SANDY EXTENSION OF
FINAL SITE PLAN APPROVAL
McENTEE VENTURES LLC
Block 80, Lot 17
Zone: General Business Zone

Application No. 2006-15B

AMENDED RESOLUTION OF APPROVAL NO. 2016-19
PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR

WHEREAS, an application has been made by **McENTEE VENTURES, LLC** for an extension of the final site plan approval for **Block 80, Lot 17**, as set forth on the Tax Maps of the Township of Little Egg Harbor; and

WHEREAS, the Planning Board, after carefully considering the application presented by the applicant at a public meeting held on May 5, 2016, and the evidence introduced by 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. The applicant was represented by Howard Butensky, Esq. at the hearing.

3. The site in question is located on the southbound side of Route 539 at the intersection with Parkers County Road, and is in the Scenic Gateway portion of the General Business zone. The Board previously granted final site plan approval for an 11,150 sq ft retail/commercial building on the 1.35 acre tract.

4. The applicant is requesting a one-year extension of the final site plan approval granted by this Board, due to unfavorable market conditions. The Board's 2007 approval has previously been extended through June 30, 2016 by operation of the Permit Extension Act, NJSA 40:55D-136.1 et seq.

5. Pursuant to the Municipal Land Use Law, NJSA 40:55D-52, the Board may grant an extension of final approval for one year, not to exceed 3 such extensions. The subject application represents the applicant's first extension.

6. T&M Associates, the Board's engineers, prepared a report to the Board dated April 25, 2016. The Board hereby adopts the findings in the report and incorporates them in this Resolution by reference.

7. The Little Egg Harbor Township Planning Board has reviewed applicant's request and finds it appropriate and reasonable to grant a one-year extension of statutory rights, from July 1, 2016 through June 30, 2017.

8. The Board previously approved this statutory one-year extension on May 5, 2016, however, on June 30, 2016 the State adopted an amendment to the Permit Extension Act, known as the Sandy Extension of the Permit Extension Act, PL 2016, ch. 14, which extended the permit extension period for Superstorm Sandy impacted counties, including Ocean County, for an additional year through December 31, 2016.

9. The applicant has requested and the Board agrees that the one-year extension period granted by the Board should run from the expiration of the statutory extension period (which allows for an additional 6 months beyond the expiration of the Act), from July 1, 2017 through June 30, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Little Egg Harbor Township Planning Board that the Board does hereby grant and approve a one-year extension of the final site plan approval for Block 80, Lot 17, for the period of ***July 1, 2017 through June 30, 2018***, subject, however, to all of the terms and conditions set forth in Resolution 2007-50.

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

KENNETH LANEY, Board Chair

I, ***ROBIN SCHILLING***, Secretary of the Little Egg Harbor Township Planning Board, certify that the foregoing *Amended* Resolution was duly adopted at a meeting held on September 1, 2016, a quorum being present and voting in the majority.

ROBIN SCHILLING, BOARD SECRETARY