

Explanation: This ordinance authorizes and accepts a Detention Basin, Drainage and Access Easement from American Properties at Mount Bethel Road, LLC for property located at Block 78, Lots 15.02 and 15.03 as required by the Somerset County Planning Board.

TOWNSHIP OF WARREN

ORDINANCE 19-42

**AUTHORIZE DETENTION BASIN, DRAINAGE AND ACCESS EASEMENT
BLOCK 78, LOT 15.02 AND 15.03**

WHEREAS, American Properties at Mount Bethel, LLC (“American Properties”) is the owner of property (the “Property”) located at Block 78, Lots 15.02 and 15.03 as designated on the Tax Map of the Township of Warren; and

WHEREAS, American Properties applied to the Warren Township Planning Board (the “Application”), for preliminary and final subdivision and site plan approval which was granted on May 14, 2018 and memorialized by Resolution No. PB-17 dated June 11, 2018; and

WHEREAS, the Application also requires the approval of the Somerset County Planning Board (the “County Approval”); and

WHEREAS, as part of the County Approval, the County Planning Board requires a Stormwater Maintenance Agreement between the Township and American Properties which establishes the maintenance responsibilities for the stormwater facilities to be constructed in accordance with the Approval; and

WHEREAS, a Detention Basin, Drainage and Access Easement (the “Detention Basin, Drainage and Access Easement”) establishing that the maintenance of the Easement Area, as that term is defined in the Detention Basin, Drainage and Access Easement, shall be and remain the primary responsibility of the homeowners association, has been prepared by counsel for American Properties; and

WHEREAS, the Detention Basin, Drainage and Access Easement has been reviewed and approved by the Township Attorney and the Township Engineering Department.

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:

1. The Detention Basin, Drainage and Access Easement is hereby accepted by the Township of Warren,
2. The Mayor and Township Clerk are hereby authorized to execute the Detention Basin, Drainage and Access Easement, a copy of which is annexed hereto.
3. Upon full execution, the Detention Basin, Drainage and Access Easement shall be recorded in the office of the Somerset County Clerk, and a recorded copy shall be forwarded to Ronald Shimanowitz, Esq., attorney for American Properties, at 459 Amboy Avenue, Woodbridge,

NJ 07095 and to Thomas R. D'Amico, AICP/PP, Supervising Planner, Somerset County Planning Board, County Administration Building, 20 Grove Street, P.O. Box 3000, Somerville, New Jersey 08876.

Attest:

Township of Warren

Cathy Reese, Township Clerk

Gary P. DiNardo, MAYOR

INTRODUCED: July 18, 2019

ADOPTED: August 15, 2019

EFFECTIVE: August 22, 2019