

**IN THE MATTER OF
APPLICATION NO. PB 22-18
OF BETHANY & ETHAN BAKER
BLOCK 17 LOTS 8.01 & 8.02**



**RESOLUTION DISMISSING
SUBDIVISION APPLICATION
WITHOUT PREJUDICE**

WHEREAS, BETHANY & ETHAN BAKER, hereinafter the "Applicant", has proposed the development of property located at 170 Ocean Avenue, in the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey which property is further known and designated as Block 17, Lots 8.01 & 8.02 on the Tax Map of the Borough of Atlantic Highlands; and

WHEREAS, the Applicant has applied to the Planning Board of the Borough of Atlantic Highlands for approval to subdivide existing lots 8.01 and 8.02 into proposed lots 8.03 and 8.04 and to construct a new single family home and driveway on new lot 8.04 requiring Variances for lot frontage, lot width, minimum gross floor area and minimum total gross floor area on a lot that will not front on a public street. The foregoing is contrary to the provisions of Chapter 150, Article V, Section 150-29 and Article VII, Section 150-52 of the Development Regulations of the Borough of Atlantic Highlands; and

WHEREAS, the subject property is located in the R-3 Residential Zone District and single family homes with associated accessory buildings and structures are a permitted use in the Zone; and

WHEREAS, the Applicant appeared before the Planning Board of the Borough of Atlantic Highlands at its meeting in November 2023, at the conclusion of which the Applicant requested that the matter be adjourned; and

WHEREAS, the application has been adjourned on several occasions at the request of the Applicant and having been scheduled for continuation hearing on May 2, 2024; and

WHEREAS, the Applicant's attorney Salvatore Alfieri, Esq. has now requested that the matter be withdrawn without prejudice; and

WHEREAS, the Applicants request for withdrawal was considered by the Planning Board and the Planning Board having not reached any final determination with respect to the relief requested in connection with the application and having determined that it is appropriate at this time to grant the request of the Applicant for withdrawal without prejudice.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Atlantic Highlands on this 2nd day of May, 2024 that the request for withdrawal is hereby approved and the application is hereby dismissed without prejudice.

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, the Code Enforcement Official of the Borough of Atlantic Highlands, and the Construction Code Official of the Borough of Atlantic Highlands. A written copy of the certified Resolution shall also be filed in the office of the Administrative Officer of the Municipality, which copy shall be made available to any interested party and available for public inspection during normal business hours.

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 Borough.

OFFERED BY: Mr. Caccamo

SECONDED BY: Mr. Josko

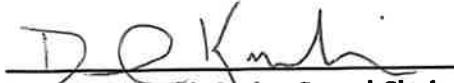
ROLL CALL:

YES: Mr. Caccamo, Ms. DePasca, Councilman Dougherty, Mr. Josko, Ms. Majewski, Mr. Kurdes,
Mr. Bearmore, Acting Chair Krupinski

NO: None

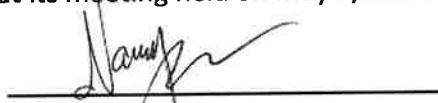
ABSTAIN: Mr. Hawley

ABSENT: Mr. Neff, Chair McGoldrick, Dr. Zuzulock, Ms. Walter



Dave Krupinski, Acting Board Chair
Planning Board Borough of Atlantic Highlands

I certify that the above is a true and exact copy of the Resolution passed by the Planning Board of the Borough of Atlantic Highlands at its meeting held on May 2, 2024.



Nancy Tran, Secretary
Planning Board Borough of Atlantic Highlands