

Explanation: This Ordinance vacates all of the right, title and interest of the Township of Warren in certain portions Dubois Road as currently identified on the Official Tax Map of the Township of Warren.

**TOWNSHIP OF WARREN
ORDINANCE NO. 17-16**

AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC TO PORTIONS OF DUBOIS ROAD, AND REVERTING TITLE TO CONSOLIDATING THE VACATED AREA WITH ADJACENT PROPERTIES REGARDING A MINOR SUBDIVISION APPROVAL WITH CRC COMMUNITIES AT SLEEPY HOLLOW INC.

WHEREAS, there exist in the Township of Warren a street known as “Dubois Road” as shown on the Official Tax Map of the Township of Warren; and

WHEREAS, a request has been made to vacate certain portions of Dubois Road in connection with the approval by the Warren Township Planning Board of an application for minor subdivision approval with variance relief subject to certain conditions (the “Application”) of CRC Communities at Sleepy Hollow, Inc.; and

WHEREAS, the portion of Dubois Road to be vacated is described in the “Metes and Bounds Description Portion of Dubois Road to be Vacated Township of Warren, Somerset County, new Jersey” dated July 24, 2017 prepared by Fisk Associates, P.A., attached hereto as Exhibit A; and

WHEREAS, the vacated portions of Dubois Road, as more fully described above, shall be merged with the new lots proposed to be created by the Application (the “Proposed New Lots”), which Proposed New Lots shall be created upon the filing of deeds or a map in conformity with the Map Filing Law, N.J.S.A. 46:23-9.9 et seq. as required by the Warren Township Planning Board Resolution approving the Application (the “Resolution of Approval”); and

WHEREAS, the Township Committee of the Township of Warren does hereby determine that the portions of the Dubois Road to be vacated as described herein are and will no longer be needed for public purposes; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Township to release and extinguish the rights of the public and the rights of the Township in and to the portions of Dubois Road to be vacated as set forth herein, and as depicted on the Proposed Minor Subdivision and Variance Plan dated December 20, 2016 prepared by Fisk Associates P.A. and annexed hereto as Exhibit B.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Warren, in the County of Somerset, State of New Jersey, as follows:

SECTION 1. The rights of the public and the rights of the Township in and to the portions of Dubois Road to be vacated as more fully described in Exhibit A and as depicted on Exhibit B attached hereto are hereby extinguished and vacated.

SECTION 2. There is expressly reserved and excepted from vacation all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street or any part thereof to be vacated.

SECTION 3. There is also expressly reserved and excepted from vacation any sanitary sewer or drainage structures and any easements in, adjacent to, over or under Dubois Road, or portion thereof, to be vacated.

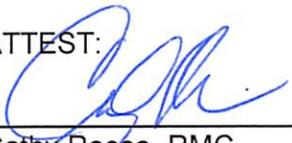
SECTION 4. The Mayor and Township Clerk are hereby authorized to execute any and all documents consistent with this Ordinance for the vacation of portions of Dubois Road.

SECTION 5. After this Ordinance has been introduced and passed a first reading, the Township Clerk shall cause this Ordinance to be published in the manner set forth in N.J.S.A. 40:49-2 not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage.

SECTION 6. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6, the cost of such mailing to be borne by CRC Communities at Sleepy Hollow, Inc.

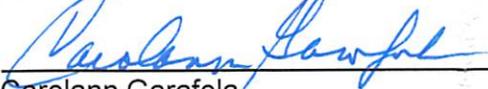
SECTION 7. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by the Township Clerk under seal of the Township to be a true copy thereof, together with a copy of the proof of publication thereof, in the office of the Somerset County Clerk in accordance with the provisions of N.J.S.A. 40:67-21.

ATTEST:

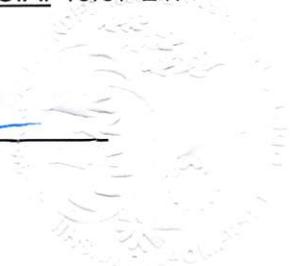


Cathy Reese, RMC
Township Clerk

TOWNSHIP OF WARREN



Carolann Garafola
Mayor



INTRODUCED September 7, 2017

ADOPTED October 5, 2017

EFFECTIVE October 12, 2017

EXHIBIT A**Fisk Associates, P.A.***Engineers, Surveyors & Planners*

631 UNION AVENUE, MIDDLESEX, NJ 08846

PHONE: 732-356-9322 FAX: 732-356-6015

Fiskassociates@aol.com

METES AND BOUNDS DESCRIPTION
 PORTION OF DUBOIS ROAD
 TO BE VACATED
 TOWNSHIP OF WARREN,
 SOMERSET COUNTY, NEW JERSEY

July 24, 2017

Beginning at a point being the intersection of the centerline of Dubois Road and the southerly sideline of Lot 35, Block 86.01.

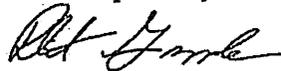
From said beginning point thence,

1. South 83° 17' 21" West a distance of 7.26 feet to a point. Thence,
2. North 17° 24' 59" West a distance of 32.83 feet to a point of curve. Thence,
3. Along a curve to the right having a radius of 145.00 feet, a central angle of 01° 45' 38", a chord bearing and distance of North 16° 32' 10" West 4.46 feet, an arc length of 4.46 feet to a point. Thence,
4. North 02° 56' 39" West a distance of 63.81 feet to a point. Thence,
5. Along a curve to the right having a radius of 145.00 feet, a central angle of 16° 08' 33", a chord bearing and distance of North 17° 50' 20" East a distance of 40.72 feet, an arc length of 40.85 feet to a point of reverse curve. Thence,
6. Along a curve to the left having a radius of 325.00 feet, a central angle of 03° 37' 16", a chord bearing and distance of North 24° 05' 58" East 20.54 feet, an arc length of 20.54 feet to a point. Thence,
7. North 83° 17' 21" East a distance of 9.24 feet to a point. Thence,
8. South 02° 56' 39" East a distance of 155.34 feet to a point. Thence,
9. South 83° 17' 21" West a distance of 16.54 feet to the point and place of beginning.

Containing 4,388 square feet, or 0.1007

The above description in accordance with a minor subdivision plan prepared by Fisk Associates dated December 20, 2016, revised to 07/10/2017.

Prepared by:



Robert Gazzale, N.J. License No. 35363
 Professional Engineer & Land Surveyor

W5668

ORD 17-16

EXHIBIT B

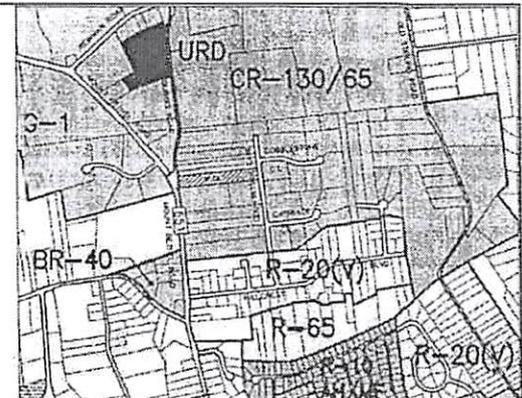
PROPERTY OWNERS WITHIN 100 FEET

BLOCK	LOT	OWNER'S NAME	PROPERTY ADDRESS	OWNER'S ADDRESS
76	19-26	117 Mount Bethel Road Associates		PO Box 4408 Warren, NJ 07088
28		Warren Township Central School		185 Mount Bethel Rd. Warren, NJ 07088
76	11	NETS Partners, LLC		2 Mount Hill, Suite 1 Warren, NJ 07088
34-37	17-18	Clara A. & Paul G. Kiker		18 Country Lane Warren, NJ 07088
77-16		CRIC Communities @ Sleepy Hollow Inc.		228 Rt. 22 West Bldg 118 Cranford, NJ 08812
27-22		CRIC Communities @ Sleepy Hollow Inc.		228 Rt. 22 West Bldg 118 Cranford, NJ 08812
34-36		Nature's & Elements Farms		77 Sleepy Hill Kearney, NJ 07027
34-35		CRIC Communities @ Sleepy Hollow Inc.		228 Rt. 22 West Bldg 118 Cranford, NJ 08812
38		William T. & Kathleen R. Yurkovich		8 Dunbar Rd Warren, NJ 07088
37		Township of Warren		48 Mountain Blvd. Warren, NJ 07088
36		Parkside Properties		89 Mount Bethel Rd., 363 Cranford, NJ 07088
38		Police District		12 Dulon Rd Warren, NJ 07088

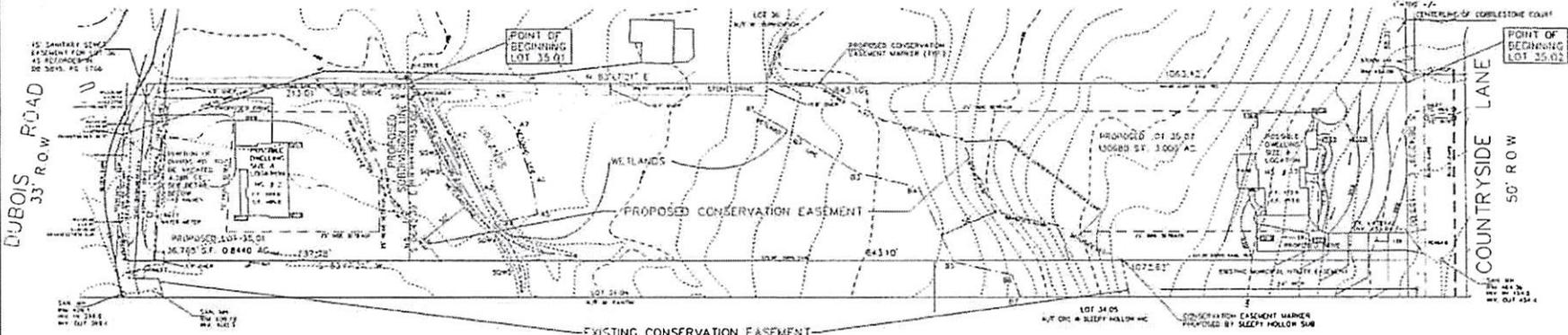
ZONE CR-130/65 SCHEDULE

REQUIRE	EXISTING	PROPOSED	PROPOSED
ITEM	SIZE(S)	SIZE(S)	SIZE(S)
LOT AREA	1 ACRE ±	1.0228	1.0230
LOT WIDTH	134 FT	126.46 FT	134 FT
FRONT YARD	25 FT	42 FT ±	25 FT
REAR YARD	25 FT	15 FT ±	25 FT
NEAR YARD	25 FT	30 FT ±	25 FT
MAXIMUM COVERAGE	7 FT	1.8% ±	7 FT
BUILDING HEIGHT MAXIMUM	34 FT ±	3.8 FT	34 FT ±
MAXIMUM IMPERVIOUS	30%	3.7% ±	30%
F.A.R.	6.128	2.1	6.128

* INDICATES VARIANCE REQUIRED

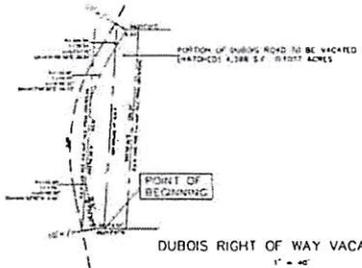


BEING KNOWN AS LOT 28 AND PART OF LOT 26 AS SHOWN ON A MAP ENTITLED "PROPERTY OF THE BASIC RECLY & IMPROVEMENT CO. AS FILED BY THE SOMERSET COUNTY CLERK'S OFFICE ON AUGUST 2, 1922: 43 MAP NO. 15-8



- NOTES
- PROPERTY SHOWN AS LOT 33 IN BLOCK 88-21 AS SHOWN IN WARREN TOWNSHIP 199 MAP NO. 84
 - ZONING CR-130/65
 - EXISTING CONDITIONS AS SURVEYED BY FISK ASSOCIATES SEPTEMBER 29, 2016. SEE EXHIBIT D
 - PERMANENT WETLANDS/WATER'S EDGE LINE AS DELINEATED BY ENVIRONMENTAL TECHNOLOGY INC. DECEMBER 2016
 - BY CONSTRUCTION, ADJACENT EXISTING STRUCTURE LOCATIONS ARE BASED ON AERIAL PHOTO AND HAVE NOT BEEN SURVEYED
 - ONE ADDITIONAL LOT WILL BE CREATED
 - OWNER & APPLICANT DEC CONSENTS AT SLEEPY HOLLOW, INC. 228 ROUTE 22 WEST, DATE 10-18-18, CRANFORD, NJ 08812
 - SUBMITTAL WHERE APPROPRIATE FOR THE FOLLOWING CHECKS BY TITLE:
 - NATURAL FEATURES & TREED AREAS ON SITE, STRUCTURES & BROADS WITHIN 200 FEET
 - PROPOSED DRAINAGE DRAINAGES SHOWN ARE SOLELY
 - NATURAL FEATURES & TREED AREAS ON SITE, STRUCTURES & BROADS WITHIN 200 FEET
 - EXISTING TREES
 - EXISTING DRAINAGES WILL BE MAINTAINED
 - PROPOSED DRAINAGES TO CONNECT TO EXISTING OPENINGS
 - THIS SUBDIVISION ENCOURAGES LAND IN A WATERBODIE PROTECTION AREA AND IS TO ALL THE STANDARDS AND REQUIREMENTS OF THE FLOODPLAIN AND WATERCOURSE REGULATIONS
 - LOT 33-01 IS TO CONTINUE TO USE EXISTING ACCESS TO DUBOIS ROAD
 - DRAINAGES SHOWN ARE CONCEPTUAL. APPLICANT TO SUBMIT DRAINAGE PLANS & OBTAIN APPROVAL FROM TOWNSHIP & SOMERSET UNION SOIL CONSERVATION DISTRICT AT TIME OF BUILDING PERMIT

- NOTES CONCERNING IMPERVIOUS COVERAGE
- EXISTING IMPERVIOUS COVERAGE INCLUDING THE ENDRICHING DRIVEWAY OF ADJACENT LOT 34 - 10,780 SF
 - PER NJAC 7:8 A MAXIMUM OF 10,000 SF OF IMPERVIOUS COVERAGE CAN BE ADDED WITHOUT CREATING A VARIANCE DEVELOPMENT AS SET FORTH AT NJAC 7:8
 - MAXIMUM PERMITTED TOTAL IMPERVIOUS ON LOTS 33-01 & 33-02 = 21,815 SF
 - AS A CONDITION OF SUBMISSION APPROVAL, LOT 33-01 WILL BE DEED RESTRICTED TO A MAXIMUM OF 7,333 SF & LOT 33-02 TO A MAXIMUM OF 14,372 SF



I HEREBY CONSENT TO THE FILING OF THIS APPLICATION

CRIC COMMUNITIES AT SLEEPY HOLLOW, INC. DATE

BOARD APPROVAL

DATE

BOARD CHAIRMAN

DATE

BOARD SECRETARY

DATE

BOARD TREASURER

DATE

FISK ASSOCIATES, P.A.
ENGINEERS - SURVEYORS - PLANNERS
831 UNION AVENUE
LITTLEFIELD, NEW JERSEY 08840
PHONE: 732-334-1181 FAX: 732-334-0015
FISKASSOCIATES@FISK.COM

STEPHEN M. FISK, L.S., LIC. # 23919
ROBERT GAZZALE, P.E., L.S., LIC. # 35363
L.S. - NEW JERSEY PROFESSIONAL LAND SURVEYORS
P.E. - NEW JERSEY PROFESSIONAL ENGINEER

PROPOSED: MINOR SUBDIVISION & VARIANCE

2 DUBOIS ROAD
LOT 33
BLOCK 88-01
TOWNSHIP OF WARREN
SOMERSET COUNTY NEW JERSEY

1. COMPLETE WITH ALL PERMITS
2. REALTY TAXES
3. FILING FEE
4. REVISIONS
5. DATE SUBMITTED TO THE BOARD
6. NEW JERSEY PROFESSIONAL ENGINEER
7. NEW JERSEY PROFESSIONAL LAND SURVEYOR

EXHIBIT B