

RESOLUTION GRANTING EXTENSION OF TIME
FOR PERFORMANCE OF SITE WORK

IN THE MATTER OF APPLICATION #4967
OF RIVERVIEW HEALTH AFFILIATES
Block 46, Lot 17.01
Block 47, Lots 15 and 16

BF
 RM
 GF
 ALL PEM
 RB
 TE
 APP
 C. DUCK
 TC
 BI
 TB
 MIN BOOK
 RES. BOOK

WHEREAS, RIVERVIEW HEALTH AFFILIATES, hereinafter the "Applicant", has proposed the development of property located on Leland Road and New Jersey State Highway Route 34 in the Township of Colts Neck, County of Monmouth and State of New Jersey and designated as Block 46, Lot 17.01 and Block 47, Lots 15 and 16 on the Tax Map of the Township of Colts Neck; and

WHEREAS, the Applicant has previously received Preliminary Major Subdivision, Site Plan and Variance Approval with Waivers by Resolution of the Planning Board dated October 16, 1997; and

WHEREAS, the Applicant previously received Amended Preliminary and Final Major Subdivision and Site Plan Approval by Resolution of the Planning Board dated November 10, 1998; and

WHEREAS, the Approval of November 10, 1998 contained a condition at Page 7, Paragraph 6 permitting the Applicant to perform site work and foundation installation prior to receiving N.J.D.E.P. approvals for sewer, water, transition area averaging and N.J.P.D.E.S. and N.J.D.O.T. approvals; and

WHEREAS, said condition at Page 7, Paragraph 6 further provided that should the Applicant not receive such additional approvals within one year of the date of the Resolution (November 10, 1999), that the Applicant shall

restore the site substantially to its predevelopment condition; and

WHEREAS, the one year time period with which the Applicant could perform site work and foundation installation prior to receiving all of its approvals has concluded and the Applicant desires a one (1) year extension of said time period.

WHEREAS, the Planning Board has determined that such extension can be granted without any impairment to the Master Plan, Zone Plan and Zoning Ordinance and consistent with the previous approvals granted to the Applicant.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Township of Colts Neck on this 14th day of March 2000 that the condition at Page 7, Paragraph 6 of the Resolution dated November 10, 1998 be and is hereby amended to extend the time within which the Applicant may perform site work and foundation installation prior to receiving the approvals set forth therein is extended to November 10, 2000. In all other respects, the prior Resolutions and conditions set forth therein shall continue in full force and effect. More particularly, and not by way of limitation, should the Applicant fail to receive the referenced approvals by November 10, 2000, the Applicant shall restore the site substantially to its predevelopment condition. The Applicant shall execute a Developer's Agreement in a form acceptable to the Township of Colts Neck to insure such restoration. Any Performance Guarantees posted in connection with this application shall also secure performance of the condition.

BE IT FURTHER RESOLVED that nothing herein shall excuse compliance by the Applicant with any and all other requirements of this municipality or any other governmental entity.

BE IT FURTHER RESOLVED that a written copy of this Resolution certified by the Secretary of the Planning Board to be a true copy, be forwarded to the Applicant and to the Construction Code Official of the Township of Colts Neck.

BE IT FURTHER RESOLVED that a proper notice of this decision be published once in the official newspaper of the municipality or in a newspaper in general circulation within the Township.

OFFERED BY: Southcott

SECONDED BY: Milazzo

ROLL CALL:

Yes: Barbagallo, Crossan, Burry, Southcott, Donado, Fitzpatrick,
Malinowski, Milazzo, Zander

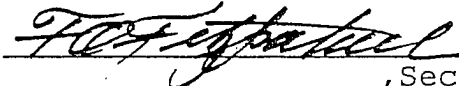
No: None

Abstain: None

Absent: None

I hereby certify that the above is a true and exact copy of the resolution adopted by the Planning Board of the Township of Colts Neck at its meeting held on March 14, 2000.

Date: 3/15/00



Secretary
PLANNING BOARD OF THE TOWNSHIP
OF COLTS NECK