

**MINOR SUBDIVISION APPROVAL
DAVID SCHLICK
STAGE ROAD
BLOCK 264, LOT 11.01
R-200 Residential Zone**

Application No. 2015-03

**RESOLUTION OF APPROVAL NO. 2016-01
PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR**

WHEREAS, an application has been made by **David Schlick** for approval of a minor subdivision for **Block 264, Lot 11.01**, as set forth on the Tax Maps of the Township of Little Egg Harbor; and

WHEREAS, the Planning Board, after carefully considering the testimony presented at a public meeting held on December 3, 2015, and the evidence introduced on behalf of the applicant, hereby makes the following findings of fact:

1. The applicant has a proprietary interest in the property.
2. The applicant has requested approval in accordance with the Ordinances of the Township of Little Egg Harbor.
3. The site in question is located in the R-200 Residential Zone. It consists of 2.056 acres, with an existing house on proposed lot 11.03, and a barn/garage on proposed lot 11.04. The applicant has requested a minor subdivision to permit the creation of 3 conforming residential lots.
4. T&M Associates, the board engineers, prepared a report to the Board dated October 27, 2015. Taylor Design Group, the board landscape architects, prepared a report to the Board dated October 30, 2015. The Board hereby adopts the findings in the reports and incorporates them in this Resolution by reference.
5. The applicant proposes to subdivide Lot 11.01 into 3 residential lots. The applicant has requested the following variance:

Rear yard setback (lot 11.03): 30 ft. required; 13.80 ft. existing/proposed

6. The applicant testified that, upon subdivision and at the time of demolition of the house on proposed lot 11.03, or at the time of transfer of ownership of any of the proposed lots, whichever is to occur first, the barn/garage on proposed lot 11.04 would be demolished in order that there would be no accessory structure without a principal structure on said lot. The applicant further agreed to allow access to the drainage easement existing on proposed lot 11.02 by the Township to assure its proper function.

The testimony asserted that the proposed development is in keeping with the area and that the granting of the application would not be detrimental to the public good.

The Little Egg Harbor Township Planning Board concurs with these representations and so finds.

WHEREAS, the Planning Board has determined that the applicant should be granted the requested relief for the following reasons:

1. The proposed minor subdivision will pose no danger to the surrounding area.
2. The granting of the application will not have a substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan, Master Plan, and/or Zoning Ordinances of the Township of Little Egg Harbor.
3. There was comment from the public at the hearing, which was considered by the Board.
4. The safety and well-being of the residents in the immediate area will not be adversely affected by the proposed subdivision on an unimproved street.

NOW, THEREFORE, BE IT RESOLVED, by the Little Egg Harbor Township Planning Board that the application is hereby approved subject to the following conditions:

- 1. At the time of demolition of the house on new lot 11.03, or at the time of transfer of ownership of any of the new lots, whichever is to occur first, the barn/garage on new lot 11.04 will be demolished in order that there would be no accessory structure without a principal structure on new lot 11.04.**
- 2. The applicant further agreed to allow access to the drainage easement existing on lot 11.02 for inspection by the Township to assure its proper function. Similarly, the 20-foot wide utility easement in favor of the Little Egg Harbor MUA on existing lot 11.01 (proposed lot 11.03) will remain.**

In addition, the following general conditions of approval shall apply:

1. The applicant must submit proof of payment of all currently due taxes to the Little Egg Harbor Township Planning Board.
2. The applicant must post all bonds and guaranties as required and recommended by this Board and the Planning Board Engineer. Moreover, the Applicant must post all required engineering inspection fees.

3. All representations and statements made by the Applicant, as well as Applicant's representatives and witnesses, shall be considered and deemed to be relied upon by the Board in rendering this decision and to be an expressed condition of this Board's actions in approving the subject application. Any misstatement or misrepresentation, whether by mistake or change in circumstance, shall be deemed a breach of this condition of approval and shall subject this application to further review of this Board's own motion.

4. In the event the Planning Board determines that it reasonably relied upon any misstatement or misrepresentation, then and in that case any approvals previously given may be rescinded and any improvements in place on the premises in question shall not be considered as being in compliance with the ordinances of the Township of Little Egg Harbor.

5. The applicant must obtain reports with signed certifications from the Township of Little Egg Harbor Planning Board Engineer, Zoning Officer, and Building Department certifying compliance with all conditions of the Resolution, as applicable.

6. No building permit will be issued until all escrow accounts have sufficient monies to pay all outstanding Planning Board professional fees. In the event a building permit is issued and there are outstanding escrow monies due for Planning Board professional fees, a stop-work order will be filed against the applicant/contractor until such escrow fees have been confirmed by the Board Secretary as paid in full.

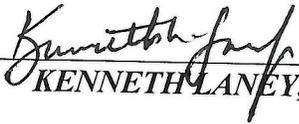
7. The applicant shall comply with all regulations and obtain all necessary permits required by outside agencies, including local, state and federal.

8. The applicant must comply with all conditions as contained in the board professional's reports referenced above.

NOW, THEREFORE, BE IT RESOLVED, the applicant's request for board approval of a minor subdivision, pursuant to the terms and conditions as set forth more fully in the preamble of this Resolution, be and hereby is approved.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant, the Building Department, and the Township Clerk by the Planning Board secretary.

BE IT FURTHER RESOLVED that a notification of this favorable Resolution shall be published in an official newspaper of the Little Egg Harbor Township within ten (10) days of the adoption of this resolution.



KENNETH LANEY, Board Chairman

I, **ROBIN SCHILLING**, Secretary of the Little Egg Harbor Township Planning Board, certify that the foregoing Resolution was duly adopted at a meeting held on January 7, 2016, memorializing the vote of the Little Egg Harbor Township Planning Board at a meeting held on December 3, 2015, a quorum being present and voting in the majority.



ROBIN SCHILLING, Board Secretary