

**55-257. DECISIONS.**

- A. Each decision on any application for development shall be reduced to writing, as provided herein, and shall include findings of facts and conclusions based thereon.**
- B. Failure of a motion to approve an application for development to receive the number of votes required for approval shall be deemed an action denying the application.**
- C. The municipal agency may provide such written decision and findings and conclusions either on the date of the meeting at which the action is taken to grant or deny approval, or, if such meeting occurs within the final forty-five (45) days of the applicable time period for rendering a decision on the application for development, within forty-five (45) days of such meeting by the adoption of a resolution of memorialization setting forth the decision and the findings and conclusions of the municipal agency thereon. An action resulting from the failure of a motion to approve an application shall be memorialized by resolution as provided above, notwithstanding the time at which such action occurs within the applicable time period for rendering a decision on the application.**

**D. The adoption of a resolution of memorialization pursuant to this subsection shall not be construed to alter the applicable time period for rendering a decision**

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## LAND USE

on the application for development. Such resolution shall be adopted by a vote of a majority of the members of the municipal agency who voted for the action previously taken, and no other member shall vote thereon. The vote on such resolution shall be deemed to be a memorialization of an action of the municipal agency, and not to be an action of the municipal agency, provided, that failure to adopt such resolution within the forty-five (45) day period shall result in the approval of the application for development, notwithstanding any prior action taken thereon.

- E. Whenever a resolution of memorialization is adopted, the date of such adoption shall constitute the date of the decision for purposes of the mailings, filings and publications required by N.J.S.A. 40:55D-10.
- F. A copy of the decision shall be mailed by the Board within ten (10) days of the date of decision to the applicant or, if represented, then to his attorney without separate charge. A copy of the decision shall also be mailed to all persons who have requested it and who have paid the fee prescribed by the Board for such service. A copy of the decision shall also be filed in the office of the Municipal Clerk, who shall make a copy of such filed decision available to any interested party upon payment of a fee calculated in the same manner as those established for copies of other public documents in the municipality.