

MEMORIALIZATION RESOLUTION
OF THE TOWNSHIP OF ABERDEEN
PLANNING BOARD
MONMOUTH COUNTY, NEW JERSEY

Jefferson at Aberdeen Urban Renewal Entity, LP (JPI)
Application No. SP 98-108
Block 262 Lot 8.02

WHEREAS, the applicant, Jefferson at Aberdeen Urban Renewal Entity, LP (JPI), has applied to the Planning Board of the Township of Aberdeen for supplemental and amended site plan approval so as to permit the location of certain temporary signs on the face of an existing apartment building facing the Garden State Parkway and Central Avenue in order to advertise apartment rentals;

WHEREAS, the applicant has provided due notice to all property owners within two hundred feet and has caused notice to be published in accordance with the requirements of NJSA 40:55D-1 et. seq., this Board gaining jurisdiction therein; and

WHEREAS, a public hearing was held on the within matter at a regularly scheduled meeting of the Planning Board at which time all persons having an interest in the matter were given an opportunity to be heard; and

WHEREAS, the Board has considered the testimony of the applicant, and has considered the review of the application by the Township Engineer;

NOW THEREFORE, be it Resolved by the Planning Board of the Township of Aberdeen that the following findings of fact and conclusions are made:

1. The applicant seeks a limited period of time to provide advertising on the existing buildings constructed and offered for rental by the applicant.
2. The signs indicate that "luxury rentals" are available giving a telephone number to call and indicating that the property is within "a walk to train" location.
3. The applicant has testified that during the period when the signs were not in place, there was a substantial drop in inquiries as and rentals within the complex.

4. The applicant testified that due to the remote location the visibility from the Garden State Parkway is necessary to provide for continuing rentals and as such provides a benefit to the municipality through the rental of this project which is within the redevelopment area of the Township.
5. The Board is aware that the Highway Authority has voiced its objection to the placement of the signs, however the Board is unable to determine whether or not the Highway Authority has asserted that it has superior jurisdiction than that provided the Township under the Land Use Act and Township Ordinances.
6. The Board concludes that the proposed signs as submitted do provide a necessary and important service to the rental of the project and the success of the redevelopment area of the Township.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Planning Board of the Township of Aberdeen, based upon the findings of fact and conclusions herein, that the application of Jefferson at Aberdeen Urban Renewal Entity, LP (JPI) to erect three signs on the face of an existing apartment building facing the Garden State Parkway and Central Avenue to advertise apartment rentals be approved subject to the following conditions:

1. The signs shall be removed, and this approval shall be deemed to have lapsed when the applicant has leased 90% of the project, but in no event shall this approval continue beyond March 15, 2003 when the signs shall be removed.
2. The Board, in granting this approval, makes no determination as to the concurrent or possible superior jurisdiction of the New Jersey Highway Authority regarding the subject signs and possible enforcement of the New Jersey Highway Authority's regulations regarding same.
3. All representations made under oath by the applicant or his agents shall be deemed conditions of this approval, and any misrepresentations or actions by the applicant contrary to the representations made before the Board shall be deemed a violation of this approval.
4. The action of the Planning Board in approving this application

shall not relieve the applicant of responsibility for any damage caused by this project, nor does the Planning Board of the Township of Aberdeen or its reviewing professionals and agencies accept any responsibility for the structural design of the proposed improvements or for any damage that may be caused by the development.

5. The applicant must publish adequate notice of this Resolution in the official newspaper of the Township of Aberdeen at their sole cost, within ten days, and provide proof of publication within thirty days.

The foregoing was Moved by *Mr. Malenec*
Seconded by *Councilman Davis* and on Roll Call, the following vote was recorded:

Affirmative: 5 (*Mayor John M. Malenec, Mr. Lane, Councilman Davis, Mr. Kaplan*)
Negative: 0
Abstentions: 0

The foregoing is a true copy of a Memorialization Resolution adopted by the Planning Board of the Township of Aberdeen as copied from the Minutes of its meeting on October 16, 2002.

Dated: *10/16/02*

Maxine Rescorl

Maxine Rescorl
Secretary Planning Board