APPLICANT: LONGVIEW VENTURES, LLC
APPLICANT'S ATTORNEY: Michael A. Irene, Jr., Esq.
APPLICATION NO.: 05-18
Block 22, Lots 12.01, 19 & 20

RESOLUTION OF THE
<u>PLANNING BOARD OF THE BOROUGH OF KEYPORT</u>

GRANTING EXTENSION OF PREVIOUSLY-GRANTED APPROVALS

WHEREAS, LONGVIEW VENTURES, LLC, hereinafter referred to as the "Applicant", previously obtained from the Planning Board of the Borough of Keyport (hereinafter referred to as the "Board") certain approvals pertaining to the premises known as Block 22, Lots 12.01, 19 and 20 on the official tax map of the Borough of Keyport, which premises are located on West Front Street in the GMC zone, and which approvals included: use variance approval to permit multifamily residential development at the premises (Resolution adopted 6/22/06); density variance relief, and preliminary subdivision and site plan approval (Resolutions adopted 2/26/07); and all final approvals, including final subdivision and final site plan approvals, and related bulk variance relief (Resolution adopted 8/31/10);

WHEREAS, subsequent to the Board granting the above-referenced approvals, the Applicant embarked upon addressing post-approval conditions and obtaining other-agency approvals;

WHEREAS, among the post-approval matters was the need to obtain NJ DEP approvals and to also seek from the NJ DEP correction of the mapped location of the CAFRA line that traverses the subject premises;

WHEREAS, the Applicant obtained CAFRA approval, but the process (including correction of the CAFRA line) took an extended period of time;

WHEREAS, the NJ DEP further revised its approvals/requirements for the subject project to eliminate the initially-required on-site public access, and to instead permit satisfaction of public access requirements off-site, by way of a $57,940.75 contribution from the applicant to the Borough of Keyport ("Borough") for enhancement of public access at the Cedar Street Park, which modification was endorsed by the Borough;

WHEREAS, the Board thereafter approved on an administrative basis, modification to the previously-approved plans to reflect the elimination of the on-site public access as referenced above (Resolution adopted 2/23/13);

WHEREAS, as a result of all of the facts and circumstances referenced herein and applicable to the subject project, including but not limited to the time that elapsed with regard to pursuit of CAFRA approval, the continuing necessity for the applicant to address remaining post-approval and other-agency conditions, and the like; and further as a result of general economic conditions impacting all development projects in the State of New Jersey as such conditions are otherwise referenced in the "Permit Extension Act", NJSA 40:55D-130 *et seq.*, the Applicant requested and the Board granted an extension of time applicable to all approvals with regard to this project through and including December 31, 2014;

WHEREAS, further as a result of the circumstances referenced above, the on-going circumstances affecting the economy of this State and this County, including but not limited to the affects upon same resulting from Superstorm Sandy and the like, the applicant has requested that the Board grant further approval for the extension of time applicable to all approvals here at issue through and including December 31, 2015;

WHEREAS, at the time of its public meeting on January 22, 2015, the Board reviewed this matter and determined, based upon the facts and circumstances at issue, that it is reasonable and appropriate to approve the extension of time applicable to the approvals here at issue; and

WHEREAS, it must also be noted that although the Board has determined it will grant the requested extension of time, it nevertheless encourages the applicant to move forward with its approval as soon as possible and hopes same will be commenced no later than June of 2015;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board, that the Board finds and concludes that, as a result of all of the facts and circumstances at issue in this matter, it is reasonable and appropriate to grant an extension of time applicable to the approvals here at issue as requested by the applicant;

BE IT FURTHER RESOLVED by the Board, that all approvals in this matter be and are hereby extended through and including December 31, 2015; and

BE IT FURTHER RESOLVED by the Board, that while the Board does grant the extension through and including December 31, 2015, it nevertheless encourages the applicant to commence work on its application no later than June of 2015.

ROLL CALL VOTE

THOSE IN FAVOR: Mayor Aumack, Councilman Cooper, R. Benedict, M. Sessa, J. Kovacs, D. Fotopoulos, G. Sappah, T. Musson, J. Kovacs-Olsen, J. Oviedo

Absent: R. Burlew

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Planning Board of the Borough of Keyport at its meeting on January 22, 2015.

DATED: 1/30/2015