

**HARDING TOWNSHIP PLANNING BOARD
MEETING MINUTES
JULY 24, 2023**

CALL TO ORDER AND STATEMENT OF COMPLIANCE—Mr. Clew

Mr. Clew announced the meeting of the Harding Township Planning Board was given as follows: Notice was sent to the *DAILY RECORD* and the *OBSERVER TRIBUNE*, posted on the Township Bulletin Board, and filed with the Clerk's Office, located in the Township Hall located at 21 Blue Mill Road, New Vernon, NJ. Notice indicated that formal action may be taken.

ROLL CALL—Ms. Taglairino

The roll was called. The following were present:

Mr. Newlin, Mr. Jones, Mr. Edgar, Mr. Chipperson, Mr. Clew, Ms. Walters, Mr. Yates, Mr. dePoortere Mr. Burns, Mr. Rosato and Ms. Claytor

Mr. Loughlin, the Board Attorney, Mr. Fox, the Board Engineer, Ms. Mertz, the Board Planner and Lori Taglairino, the Board Secretary, were also present.

REGULAR MEETING

Mr. Clew announced the following:

PB #01-23, GHK II & III, LLC, 655 & 665 Spring Valley Rd., (**Carried to the August 28, 2023 Meeting**).

The Planning Board will hold a Special Meeting on July 31, 2023 at 7:00 pm to hear PB #04-23 Hurstmont Estate Urban Renewal.

MINUTES

A motion was made by Mr. Edgar to approve the May 22, 2023 minutes with an amendment to Mr. Edgar's attendance. The motion was seconded by Ms. Claytor. On a voice vote all eligible members voted to approve the amended minutes.

A motion was made by Mr. Edgar to approve the June 26, 2023 minutes The motion was seconded by Ms. Claytor. On a voice vote all eligible members voted to approve the amended minutes.

Mr. Clew asked about the new stormwater regulations. Mr. Fox noted that the state published new regulations.

OLD BUSINESS

PB Application #03-23

Michael Anderson
604 & 608 Spring Valley Rd., B3/L3.01 &3.02
Minor Subdivision

Presenting:
Nicole Magdziak, Attorney
Harrison Barany, Engineer

Mr. Barany was sworn in for testimony.

- Ms. Magdziak presented an application for a minor subdivision with variance relief for a proposed 3 lot reconfigured subdivision that borders with Chatham Township.

<u>Property Address</u>	<u>Existing Lot Area (acres)</u>	<u>Proposed Lot Area (acres)</u>
Existing Lot 3	604 Spring Valley Rd, 1.586	2.843
Existing Lot 3.01	602 Spring Valley Rd, 1.024	0.947
Existing Lot 3.02	608 Spring Valley Rd., 1.177	N/A (to be eliminated)

- Ms. Magdziak noted that the Board held a site inspection for this application.
- Mr. Barany presented the subdivision plan and Exhibit A-1, a colorized drawing of the existing and proposed conditions of the lots.
- Mr. Barany noted an irregular proposed lot line due to an existing septic system on a neighboring lot.
- Mr. Barany noted that 3 variances are required; one for undersized lot and one setback for the pool house and one for the A/C pad.
- Ms. Magdziak pointed out existing structures that have no record of granted variances and requested variance relief for those as follows:

Tree House (setback 77 feet)
 Chicken Coop (setback 90.7 feet)
 Pool House (front of principal dwelling)

- Ms. Magdziak addressed the fact that any development would need DEP approval.
- Ms. Magdziak noted that the applicant will supply a Conservation Easement.
- Mr. Fox noted the power lines on the property cross a municipal boundary and question whether or not there was an easement in place for that.

Ms. Walters made a motion to approve the application with variances. The motion was seconded by Mr. Edgar.

A roll call vote went as follows:

For: Mr. Newlin, Mr. Jones, Mr. Edgar, Mr. Chipperson, Mr. Clew, Ms. Walters, Mr. Yates, Mr. dePoortere, and Ms. Claytor.

Against: None

PB Application #02-23

PSE&G
7 & 11 Meyersville Rd., B12.01/L3&4, R-2 Zone
Minor Subdivision

Mr. dePoortere recused himself.

Presenting:

Danielle Federico, Attorney

Brandi Bartolomeo, PSEG Representative

Ms. Bartolomeo was sworn in for testimony.

- Ms. Federico presented a proposal to reconfigure and subdivide the portion of the lots that are within Chatham Township into three new lots. There will be no changes to the lot lines of Lots 3 and 4 in Harding Township. In Chatham, the new lots will consist of the following:

Proposed Lot A: 150,045 square feet

Proposed Lot B: 972,732 square feet

Proposed Lot C: 27,013 square feet

- Ms. Federico noted that PSEG received an approval from Chatham Township Zoning Board for the subdivision.
- Ms. Federico noted that a large port of this property is slated for the Great Swamp National Wildlife Refuge managed by the United States Fish and Wildlife Service.
- Ms. Federico noted that another portion would go to Chatham Township in anticipation that it would then be conveyed by the Township to the Green Village Volunteer Fire Department.
- Ms. Bartolomeo noted the proposed lots on the site plan.
- Proposed lot A has an existing access easement onto Meyersville Road. At present that easement is for residential use only.
- Ms. Federico presented Exhibit A-1, a copy of the Exhibit A-1 of the summary of the United States Department of the Interior Fish and Wildlife Service, noting the beneficial use of these properties.

Mr. Flanagan of Meyersville Road, after being sworn in, raised his concern regarding the access easement.

Mr. Edgar made a motion to approve the minor subdivision. The motion was seconded by Mr. Chipperson. A roll call vote went as follows:

For: Mr. Newlin, Mr. Jones, Mr. Edgar, Mr. Chipperson, Mr. Clew, Ms. Walters, Mr. Yates, Mr. Burns, and Ms. Claytor.

Against: None

There was a 5 minute break.

Ms. Taglairino call the roll after the break. The following were present:

Mr. Newlin, Mr. Jones, Mr. Edgar, Mr. Chipperson, Mr. Clew, Ms. Walters, Mr. Yates, Mr. dePoortere Mr. Burns, Mr. Rosato and Ms. Claytor

COMPLETENESS

PB Application #04-23

Hurstmont Estate Urban Renewal
679 Mt. Kemble Ave. B27/L2
Preliminary and Final Site Plan and Minor
Subdivision Application Redevelopment

Presenting:
Thomas Malman, Attorney

- Mr. Malman identified items for completeness. (Board of Health approval, LOI and Soil Certification.
- Mr. Malman noted that the applicant received the LOI and the Soil Certification has been submitted; leaving a request for a Board of Health waiver.

Ms. Claytor made a motion to deem the application complete. The motion was seconded by Mr. dePoortere.

For: Mr. Newlin, Mr. Jones, Mr. Edgar, Mr. Chipperson, Mr. Clew, Ms. Walters, Mr. Yates, Mr. dePoortere, and Ms. Claytor.

Against: None

NEW BUSINESS

PB Application #04-23

Hurstmont Estate Urban Renewal
679 Mt. Kemble Ave. B27/L2
Preliminary and Final Site Plan and Minor
Subdivision Application Redevelopment

Presenting:
Thomas Malman, Attorney
Ron Kennedy, Engineer
Dan King, Architect
Jim Mazzucco, Landscape Architect

Mr. Kennedy was sworn in for testimony.

Mr. Yates noted that after years of work, the application went to hearing at 7:37 on July 24, 2023.

- Mr. Malman presented a proposal for a Preliminary and Final Major Site Plan and Minor Subdivision to construct a senior living development project at Block 27/Lot 2.
- Mr. Malman noted the property is 19.7 acres.
- Mr. Malman noted that this project is a redevelopment project.
- Mr. Malman noted that the proposed project would consist of a 4-story senior living facility contain 210 units, a townhouse development containing 40 units (28 carriage homes and 12 cottages)
- Mr. Malman also noted that 40 of the 210 units will be affordable units.
- Mr. Malman stated that the application will have 6 witnesses that will cover the following:

Engineering	Architecture of the Carriage Houses and Cottages
Operations	Architecture of the 210 unit Senior Facility
Traffic	Landscape Architecture and Lighting

ENGINEERING

- Mr. Kennedy presented Exhibit A-1, a neighborhood aerial photo with labeled zoning and historic elements. Mr. Kennedy oriented the Board as to all of the existing and proposed areas of importance.
- Mr. Kennedy presented Exhibit A-2, an enlarged aerial plan depicting the existing site.
- Mr. Kennedy noted the slopes and drainage on the property and noted no wetlands or transition areas on the property.
- Mr. Kennedy presented Exhibit A-3, the site plan for the property. He explained that there are three components to the age restricted site plan. They are the following:
 1. Carriage Homes (28 townhomes) to the left of the property.
 2. Cottages (12-in 3 separate buildings) to the front of the property
 3. Senior Living and Memory Care (210 units) to the rear of the property.
- Mr. Kennedy noted that the property will be subdivided into 2 lots with the Senior Living and Cottages comprising 1-lot and the Carriage Homes comprising the second lot.
- Mr. Kennedy briefly explained the interior and exterior components of the project noting that they are maintaining some of the existing historic garden walls. He gave an overview of the parking, amenities, and delivery/loading area.
- Mr. Kennedy stated the application is compliant with the zoning standards except for a design waiver for lighting from the Township Ordinance and three de minimis waivers from the Residential Site Improvement Standards.
- Mr. Kennedy presented Exhibit A-4, a grading site plan. He noted that the grading was based on utilizing the existing driveway. He also discussed the use of retaining walls throughout the plan. He presented the connecting walking trails on the property from the Glen Alpin property with the potential to connect with Jockey Hollow if the park system wishes in the future.
- Mr. Kennedy presented Exhibit A-5, the stormwater management plan. The plan accounts for anticipated changes in the State plan.
- Mr. Kennedy presented Exhibit A-6, the sanitary plan. He noted that there is a large scale on-site treatment and recharge facility. He explained the location, the process and explained the requirements that needed to be met to create the facility.
- Mr. Kennedy presented Exhibit A-7, the plan for water supply for the site. SMCMUA will bring the water to the site but the water will be supplied through a private pumping system throughout the project.
- There was a discussion about the gas, electric and wireless utilities.
- Mr. Kennedy noted that they obtained review letters from the Police, Engineer and Planner.
- Mr. Newlin inquired about the reason for the two lots for this project. It was explained that it was a financing matter.

There were no public questions.

There was a break at 8:59. The meeting resumed at 9:05.

The roll was taken. The following were present:

Mr. Newlin, Mr. Jones, Mr. Edgar, Mr. Chipperson, Mr. Clew, Ms. Walters, Mr. Yates, Mr. dePoortere Mr. Burns, Mr. Rosato and Ms. Claytor

ARCHITECTURE FOR THE SENIOR BUILDING

Mr. King was sworn in for testimony.

- Mr. King noted the rural and historical nature of the Township and how he tried to respect and take cues from these characteristics while designing his plans for the project.
- Mr. King presented Exhibit A-8, a photo-sim rendering of the main entrance to the community. He presented proposed materials for exterior and roof, including stone veneer, clapboard panels, Board and Batten panels and shake-like asphalt shingles for the roof. He explained the architectural details of the façade. He noted the proposed lantern lighting and railing materials for the balconies. He highlighted the Gambrel roof detailing and noted the proposed use of double-hung windows.
- Mr. King presented Exhibit A-9, a 2 dimensional rendering of the elevations. He gave an overview of the features on the North side.
- Mr. King presented Exhibit A-10, a 2 dimensional rendering of the elevations of the East side. This level includes a view of the lower garage and receiving area.
- Mr. King presented Exhibit A-11, a rendering of the parking level.
- There was a comment about the electric charging stations in the underground parking and a suggestion for a possible fire shield for extra protection.
- Mr. King presented Exhibit A-12, a rendering of the level above the garage which includes the staff lounge and well-ness zone and community area.
- Mr. King presented Exhibit A-13, a rendering of the lobby entry level. This level includes the reception and mail room, dining room and lounge. There are offices and the kitchen as well. The memory care courtyard will be on this level and a separate assisted living courtyard will be on this level. There are independent living and memory care units on this level along with 10 affordable units along the rear of this floor.
- Mr. King presented Exhibit A-14, a rendering of the 2nd floor of the building which comprises assisted living. There are 11 affordable units on this level.
- Mr. Kennedy presented Exhibit A-15, a rendering of the top floor. This level contains assisted living with 10 affordable units. There is a rooftop terrace.

There were no public questions.

- There was a brief discussion about construction safety, trash, and recycling.

LANDSCAPE ARCHITECTURE AND LIGHTING

Mr. Mazzucco was sworn in.

- Mr. Mazzucco presented Exhibit A-16, a colorized rendering L.100 titled Landscape Plan. He gave an overview of the elements of the plan.
- The Board expressed their hope to maintain as many of the mature trees on the property along Mt Kemble Avenue as possible as well with creating a strong dense understory.

- Mr. Mazzucco presented Exhibit A-17, a revised landscaping plan SK1. The plan was revised to add additional landscaping in an effort to address the infiltration area buffers concerns close to Route 202.
- Ms. Mertz noted the Tree Conservation Area criteria and exemptions established in the Redevelopment Plan.
- Mr. Mazzucco expressed a willingness to work with Township professionals to fine tune a plan.
- Mr. Mazzucco presented Exhibit A-18, photos showing proposed species.
- It was noted the HOA will maintain the landscaping.
- There was a brief discussion about peripheral invasives.
- Mr. Mazzucco presented Sheet L.105, a rendering of a lighting plan for the roads, sidewalks, residential parking areas and intersections.

The application was carried until the July 31, 2023 meeting with no further notice.

OTHER BUSINESS

ADJOURNMENT

The meeting was adjourned at 10:33.

Respectfully Submitted by

Lori Taglairino

Lori Taglairino, Planning Board Secretary

HARDING TOWNSHIP PLANNING BOARD

RESOLUTION

Public Service Electric & Gas Co. (PSE&G) – Application PB-02-23

7 and 11 Meyersville Road – Block 12.01, Lots 3 and 4

Grant of Minor Subdivision Approval & C Variances with Waivers

Adopted July 24, 2023

WHEREAS, PSE&G applied to the Harding Township Planning Board for minor subdivision approval to reconfigure the Harding Township portion of a tract which includes adjoining premises in the Township of Chatham. The subject properties are located on Block 12.01, Lots 3 and 4, at 7 and 11 Meyersville Road respectively, and are in the R-2 Residential Zone. Both properties are split by the municipal boundary of Chatham Township to the east which are known as Block 48.21, Lots 174 and 180, in Chatham Township. The total lot area for Lot 3 (inclusive of both towns) is about 25.4 acres; approximately one acre of which is within Harding. The total lot area for Lot 4 (inclusive of both towns) is about 0.9 acres; approximately 0.7 acres of which is within Harding. The Harding side of the properties is vacant, with single-family residential dwellings located across Meyersville Road in the R-2 and R-3 Zones; and

WHEREAS, the applicant having received subdivision, variance, and waiver approval from the Planning Board for the Township of Chatham by resolution dated June 12, 2023 which the applicant has filed and submitted to this Board prior to the hearing of this case; and

WHEREAS, the Harding Township portion of this tract which is now before the Board in this application is located in the R-2 Zone where a minimum lot size of 3 acres is required. The proposed lot line adjustment would increase the size of Lot 3 in Harding Township from 1.586 acres to 2.843 acres. Lot 3.01 in Harding Township would be reduced from 1.024 acres to 0.947 acres. Lot 3.02 in Harding Township (1.177 acres) would be eliminated. This subdivision requires variance relief as neither of the lots now proposed meet the minimum bulk size requirements of the ordinance or have a 100 foot by 100 foot building envelope free of any environmental restrictions. In addition, proposed Lot 3 also does not meet the required side yard setbacks for the zone;

however, the proposed side yard setbacks represent improvement over the existing conditions. In addition, this application requires waivers of the ordinance requirement for a delineation of the wetlands and wetland buffers present on the tract, and a related waiver of the requirement of a conservation easement over any wetlands or wetland transition areas located on the property; and

WHEREAS, the Planning Board discussed the application for completeness at a meeting on March 27, 2023 and determined that the application should be considered incomplete at that time subject to the applicant first obtaining subdivision approval from the Planning Board for the Township of Chatham which has now occurred; and

WHEREAS, at its regularly scheduled meeting of July 24, 2023 the Planning Board conducted the public hearing on this application, at which time a quorum of the Board was present to hear this case, and an opportunity was afforded to members of the public or interested parties to ask questions and/or to be heard regarding this application, and a verbatim record of these proceedings was maintained by the Board; and

WHEREAS, at the meeting of July 24, 2023 the Planning Board approved this application and adopted an expedited resolution granting the minor subdivision approval and C variance relief for the two lots proposed and related waivers based upon findings and conclusions and subject to certain conditions to be set forth in the Board's resolution;

NOW, THEREFORE, BE IT RESOLVED by the Harding Township Planning Board, on the 24th day of July 2023, that the approval of this application for PSE&G for minor subdivision approval and (c) variances with waivers is hereby memorialized as follows:

Findings of Fact and Statement of Reasons

1. The applicant presented a two sheet minor subdivision plan prepared by PSE&G Services Corporation Surveys and Mapping dated December 14, 2022. In addition the applicant subsequently submitted copies of subdivision materials submitted to the Chatham Township Planning Board including plan materials submitted to NJ DEP and the Chatham Township engineering review letter. In addition the applicant and the Board acknowledged receipt and review of memo dated March 22, 2023 from M. McKinley Mertz, PP, AICP, LEED, Green Associate of Hyer, Gruel & Associates dated March 22, 2023 as the Planning Consultant to the Board; and letter-reports dated March 23 and June 23, 2023 from Paul D. Fox, PE, PP of Apgar Associates as the Planning Board Engineer; and

2. At the July 23, 2023 meeting of the Board, Danielle M. Federico, Esq. of Chiesa Shahinian & Giantomasi, PC of West Orange, New Jersey appeared to present this case for the applicant. Ms. Brandi Bartolomeo, a property management design specialist employed by PSE&G as the project manager for this case, assisted in presenting the proposed subdivision. The applicant's attorney confirmed for the Board that the subdivision of the Chatham Township portion of the property had been completed in accordance with the resolution filed with the Board in this case. Ms. Federico also stated that the minor subdivision of the Harding lots with a lot line adjustment did not involve any new construction or development.

3. Mr. Brandi Bartolomeo, employed by PSE&G at their South Plainfield facility, then offered testimony to the Board. Ms. Bartolomeo identified herself as a "permitting specialist" for the company and explained to the Board the acquisition of the property by PSE&G as part of a transmission line replacement project through The Great Swamp Wildlife Refuge. She said the project required the company to acquire the Chatham Township and Harding Township properties as a "laydown area." In response to a question from the Board, she stated the laydown area "would be an area for temporary outdoor storage of materials utilized in the construction of transmission facilities, but this property was never used for that purpose." As to the current conditions on the applicant's property in both townships, she stated there was an existing single-family dwelling, barn, and other associated improvements on one of the Chatham lots known as the "Ferber Farm", and the only improvement on the Harding properties is a private access driveway easement extending across Lot 3 in Harding Township from Meyersville Road.

4. Ms. Bartolomeo further explained to the Board that the applicant had an agreement with the United States Department of the Interior for mitigation of the disturbance caused by the utility transmission line replacement project. She stated this would require one of the lots in Chatham Township to be dedicated to The Great Swamp Watershed Association, the second lot would be dedicated to The Great Swamp National Wildlife Refuge managed by the United States Fish and Wildlife Service, and the third lot would be conveyed to Chatham Township in anticipation that it would then be conveyed by the Township to the Green Village Volunteer Fire Department. She further explained that the company had been approached by the Fire Department about acquiring this lot for the purpose of creating additional fire truck circulation routes that would complement its facility located on the adjoining property. She further stated that this proposed transfer of that portion of the property would require approval from the New Jersey Board of Public Utilities.

5. Utilizing the plans that had been referred to and shown to the Board during this hearing, Ms. Bartolomeo described these three Chatham Township lots as Lots A, B, and C. Ms. Bartolomeo further advised the Board that the agreements the company had for its major utility transmission line replacement project over The Great Swamp National Wildlife Refuge required that the mitigation efforts required by PSE&G were time sensitive and required completion of these efforts by the company before the end of 2023.

6. The Board heard questions and comments from Mr. Jeffrey Flanagan of 6 Meyersville Road, Green Village. He first stated he was "pleased with the preservation of the property by PSE&G," but stated to the Planning Board that the Chatham Township subdivision approval the company had received "did not address the future use of the parcel upon which the house and barn is located. This would be Lot A previously identified during this hearing."

7. In further discussion with the applicant's representatives and the Board Engineer, Mr. Fox, it was determined that any future nonresidential use of the Chatham Township lot, which had the driveway easement over Lot 3 in Harding Township, would require the applicant for the Chatham Township "Lot A" which contains the existing house, barn, etc., to apply for a use variance to the Harding Township Board of Adjustment. As a result Mr. Flanagan or any other concerned property owner would have notification of both the Chatham Township and Harding Township applications and hearings should that develop in the future. Mr. Fox also discussed with the Board the waivers requested by the applicant in this case and stated due to the lack of any

development proposed on the Harding Township lots, the Board's issuance of waivers for any NJ DEP filing or conservation easement might be warranted.

8. Ms. Bartolomeo representing PSE&G and the applicant's attorney suggested to the Planning Board that letter dated March 14, 2023 from the United States Department of the Interior Fish and Wildlife Service regarding the company's switch transmission line replacement project through The Great Swamp Wildlife Refuge as to terms, conditions, and requirements applicable to same and discussing the use of all of the PSE&G property and how the lots would be conveyed and dealt with, including the requirement for the company to obtain approval for the overall proposal from the Board of Public Utility of the State of New Jersey and confirming all of the terms, conditions, and requirements that had been testified to before this Board, was then marked as an exhibit into evidence for the Board's file in this case.

9. The Board then discussed conditions and requirements that would apply to the approval of the Board, all of which were accepted by the applicant's representative as discussed in the hearing.

10. The Board finds and concludes under the evidence and proofs presented that the minor subdivision of the property before the Board in this case with lot line adjustments which will permit the applicant to perform and satisfy its mitigation obligations for the switch transmission line replacement previously undertaken by the applicant over The Great Swamp National Wildlife Refuge, and to allow for the specific conveyance of these properties as set forth in Exhibit A-1 summarizing same from the United States Department of the Interior Fish and Wildlife Service, represents a beneficial use of these properties; and the lot line adjustment and re-subdivision approval of the Board in this case which is required for the completion of the applicant's performance obligations under this agreement, represents good planning and also thereby serves the public interest. The Board also notes that no development is proposed nor reasonably anticipated in the future for the Harding Township lots which are the subject of this re-subdivision. The Board also finds and concludes that the incidental variances required for these lots in this case which will remain undeveloped have been justified and sustained by the applicant under the C(2) standard for variance relief in the Municipal Land Use Law. There will be considerable public benefits and advantages from allowing the realignment of these lot lines for the Harding Township lots and the conclusion of this subdivision to allow for the appropriate conservation and preservation of the overall premises in conjunction with The Great Swamp National Wildlife Refuge and its continued presence and public programs which relate to the subdivision now to be approved which will thereby advance the purposes of zoning by permitting an optimal and public benefit use of the property overall. The Board also concludes that these positive benefits and advancements can be accomplished and continued without any noticeable or negative impact whatsoever in the reasonable judgment of the Board. Therefore the approval of this minor subdivision with incidental variance relief and waivers is appropriate for the Board to allow based upon the nature of the application, the nature of the property, and the facts and evidence presented to this Board.

11. Due to the time requirements for the company's performance of its obligations under the agreement with the United States Department of the Interior and otherwise as outlined before the Board and confirmed in the letter-exhibit from the United States Department of the Interior referred to above, the Planning Board agreed to issue an expedited resolution from the Board following the Board's action on this application to assist the applicant.

Description of Minor Subdivision Approval

1. The application of PSE&G for minor subdivision approval in accordance with two-sheet minor subdivision plan prepared by PSE&G Services Corporation Surveys and Mapping dated December 14, 2022, is hereby granted in accordance with the conditions of this resolution.

Description of Variances

1. A variance is hereby granted for each lot which do not meet the minimum lot size requirement of five acres as provided in Ordinance Section 225-152(D); and

2. A variance is hereby granted for each lot from the requirement for a building envelope of 100 feet on each side, free of wetlands, wetlands transition areas, and easements that restrict development as provided in Ordinance Section 225-122(B); and

3. A variance is issued for required side yard setbacks for Lot 3 as provided in Ordinance Section 225-152(E).

Description of Waivers

1. The applicant is hereby granted a waiver of the ordinance requirement for the delineation of the wetlands and wetland buffers present on the tract, and a related waiver of the requirement of a conservation easement over any wetlands or wetland transition areas located on the property.

Approval Conditions

1. The approval of the Board in this case is subject to the applicant's compliance with the terms, conditions, and requirements of the related subdivision resolution from the Planning Board for the Township of Chatham for the adjoining premises owned by the applicant and which are impacted and affected by this subdivision resolution in accordance with the resolution of the Chatham Township Planning Board dated June 12, 2023; and

2. As discussed with the applicant during this hearing, should there be any future nonresidential use of the "Ferber House" identified in the Chatham Township Planning Board resolution as "Lot A", same shall not be undertaken until and unless the owner of the property submits an application to the Zoning Board of Adjustment for the Township of Harding for variance and/or other required approvals regarding same in accordance with the ordinances for the Township of Harding; and

3. The applicant shall pay any and all outstanding application, technical review, or other fees pursuant to the rules, regulations, and requirements of the Planning Board and Township Ordinances, including but not limited to any development fee and/or any and all Affordable Housing fee(s), assessments, or other charge, and any and all further fees, charges, deposits, escrows, or professional billings in accordance with the ordinances and regulations of the Township and/or that result from this subdivision and concluding work required for same; and

4. The applicant shall prepare and submit to the Board Engineer and the Board Attorney the proposed subdivision deed for their reasonable review, requirements, and approval.

5. The applicant shall pay any and all outstanding property taxes; and

6. Prior to the signing of the minor subdivision deed by the appropriate officers of the Planning Board, the Board Engineer shall first provide a written confirmation to the Secretary of the Board that the applicant has complied with and satisfied all of the conditions in this resolution; and

7. In accordance with N.J.S.A. 40:55D-47 the minor subdivision deed shall be recorded within 190 days from the date of this resolution, unless the time period is extended consistent with applicable legal requirements; and

8. A recorded copy of the minor subdivision deed shall be promptly filed with the Planning Board Secretary and the Township Tax Assessor by the applicant's attorney without cost or expense to the Township

Vote on Resolution

For the Oral and Written Resolution: dePoortere, Jones, Clew, Chipperson, Walters, Newlin, Yates, Claytor, and. Edgar

Against the Oral and Written Resolution: None

The within resolution was duly adopted by the Planning Board for the Township of Harding at its meeting of July 24, 2023.
