RESOLUTION OF THE PLANNING BOARD OF THE
TOWNSHIP OF CHATHAM MEMORIALIZING GRANT OF
MINOR SUBDIVISION APPROVAL TO ROBERT MIELE
BLOCK 48.20, LOT 189

WHEREAS, Applicant and Owner, Robert Miele, seeks
minor subdivision approval with respect to Tax Lot 189, Block
48.20 in order to divide this 170 acre (approximately) tract
into two parcels, containing 33.664 acres and 136.3 acres,
respectively, each fronting on the southerly side of Britten
Road; and

WHEREAS, Applicant also requires and seeks a
development permit since a portion of the property is located
within the flood hazard area; and

WHEREAS, Applicant has secured approval from the Board
of Health for the use of individual septic systems to serve
each of the proposed new lots; and

WHEREAS, Applicant has shown on the maps submitted,
the locations where the perc tests were taken, the flood hazard
area line and also the approximate location of the landfill
operation which was previously conducted upon this property, as
well as the approximate location of the existing fire road; and

WHEREAS, Applicant previously applied for and was
granted minor subdivision approval with respect to this
proposed subdivision, as evidenced by resolution of

BOOK 3033 PAGE 0474
SCHEDULE A
memorialization adopted by this Planning Board on June 15, 1987; and

WHEREAS, Applicant inadvertently failed to record a minor subdivision deed in the Morris County Clerk's Office within 190 days of the date this subdivision plan was originally approved, thereby resulting in such approval becoming null and void; and

WHEREAS, Applicant has reapplied for approval of this minor subdivision plan, and following consideration of this second application for minor subdivision approval and for a development permit, the Planning Board of the Township of Chatham at its regular public meeting held on May 16, 1988 voted to again grant both minor subdivision approval and a development permit, subject to the adoption of a resolution of memorialization at a subsequent meeting.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Chatham, County of Morris and State of New Jersey that the grant of a development permit and minor subdivision approval granted Robert Miele with respect to Block 48.20, Lot 189 is hereby confirmed and memorialized based upon the following facts, findings, terms and conditions:

1. These approvals are based upon and in accordance with the details and information set forth upon the following subdivision plans prepared by Murphy & Hollows Associates.

-2-
Civil Engineers and Surveyors, Stirling, New Jersey:

(a) Drawing entitled "Subdivision Lot 189, Block 48.20, Township of Chatham, Morris County, N.J. - Area Map.

   dated 3/17/87, revised 5/8/87, Sheet 1 of 2;


2. No construction, development, improvements or land disturbance shall take place upon those sections of proposed new Lot 189.01 or proposed new Lot 189 located within the flood hazard area, or within that portion of the subdivision tract previously used as a landfill operation.

(a) There has been located on the approved subdivision map the approximate location of the flood hazard area line and also (based upon information furnished by Applicant) the approximate location of that portion of the subdivision tract previously used as a landfill operation.

Before a construction permit shall be issued for either of the two lots created by this minor subdivision approval, the owner shall be required to submit to the Township as a part of any such construction permit application, a drawing or plan which precisely and accurately based upon sound engineering practices locates the flood hazard area and landfill area upon the lot for which the construction permit is sought. Any such drawing
shall be prepared by an engineer and/or land surveyor licensed
by the State of New Jersey and shall bear the signature and
seal of the engineer and/or surveyor preparing such drawing.

(b) The minor subdivision deed(s) containing
metes and bounds descriptions of these two new lots which
Applicant is required to record in the Morris County Clerk's
Office as hereinafter described, shall contain a statement
acceptable to the Planning Board of the Township of Chatham and
the Attorney for the Planning Board of the Township of Chatham
describing this restriction against any construction,
development, improvements, or land disturbance in those
portions of this subdivision tract located within the flood
hazard area or within the area upon which a landfill operation
was previously conducted. Such statement shall also include a
provision sufficient to inform future owners of either of the
two new lots of the requirement to accurately locate such flood
hazard area and landfill area upon a drawing prepared, signed
and sealed by a licensed New Jersey engineer and/or surveyor as
a condition precedent for securing a construction permit for
either of the two new lots.

3. Minor subdivision deed(s) containing metes and
bounds descriptions of each of the two properties created by
this minor subdivision approval shall be filed with the County
Clerk and also with the Township Engineer and Township Assessor
within 190 days from the date this subdivision approval was granted (May 16, 1988). Failure to comply with such filing requirements voids this approval.

Adopted: June 6, 1988

ATTENT:

[Signature]

OTTO W. VOPELIUS, Secretary

PLANNING BOARD OF THE TOWNSHIP
OF CHATHAM IN THE COUNTY OF MORRIS

By:

MARSHALL BISSELL, Chairman

I, OTTO W. VOPELIUS, Secretary of the Planning Board of the Township of Chatham, in the County of Morris and State of New Jersey, hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by said Board at a meeting held on June 6, 1988.

[Signature]

OTTO W. VOPELIUS, Secretary