

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

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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,

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;

(b) Drawing entitled "Subdivision Lot 189, Block 48.20, Township of Chatham, Morris County, N.J.," dated 3/23/87, last revised 5/10/88, Sheet 2 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.

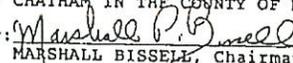
3. Minor subdivision deed(s) containing metes and bounds descriptions of each of the two properties created by this minor subdivision approval shall be filed with the County Clerk and also with the Township Engineer and Township Assessor

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

ATTEST:

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.


OTTO W. VOPELIUS, Secretary