldg
Eng.
Young
BFS

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R-13-97 granting amended preliminary and final site plan approval are hereby declared null and void.

2. The applicant shall be required to return the assigned site plan to the Board prior to receiving a refund of inspection fees and escrow deposits previously posted.

3. Upon the surrender of all copies of amended preliminary and final site plans, all inspection fees and escrow deposits posted with the Township of Brick shall be refunded to the applicant.

RESOLUTION: R-100-97

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October 22, 1997

MOVED BY Mrs. LaDuke

SECONDED BY: Mr. Petoia

VOTING IN THE AFFIRMATIVE: Mr. Cevasco Mr. Haney

Councilwoman Hartman Mrs. LaDuke Mr. Petoia Mr. Kelly

Mrs. Paxton Mr. Underwood

VOTING IN THE NEGATIVE: _____

INELIGIBLE TO VOTE: _____

ABSTAINING: _____

ABSENT: Mr. Aiello Mrs. Fox Mr. Scherer

CERTIFICATION

I, E. Joan Kull, Clerk of the Planning Board of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly ADOPTED by the said Planning Board of the Township of Brick at a regular meeting held on the 22nd day of October, 1997.

IN WITNESS WHEREOF, I have set my hand this 24th day of October, 1997.

E. Joan Kull
E. JOAN KULL
Clerk of the Planning Board