

RESOLUTION
PLANNING BOARD OF THE TOWNSHIP OF BRICK
EXTENSION OF PRELIMINARY
AND FINAL SITE PLAN APPROVAL
WITH VARIANCES AND DESIGN WAIVERS

File 2
 App
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 Eng 2

Resolution R- 49 -07

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Case No. PB-2423-PSP-FSP-EXT-7/05

July 25, 2007

WHEREAS, the Brick Township Planning Board granted Preliminary and Final Site Plan approval with Variances and Waivers to **M. GORDON CONSTRUCTION CO.**, having a mailing address of 1436 East Elizabeth Avenue, Linden, New Jersey 07036, for Block 1170, Lots 14.01 and 14.02 as designated on the official Tax Map of the Township of Brick, by Resolution R-20-03- adopted on March 5, 2003; and

WHEREAS, the Applicant was granted a First one (1) year extension of that approval on August 10, 2005, by Resolution R-62-05, which extended approval to March 5, 2006.

WHEREAS, the Applicant has requested that the Planning Board grant a Second and Third one (1) year extensions of this approval; and

WHEREAS, the Planning Board has reviewed the efforts made by the developer to obtain all necessary other legal permits so as to effectuate the Preliminary and Final Site Plan Approval with variances and waivers granted by Resolution R-20-03, and has determined from that history that the statutory provisions of N.J.S.A. 40:55D-52(d) are met and that therefore two (2), one (1) year extensions granted herein are appropriate.

NOW, THEREFORE, be it resolved by the Planning Board of the Township of Brick, on this 25th day of July, 2007, that the application of **M. GORDON CONSTRUCTION CO.**, for two (2) one (1) year extensions of Preliminary and Final Site Plan Approval with variances and waivers be granted, subject to the following conditions:

1. The Applicants shall comply with all terms and conditions of the original Resolution of Approval R-20-03, adopted March 5, 2003; and the previous extension Resolution of R-62-05, adopted August 10, 2005;
2. Michael P. Fowler, AICP/PP, Planning Board Planner, proposed a report of July 18, 2007. The Board hereby adopts the findings in that report and incorporates that document into this Resolution by reference;
3. The second one (1) year extension shall expire on March 5, 2007 and the third and last one (1) year extension granted by this Resolution shall expire on March 5, 2008.
4. The Applicant shall pay any and all real estate property taxes due, through and including the calendar quarter of this Resolution. If the Applicant fails to pay these real property taxes within 30 days of the date of this Resolution, then this Resolution shall be null and void.

MOVED BY: Mr. Aiello

SECONDED Mrs. LaDuke
BY:

VOTING IN THE
AFFIRMATIVE: Mr. Petoia, Mrs. LaDuke, Mr. Hockery,

Mr. Aiello, Mr. Catalano, Mr. Underwood

VOTING IN THE
NEGATIVE:

INELIGIBLE TO
VOTE:

ABSTAINING: Mr. Liloia, Mr. Lazroe

ABSENT: Mr. Reilly, Mr. Hahn, Councilwoman Scaturro

CERTIFICATION

I, **JUDITH FOX NELSON**, 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 25th day of July, 2007.

IN WITNESS WHEREOF, I have set my hand this 30th day of July, 2007.


JUDITH FOX NELSON, Clerk
Planning Board of the Township of Brick