

**NORTH BRUNSWICK TOWNSHIP ZONING BOARD OF ADJUSTMENT**

**RESOLUTION**

**File #2596**

**Extension pursuant to N.J.S.A. 40:55D-52**

**Applicant: QuikChek/Estate of Santos LaBarbera**

WHEREAS, the Zoning Board of Adjustment of the Township of North Brunswick is a duly constituted body as authorized by statute with the responsibility to supervise and to be concerned with the orderly development and planning of the Township as authorized by the statutes and ordinances made and provided; and

WHEREAS, the Applicant, QuikChek/Estate of Santos LaBarbera received a Use and Bulk Variance approval from the Zoning Board of Adjustment of the Township of North Brunswick on July 19, 2023, which was memorialized by Resolution dated October 18, 2022 and expires on October 18, 2023; and

WHEREAS, the Applicant, QuikChek/Estate of Santos LaBarbera now requests an extension of said Preliminary and Final Major Site Plan with Use and Bulk Variance approval for a period of two (2) years pursuant to NJSA 40:55D-52 until October 18, 2025 and

WHEREAS, the Applicant, QuikChek/Estate of Santos LaBarbera, has indicated that it was prevented from proceeding forward with the approval due to NJDOT permitting delays and compliance with NJDEP Stormwater regulations. Said explanation was contained in a letter dated August 30, 2023 from Ronald L. Shimanowitz, Esq., counsel for the Applicant to the Board's Secretary; and

WHEREAS, the Applicant, QuikChek/Estate of Santos LaBarbera indicated that it would comply with a one-year extension until October 18, 2024 if the Board was inclined to grant an extension; and

WHEREAS, the Zoning Board of Adjustment of the Township of North Brunswick was satisfied that the Applicant, QuikChek, has established sufficient cause to receive a one (1) year extension of its Use Variance and Bulk Variance approval pursuant to N.J.S.A. 40:55D until October 18, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of North Brunswick, this 17<sup>th</sup> day of October, 2023 that the Board hereby confirms by this Resolution the action taken by the Board on September 19, 2023 granting the Applicant, QuikChek /Estate of Santos LaBarbera. a one (1) year extension of its Use and Bulk Variance approval pursuant to N.J.S.A. 40:55D-52 until October 18, 2024.

Moved by: Wright

Seconded: Scaturro

Ayes: Almeida, Goldenfarb, Scaturro, Heyman & Wright

Opposed: None

Abstain: None

Absent:

The following Resolution was memorialized on October 17, 2023 by the following vote:

Moved by: Mr. Almeida

Seconded: Mr. Goldenfarb

Ayes: 6

Opposed: None

Abstain: None

Absent:

I certify that the foregoing is a true copy of a Resolution approved by the Zoning Board of Adjustment of the Township of North Brunswick on September 19, 2023 and memorialized on October 17, 2023.

  
Kristen Olscay

SECRETARY OF THE ZONING BOARD OF ADJUSTMENT  
OF THE TOWNSHIP OF NORTH BRUNSWICK