

**NEWTON PLANNING BOARD  
NEWTON MUNICIPAL BUILDING  
39 Trinity Street, Newton, NJ 07860  
AGENDA  
May 20, 2020**

Please take notice that the Town of Newton, Planning Board (the "Board") will hold a public hearing remotely, thru **ZOOM**, on **May 20, 2020 at 7:00 p.m.** to review and take formal action upon Development applications, and various items as follows:

**SUNSHINE STATEMENT**

"Adequate notice of this meeting of the Newton Planning Board has been provided in accordance with the Open Public Meetings Act (Chapter 231.P.L. 1975)."

**RULES**

No new testimony after 10:30 p.m. Comments from each member of the public are limited to 5 minutes during the public portion of the meeting.

**OATH OF OFFICE**

None

**SALUTE TO THE FLAG & ROLL CALL**

Mr. Flaherty  
Mr. Marion  
Mr. Wink  
Mrs. Vrahnos  
Mrs. Hall-Romer  
Mrs. Diglio  
Mr. Flynn  
Mr. Russo, Jr.  
Mr. Ragsdale  
Mr. Couce  
Mr. Schick  
Mr. Le Frois

**CONSIDERATION OF MINUTES**

January 15, 2020

**HISTORIC RESOLUTIONS**

None

**RESOLUTIONS:**

Amending agreement with Conflict Planner Phil Abramson of Topology NJ, LLC.

**OLD BUSINESS**

None

**NEW BUSINESS:**

Weis Markets, Inc. (#P-3-2020)  
119 Water Street  
Block: 9.03, Lot: 16

The Applicant is requesting site plan approval and associated variances for a “Gas N Go” drive-through facility with kiosk, canopy and six fueling positions. (Applicant requested an extension and to be heard at the June 17, 2020 meeting)

Samaritan Inn, Inc. (#P-2-2020)  
23 Union Place  
Block: 15.01, Lot: 46  
T-5 Zone

The Applicant is requesting approval for conversion of a two-family residence to a three-family residence.

Newton Commons Condo Association, Inc. (#P-1-2020)  
Portion of Common Area between 63 Plainfield Avenue & 68 Plainfield Avenue  
Block: 12.01, Lot: 1 & Block: 12.09, Lot 1  
T-3 Zone

The Applicant is requesting a minor subdivision and D-2 variance.

The Applicants may seek any additional approvals, bulk variances, design waivers, interpretations, or other approvals as may be determined to be necessary by the Board during the review of these applications.

**This hearing will take place remotely – by videoconference or telephone conference only, via ZOOM application.**

**CORRESPONDENCE**

McGovern & Roseman, P.A. – Letter dated April 23, 2020, requesting to schedule the hearing to June 17, 2020 and extend any deadlines in order for the Board to proceed on that date.

Ordinance No. 2010-16      Attendance Policy for Elected Officials & Appointed Board Members.

**EXECUTIVE SESSION**

**PUBLIC PORTION**

**ADJOURNMENT**

\*The Board Engineer and Board Planner are sworn in at the beginning of each year and are deemed to be under oath on a continuing basis.

**PUBLIC ACCESS TO ZOOM MEETING:**

To access the virtual hearing, you must join the ZOOM meeting. To access the ZOOM meeting, you will need access to a computer with internet access and/or dial in through a mobile or land line phone to log into the meeting. To join the ZOOM meeting, click on the link below and type in the Meeting ID and Password. You will join the meeting and be able to listen and view the evidence shared on the screen at the meeting.

**PUBLIC PARTICIPATING IN ZOOM MEETING:**

You will be able to participate when the Board Chairman opens the meeting to the public for the public participation portion of the meeting at the end for you to ask questions and/or cross examine witnesses and make statements. The Board Chair will limit public comments to 10 minutes per person. We ask that if you have questions of the applicant prepared, that you e-mail them to the Board Secretary at [kcitterbart@newtontownhall.com](mailto:kcitterbart@newtontownhall.com) prior to the meeting. Your questions will be acknowledged and read into the record and answered. If you have information or exhibits you wish to have considered and entered into the record, you will have to e-mail them to the Board Secretary at [kcitterbart@newtontownhall.com](mailto:kcitterbart@newtontownhall.com) in advance of the meeting so that they may be marked into evidence.

Legal Notice – Town of Newton Planning Board meeting of Wednesday, May 20, 2020 at 7 pm Eastern Time (US and Canada)

The public may obtain access to the meeting by the following methods:

You are invited to a Zoom webinar;

When: May 20, 2020 07:00 PM Eastern Time (US and Canada)

Topic: Newton Planning Board

Please use the link below to join the webinar:

<https://us02web.zoom.us/j/86924262110?pwd=QTUwTnM4YWVw5MIJLeitlclRNMW9tQT09>

Password: 245402

Or iPhone one-tap :

US: +13126266799,,86924262110#,,1#,245402# or

+19292056099,,86924262110#,,1#,245402#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1

669 900 6833 or +1 253 215 8782

Webinar ID: 869 2426 2110

Password: 245402

International numbers available: <https://us02web.zoom.us/j/kGZn598bZ>

Members of the public will be able to participate in the meeting, including providing public comment at the appropriate time, and are politely asked to mute their microphones to limit background noise when not speaking. The Planning Board agenda and backup meeting materials can be viewed at [www.newtontownhall.com](http://www.newtontownhall.com).

Questions may be directed to the Planning Board Secretary at 973-383-3521, 227.

**AGENDA – MAY 20, 2020 7 p.m. via ZOOM**

The hearing may be continued without further notice on such additional or other dates as the Board may determine. The application and its supporting materials will be posted on the Town of Newton website at [www.newtontownhall.com](http://www.newtontownhall.com) ten (10) days prior to the meeting. If you do not have access to a computer to review these materials on the website, you may inspect them, beginning ten (10) days prior to the public hearing, by calling the Board Secretary, Katherine Citterbart, Office of Planning Board & Zoning Board of Adjustment, Town of Newton, 39 Trinity Street, 2<sup>nd</sup> Floor, Newton, NJ 07860.

**PLEASE NOTE: TOWN OF NEWTON PLANNING BOARD MEETINGS WILL BE HELD VIRTUALLY THROUGH ZOOM UNTIL THE GOVERNOR'S EXECUTIVE ORDERS ARE LIFTED AND TOWN HALL HAS BEEN REOPENED.**

Katherine Citterbart  
Administrator  
Newton Planning Board

William P. Askin +♦  
bill@askinlaw.com  
Todd M. Hooker  
todd@askinlaw.com

Kelly M. Stoll +  
kelly@askinlaw.com  
Matthew D. Lynch  
matt@askinlaw.com

+ NY Bar  
♦ OH Bar



200 Woodport Road - Suite A  
Sparta, New Jersey 07871-2608  
(973) 729-7711  
FAX: (973) 512-3880  
[www.askinlaw.com](http://www.askinlaw.com)

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**ASKIN & HOOKER, LLC.**  
**ATTORNEYS AT LAW**

March 6, 2020

**VIA HAND DELIVERY**

Ms. Katherine Citterbart  
Township of Newton  
39 Trinity Street  
Newton, NJ 07860

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**Re: *Samaritan Inn Land Use Application***  
***Our File No.: 2019WPA00717***

Dear Ms. Citterbart:

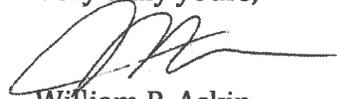
Please be advised our office has been retained to represent the applicant, Samaritan Inn, Inc., in the above referenced matter. Please find nineteen (19) collated copies of the following enclosed with this letter for your consideration:

1. Site Plan Application;
2. Variance Application;
3. Site Inspection Authorization Form;
4. Affidavit of Ownership;
5. Completed Checklist;
6. Letter from Askin & Hooker to be annexed to the completed checklist;
7. Aerial Photograph;
8. Lighting Photographs;
9. Letter from J. Carr, Newton Water & Sewer Utility;
10. Copy of the Deed;
11. Copy of the Certified List of Property Owners (200');
12. Copy of the Certification of Property Taxes;
13. Letter from HQW Architect regarding the Change of Use;
14. Architectural Plans endorsed by HQW Architects; sand
15. Site Plan/Survey endorsed by Judith Keith;

WPA/lvg  
Enclosure

If you have any questions or additional information, please feel free to contact me at any time.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. Askin', with a long horizontal flourish extending to the right.

William P. Askin

The Newton Planning Board  
Town of Newton  
Application for Site Plan

SECTION I. Variance required: Yes  No   
If yes, complete application for variance as well.

SECTION II.

1. Name of Applicant: SAMARITAN INN, INC Phone No.: 973-940-8872  
Address: 901 SWARTSWOOD RD., NEWTON, NJ 07860
2. Owner of Record: SAMARITAN INN, INC Phone No.: 973-940-8872  
Address: 901 SWATSWOOD RD., NEWTON, NJ 07860
3. Location of Site: 23 UNION PLACE Total Area: 1619 ACRES  
Dimensions: 172 ft. x 48 ft. Zone: T-5  
Block: 15.01 Lot: 46 Tax Map Sheet No.: 15  
Road Frontage: 40 ft. Historic District: NO  
Setback of proposed structure: N/A ft.

SECTION III.

1. Engineer's or Surveyor's name: JUDITH A. KEITH License No. 29352  
Address: PO BOX 53, ANDOVER, NJ 07821 Phone No.: 973-347-4232

2. Proposed site plan is for: (check all that apply)

- Residential Use  Commercial Use  
 Industrial Use  Tract Development  
 Individual Lot

2. Do any protective covenants or deed restrictions apply to the land?

- Yes  No

If yes, attach copy of covenants or restrictions.

STATE OF NEW JERSEY)

s.s.

COUNTY OF )

Sworn to and signed before me this 6 day of MARCH, 2020.

  
A Notary Public of New Jersey  
Lauren M. Van C...  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 12/31/2021

  
Signature of Applicant

The Newton Planning Board  
Town of Newton  
Affidavit For Appeal or Variance

SECTION I (Check one)  Appeal  Variance

SECTION II Application is being made to: (Check one)  Planning Board  Historic Commission

SECTION III TO BE COMPLETED BY ALL APPLICANTS

1. Name of Applicant: SAMARITAN INN, INC

Address: 901 SWARTSWOOD RD., NEWTON, NJ 07860 Phone Number: 973-940-8872

2. Owner of Record: SAMARITAN INN, INC

Address: 901 SWATSWOOD RD., NEWTON, NJ 07860 Phone Number: 973-940-8872

3. Location of Site: 23 UNION PLACE Phone Number: 973-347-4232

Dimensions: 172 ft. x 48 ft. Total Area: .1619 ACRES

Block 15.01 Lot 46 Tax Map Sheet No. 15

Road Frontage: 40 ft. Zone: T-5

SECTION IV

Proposed Setback: \_\_\_\_\_ ft. Height of Building: \_\_\_\_\_ ft.

Building Measurements: \_\_\_\_\_ feet front \_\_\_\_\_ feet deep

Total Area of Proposed Structure: \_\_\_\_\_ sq. ft

Percentage of Site Occupied by Building (s): \_\_\_\_\_

Intended Use of Structure: CONVERSION FROM A 2 FAMILY RESIDENCE TO A 3 FAMILY RESIDENCE

Request is hereby made for permission to erect, convert or use a \_\_\_\_\_

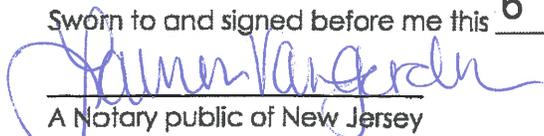
\_\_\_\_\_ contrary to the requirements of

Section(s) \_\_\_\_\_ of the Zoning Ordinance.

A narrative statement is required setting forth the relief requested and the legal basis for the relief.

STATE OF NEW JERSEY  
COUNTY OF SUSSEX

Sworn to and signed before me this 6 day of MARCH, 2020

  
A Notary public of New Jersey

  
Signature of Applicant or Petitioner

Laura M. Van Gordon  
NOTARY PUBLIC NEW JERSEY  
My Comm. Expires 12/31/2021

TOWN OF NEWTON  
PLANNING BOARD

SITE INSPECTION AUTHORIZATION FORM

I hereby give permission for the Town of Newton Planning Board and their agents to come upon and inspect the premises with respect to this application for a \_\_\_\_\_  
MINOR SITE PLAN AND VARIANCE on Block 46, Lot 15.01, Newton,  
Sussex County, New Jersey.

Owner's Signature: 

Date: 3/6/2020

The Newton Planning Board  
Town of Newton  
Affidavit of Ownership

STATE OF NEW JERSEY)  
COUNTY OF ) S.S.

DAWN METZGER of full age, being duly sworn according to law, upon his/her/their oath depose(s) and say(s) that he/she/they reside(s) at 901 SWARTSWOOD RD. In the municipality of NEWTON, County of SUSSEX and State of NEW JERSEY, and that he/she/they is/are the owner(s) in fee of all that certain lot, piece of parcel of land situated, lying and being in the Town of Newton, and described on the Tax Map of the Town of Newton as Block 15.01, Lot 46, also known as 23 UNION PL., Newton, New Jersey, and hereby authorize (s) ASKIN & HOOKER, LLC to make the application, and that the statements contained in said application are correct to the best of his/her/their knowledge.



Signature of Owner

Sworn to and signed before me

This 6 day of MARCH, 2020.



A Notary Public of the State of New Jersey

Lauren M. Van Gordon  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 3/1/2021

**APPLICATION CHECKLIST  
TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY**

Applicant's Name & Address: Sammy Han Inc.  
 Application No. \_\_\_\_\_ Date Received \_\_\_\_\_  
 Tax Block(s) \_\_\_\_\_ Tax Lot(s) \_\_\_\_\_  
 Adjacent Roads \_\_\_\_\_  
 Present Zoning \_\_\_\_\_ Proposed Use \_\_\_\_\_

COMPLETE	INCOMPLETE	WAIVER	MA	ADMINISTRATIVE	MINOR SUBDIVISION	MINOR SITE PLAN	PRELIMINARY SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL SITE PLAN	FINAL MAJOR SUBDIVISION	VARIANCE REQUEST (C-1)	APPEAL ZONING INTERPRETATION
X				1. Application Form Original plus 5 copies for Completeness/Technical Review Committee Once deemed complete: Original Plus 19 Copies	X	X	X	X	X	X	X	X
X				2. Fees and Escrow Deposits	X	X	X	X	X	X	X	X
X				3. Certification of Taxes, Liens, Assessments Paid	X	X	X	X	X	X	X	X
X				4. Tax Map Maintenance Update Fee	X	X	X	X	X	X	X	X
X			X	5. One original plus Five Copies of Proposed Plan for Completeness Review Twenty (20) Copies of Proposed Plan Once Deemed Complete	X	X	X	X	X	X	X	X
X				6. Affidavit of Ownership/Authorization Form	X	X	X	X	X	X	X	X
X				7. Site Inspection Authorization	X	X	X	X	X	X	X	X
X				8. Compliance with Legal Notice Requirements a. Proof of Publication b. Affidavit of Service	X	X	X	X	X	X	X	X
X				9. Corporation or Partnership Form	X	X	X	X	X	X	X	X
X				10. Listing of All Variances, Design Standards and Checklist Waivers and Justification	X	X	X	X	X	X	X	X
X				11. Copies of All Prior Resolutions Pertaining to this Property	X	X	X	X	X	X	X	X
X				12. Two Recent Photographs of the Property	X	X	X	X	X	X	X	X
X				13. Copy of Sussex County Planning Board Application	X	X	X	X	X	X	X	X
X				14. Copy of Soil Erosion/Sediment Control Application	X	X	X	X	X	X	X	X
X				15. Copy of NJDOT/NJDEP Applications	X	X	X	X	X	X	X	X
COMPLETE	INCOMPLETE	WAIVER	MA	PLANS/REPORTS-SPECIFICATIONS	MINOR SUBDIVISION	MINOR SITE PLAN	PRELIMINARY SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL SITE PLAN	FINAL MAJOR SUBDIVISION	VARIANCE REQUEST (C-1)	APPEAL ZONING INTERPRETATION
X				16. Plan Clearly and Legibly Drawn or Reproduced at a Scale not Smaller Than 1 Inch Equals 50 Feet	X	X	X	X	X	X	X	X
X				17. Sheet Size, 24" x 36"	X	X	X	X	X	X	X	X
X				18. Name, Address, License Number of Plan Preparer, Signature, Original Raised Seal	X	X	X	X	X	X	X	X
X				19. Title Block	X	X	X	X	X	X	X	X
X				20. Record Owner(s) Name and Address	X	X	X	X	X	X	X	X
X				21. Applicant's Name, Address, Phone Number, Fax Number and E-Mail	X	X	X	X	X	X	X	X

\*Document and Settings/Personal Local Settings/Temporary Internet Files/Content Advisor/17101712/NEWTON.B9 Checklist - Legal Size 2.doc

COMPLETE	INCOMPLETE	WAVES	NA	PLANS/REPORTS-SPECIFICATIONS									
					MINOR SUBDIVISION	MINOR SITE PLAN	PRELIMINARY SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL SITE PLAN	FINAL MAJOR SUBDIVISION	VARIANCE REQUEST ("C" & "D")	APPEAL ZONING INTERPRETATION	
X				22. Name of Project, if any	X	X	X	X	X	X	X	X	
X				23. Date of Map Preparation and Each Subsequent Revision	X	X	X	X	X	X	X	X	
X				24. Zoning District of Parcel and Surrounding Lands	X	X	X	X	X	X	X	X	
X				25. Zoning Chart Listing Existing/Proposed Requirements for Area, setbacks, Lot Coverage Height, Density, Parking	X	X	X	X	X	X	X	X	
X				26. Proposed Developer's Agreement									
X				27. Existing Structures within 200 Feet (200') and Distance to Property Line	X	X	X	X	X	X	X	X	
X				28. Obtain Each Block and Lot Numbered in Conformity with the Municipal Tax Map as Determined by the Municipal Tax Assessor and Obtain Street Address from the 911 Coordinators	X	X	X	X	X	X	X	X	
X				29. Scale of Map, Both Written and Graphic	X	X	X	X	X	X	X	X	
X				30. North Arrow Giving Reference Meridian	X	X	X	X	X	X	X	X	
X				31. Properties within 200 Feet, Lot and Block Number and Owner, Outline of 200 Foot (200') Perimeter, 500 feet for lots over 50 acres in size.	X	X	X	X	X	X	X	X	
X				32. Tax Map Sheet Number	X	X	X	X	X	X	X	X	
X				33. Key Map Showing Location of Tract to be Considered in Relation to Surrounding Area, Within 200 feet. Scale not Less Than 1 Inch Equals 400 Feet and North Arrow.	X	X	X	X	X	X	X	X	
X				34. Area of Entire Tract	X	X	X	X	X	X	X	X	
X				35. Meets and Bounds of Proposed Lot(s)	X	X	X	X	X	X	X	X	
X				36. Area and Frontage of Proposed Lot(s)	X	X	X	X	X	X	X	X	
X				37. Area/Frontage of Remaining Tract	X	X	X	X	X	X	X	X	
X				38. Property Lines to the Nearest Hundredth	X	X	X	X	X	X	X	X	
X				39. Bearings to the Nearest Second	X	X	X	X	X	X	X	X	
X				40. Lot Areaage to the Nearest Hundredth	X	X	X	X	X	X	X	X	
X				41. Building Envelopes	X	X	X	X	X	X	X	X	
X				42. Location of Existing Railroads, Bridges, Culverts, Drainage Pipe, Water and Sewer, Utility Poles & Underground Utilities	X	X	X	X	X	X	X	X	
X				43. Natural Features Including Existing Vegetation, Wet Areas, Watercourse, Flood Plain Limit, Rock Outcroppings	X	X	X	X	X	X	X	X	
X				44. Open Space, Buffer Zone, Recreation Areas, Municipal and Public Areas and Lands to be Conveyed to the Town if Applicable	X	X	X	X	X	X	X	X	
X				45. Plans and Profiles of Road Locations, Type, Size, Width of Right-of-Way, Paving Materials, Edge of Pavement, Curbs, Sidewalks, Catch Basins, Drainage Structures, All Utilities, Rights-of-Way Easements, Existing Buildings or Other Structures. Profile Shall be at a Scale of 1 Inch Equals 5 Feet Vertical, 1 Inch Equals 50 Feet Horizontal	X	X	X	X	X	X	X	X	
X				46. Road Cross Sections Every Fifty Feet (50') Along Centerline at a Scale of 1 Inch Equals 5 Feet Horizontal and	X	X	X	X	X	X	X	X	

COMPLETE	INCOMPLETE	NUMBER	NA	PLANS/REPORTS-SPECIFICATIONS	MINOR SUBDIVISION	MINOR SITE PLAN	PRELIMINARY SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL SITE PLAN	FINAL MAJOR SUBDIVISION	VAPORANCE REQUEST ("C" & "D")	APPEAL ZONING INTERPRETATION
			X	Vertical								
			X	47. Existing and Proposed Contours at Five Foot (5') Intervals for Slopes Five Percent (5%) or Greater, Two Foot (2') Intervals for Lesser Slopes			X	X	X	X		
			X	48. Earthwork Summary			X	X	X	X		
			X	49. Cut and Fill Limits			X	X	X	X		
			X	50. Location of Proposed Drainage Structures, Curbs, Swales, Berms, Guide Rails, Edge of Pavement, Sidewalks			X	X	X	X		
			X	51. Construction Details for Drainage Structures, Curb, Guide Rail, Pavement Design, Sidewalks, Utilities			X	X	X	X		
			X	52. Existing/Proposed Driveway Locations with Sight Distance Profiles	X	X	X	X	X	X		
			X	53. Road Locations, Names, Width of Right-of-Way and Copy of Approval of Street Name	X	X	X	X	X	X		
			X	54. Sight Triangle, Drainage, Utility, Driveway and Other Easements	X	X	X	X	X	X		
			X	55. Provisions for Certification and Approvals	X	X	X	X	X	X		
			X	56. Letter Itemizing All Elements Covered Under Performance Bond			X	X	X	X		
			X	57. Letter of Approval and Certification from Town Engineer			X	X	X	X		
			X	58. Letter Certifying Conformance to Preliminary Plat by Applicant's Engineer			X	X	X	X		
			X	59. Compliance with All Aspects of NJ Map Filing Law			X	X	X	X		
			X	60. Soil Erosion Plan and Details		X	X	X	X	X		
			X	61. Fire Protection Details Include Number or Proposed Units, Available Water Supply, Water Main Size, Flow, Hydrant Location, Approval from Fire Marshal for Same.		X	X	X	X	X		
			X	62. Letter from Town Water and Sewer Utility Stating Capacity to Sewer Development			X	X	X	X		
			X	63. Charter Development Option Data			X	X	X	X		
			X	64. Environmental Impact Statement			X	X	X	X		
			X	65. Landscape Plan with Types, Quantity Size and Location of Plantings, Scientific and Common Names.			X	X	X	X		
			X	66. Lighting Plan, Including Fixture and Footing Details, Wattage, Height, Isolator Pediments			X	X	X	X		
			X	67. Drainage Plan Including Runoff Calculations for Fifty (50) Year Storm Frequency and a Map Showing Drainage Area Per Stormwater Management Requirements		X	X	X	X	X		
			X	68. Storm Drainage Facilities Improvements Designed for One Hundred (100) Year Flood Capacity Per Stormwater Management Requirements or as Recommended by Town Engineer		X	X	X	X	X		
			X	69. Copies of Stream Encroachment Permit Applications, If Applicable			X	X	X	X		
			X	70. NADP Letter of Interpretation Regarding the Presence/Absence of Wetlands on Property and Within 150' if Wetlands are Present, Line Verified by NADP and Transition Area Established. NADP Reference Number on Plan. For Mitigation Only a Definition is Needed and an Absence/Presence Letter to Determine Buffer Width.	X	X	X	X	X	X	X	X
			X	71. Written Confirmation from Tax Assessor that Proposed Lot Numbers are Acceptable	X		X	X	X	X		



William P. Askin ↔  
bill@askinlaw.com  
Todd M. Hooker  
todd@askinlaw.com

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Kelly M. Stoll +  
kelly@askinlaw.com  
Matthew D. Lynch  
matt@askinlaw.com

+ NY Bar  
◆ OH Bar



200 Woodport Road - Suite A  
Sparta, New Jersey 07871-2608  
(973) 729-7711  
FAX: (973) 512-3880  
[www.askinlaw.com](http://www.askinlaw.com)

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**ASKIN & HOOKER, LLC.**  
**ATTORNEYS AT LAW**

March 4, 2020

**VIA EMAIL**

Township of Newton Planning Board  
39 Trinity Street  
Newton, NJ 07860

**Re: *Samaritan Inn Use Variance***  
***Our File No.: 2019WPA00717***

Dear Sir/Madam:

As you are aware this office represents the applicant, Samaritan Inn, Inc., with regard to the project located at 23 Union Place, Newton, New Jersey 07860. Please allow this letter to be annexed to the application checklist. With regard to the following checklist items numbered:

- #18 – Please see attached Plans from HQW Architects, LLC;
- #20 – Samaritan Inn, Inc., 901 Swartswood Road, Newton, New Jersey 07860;
- #21 – Samaritan Inn, Inc., 901 Swartswood Road, Newton, New Jersey 07860, (p) 973-940-8872, (f) 973-940-8810, samaritaninndir@gmail.com;
- #22 – Samaritan Inc, Inc. Site Plan, Conversion from a 2-Family to a 3-Family Dwelling;
- #24 – Property is located in the T-5 Zoning District;

#25 – Zoning Chart:

Township of Newton Zoning Requirements:

T-5 (Transect Zone) Neighborhood Core Zone District			
Items	Required	Existing	Proposed
Lot Width	20 FT minimum	40 FT	40 FT * no change
Lot Coverage	80% maximum	26%	60%
Front yard Setback	2 FT minimum, 12 FT maximum	8 FT	8 FT * no change
Side yard Setback	0 FT minimum, 24 FT maximum	2 FT	2 FT * no change
Rear yard Setback	3 FT minimum	87 FT	12 FT
Principle Building	5 Stories/65 FT maximum; 2 story minimum	2 Stories	2 Stories * no change

#27 – See attached aerial photograph;

#31 – See attached aerial photograph;

#33 – See attached aerial photograph;

#34 – See attached survey from Judith Keith;

#36 – See attached survey from Judith Keith;

#40 – Lot acreage is 0.162 acres;

#41 – See attached survey from Judith Keith;

#52 – See attached Plans from HQW Architects;

#54 – Waiver requested, see attached Plans from HQW Architects;

#55 – Waiver requested;

#60 – Not applicable, land development is under 5000 square feet;

#62 – See attached letter from Mr. Carr;

#66 – See attached lighting photographs;

#74 – See attached Plans from HQW Architects;

#77 - See attached aerial photograph;

#78 - No other alternatives were considered when developing this project because the Bureau of Housing Inspection, a subsection of the DCA will only license a minimum of 3 units per dwelling; and

#82 - See attached survey from Judith Keith.

Thank you for your consideration in this matter. Should you have any questions or concerns please feel free to contact me at any time.

Very truly yours,

A handwritten signature in black ink, appearing to read 'WPA', with a long horizontal flourish extending to the right.

William P. Askin

WPA/lvg  
Enclosures

---



SAMARITAN INN (Block 15.01, Lot 46)  
23 Union Place  
Newton, NJ 07860











*Mayor*  
Sandra Lee Diglio

*Deputy Mayor*  
Daniel G. Flynn

*Council Members*  
Matthew S. Dickson  
Jason J. Schlaffer  
Helen R. Le Frois



*Town Manager*  
Thomas S. Russo, Jr.

*Town Clerk*  
Lorraine A. Read

---

Telephone: (973) 383-3521  
Facsimile: (973) 383-8961  
39 Trinity Street  
Newton, NJ 07860

February 24, 2020

Dawn Metzger  
Samaritan Inn  
901 Swartswood Road  
Newton NJ 07860

Dear Ms. Metzger:

The Town of Newton has the capacity to supply your property at 23 Union Place with a one-inch domestic and a two-inch fire line. This is dependent on the approval of the Town of Newton Utility Advisory Board and subject to payment of all fees and permits. If you have any other questions, please contact me at 973-383-2090.

Sincerely,

A handwritten signature in black ink, appearing to be 'JC' or similar initials, written over the word 'Sincerely'.

Joseph Carr  
Newton Water & Sewer Utility

<p><b>SUSSEX COUNTY RECORDING COVER PAGE</b>                  Honorable Jeffrey M. Parrott                  Sussex County Clerk</p>  <p>This cover page is required to be part of any document affecting land title being recorded in Sussex County, New Jersey. It is part of the recorded instrument and permanent record and should not be detached from the original document.</p>	<p><i>Official Use Only - Barcode</i></p> <p>20190514010084400 1/5                  05/14/2019 11:31:19 AM DEED                  Bk:3517 Pg:403                  Jeffrey M. Parrott, County Clerk                  Sussex County, NJ</p>
<p>Record and Return To:</p> <p>Mortgage Connect LP - VENDOR ID 38044                  260 Airside Dr                  Coraopolis, PA 15108-2783</p>	<p><i>Official Use Only - Realty Transfer Fee</i></p>

<p>Date of Document: 2019-04-30</p>	<p>Type of Document: DEED</p>
<p>First Party Name: U S BANK NATIONAL ASSOCIATION</p>	<p>Second Party Name: SAMARITAN INN INC</p>
<p>Additional Parties To Be Indexed: RMAC TRUST SERIES 2016 CTT</p>	

PROPERTY INFORMATION (MANDATORY FOR DEEDS)	
<p>Block: 15.01</p>	<p>Lot: 46</p>
<p>Municipality Town of Newton</p>	<p>20190514010084400                  5/14/2019 11:31:00 AM                  Consideration: \$153,000.00</p>
<p>Consideration: 153000.00</p>	<p>Exempt Code: Regular                  County: \$153.00 State: \$382.50</p>
<p>Mailing Address of Grantee: 901 SWARTSWOOD RD                  NEWTON, NJ 07860</p>	<p>NJAHTF : \$4.50 PHPP: \$76.50                  State E.A.A: \$3.60 General: \$3.00                  Buyers Fee: \$3.00                  Total RTF: \$620.10</p>

<p>THIS SECTION PERTAINS TO ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES, ETC. WHICH REQUIRE YOU PROVIDE THE ORIGINAL INSTRUMENT'S BOOK &amp; PAGE RECORDING INFORMATION.</p>	
<p>Original Book:</p>	<p>Original Page:</p>

<p><b>SUSSEX COUNTY RECORDING COVER PAGE</b></p> <p>Do not detach this page from the original document as it contains important recording information and is part of the permanent record.</p>
--

Prepared by: Richard P. Haber, Esq  
McCalla Raymer Leibert Pierce, LLC

465621  
Newton Town **SPECIAL WARRANTY DEED**  
This Deed is made on April 30, 2019

**BETWEEN**

U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT, whose address is 15480 Laguna Canyon Rd., Suite 109, Irvine, CA 92618 by Rushmore Loan Management Services, LLC as Attorney-in-Fact (hereinafter referred to as "Grantor").

**AND**

Samaritan Inn Inc, whose address is 901 Swartswood Rd, Newton, NJ, 07860 (hereinafter referred to as "Grantee").

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **TRANSFER OF TITLE.** The Grantor does hereby grant and convey the property described below to the Grantee.
2. **CONSIDERATION.** This transfer of ownership is made for the sum and consideration of One Hundred Fifty Three Thousand and 00/100 Dollars (\$153,000.00). The Grantor acknowledges receipt of this money.
3. **TAX MAP REFERENCE.** The property is located in the Municipality of Newton in Block 15.01, Lot 46, and is commonly known as 23 Union Place, Town of Newton, New Jersey, 07860.
4. **PROPERTY DESCRIPTION.** The property consists of all the land, buildings, structures and improvements contained on the property located in the Newton, County of Sussex and State of New Jersey, more particularly described as follows:

See attached Schedule A

**BEING THE SAME LAND AND PREMISES** conveyed to the Grantor, U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT, Assignee by deed from Michael F. Strada, Sheriff of the County of Sussex, in the State of New Jersey, dated August 6, 2018, recorded December 3, 2018, in the Sussex County Clerk's/Register's Office in Deed Book 3500 Page 630.

5. **PROMISES BY GRANTOR.** The Grantor promises and warrants that Grantor has done no act to encumber the property other than what has been disclosed to the Grantee. This promise is called a "covenant as to Grantor's acts" pursuant to N.J.S.A. 46:4-6. This promise means that the Grantor has not allowed anyone else to obtain any legal right which would affect the property being transferred (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

6. SIGNATURES. The Grantor signs this Deed as of the date at the top of the first page.

U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT, By Rushmore Loan Management Services, LLC, its Attorney-in-Fact

By: [Signature] Susan Christy  
Assistant Vice President  
7600994166 p203

its Attorney-in-Fact pursuant to that certain Limited Power of Attorney recorded on 2/22/2018 at Deed Book 3481 Page 205

STATE OF: Texas

COUNTY OF: Dallas

I CERTIFY that on April 30, 2019, Susan Christy personally known to me and came before me and stated to my satisfaction that he/she (a) was authorized to and did execute this deed as AVP or AIF on behalf of U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT, by Rushmore Loan Management Services, LLC, its Attorney-in-Fact the entity named in this deed (b) made this deed for One Hundred Fifty Three Thousand and 00/100 Dollars (\$153,000.00) as the full and actual consideration paid or to be paid for transfer of title (such consideration is defined by N.J.S.A. 46:15-5.) and (c) executed this deed as the act of the entity.

[Signature: Kyra Gaddy]  
Notary Public



Schedule A

Legal Description

All that certain tract, lot and parcel of land lying and being in the Town of Newton, County of Sussex and State of New Jersey, being more particularly described as follows:

Beginning in the middle of Union Place or Street at the 4th corner of a lot Andrew Shiner sold to Rebecca M. Bryant; thence (1) along Bryant's line North 39 degrees 48 minutes West 172 feet; thence (2) North 49 degrees East 40 feet more or less to Armstrong's corner, formerly Shiner's; thence along his line (3) South 39 3/4 degrees East 172 feet to the middle of Union Place; thence (4) along the middle of same South 49 degrees West 40 feet more or less to the place of Beginning.

Being further described in accordance with a survey prepared by Lakeland Professional Land Surveyors, Inc. dated June 4, 2003 as follows:

Beginning at a point in the centerline of Union Place (40 feet wide), said point being the beginning corner as set forth in Deed Book 2040, page 218 and from said point of beginning running; thence

1. North 39 degrees 48 minutes 00 seconds West 172.00 feet to a point; thence
2. North 49 degrees 40 minutes 00 seconds East 40.15 feet to a point; thence
3. South 39 degrees 45 minutes 00 seconds East 172.00 feet to the center line of Union Place; thence
4. Along the same South 49 degrees 40 minutes 00 seconds West 40.00 feet to the point and place of Beginning.

FOR INFORMATION ONLY: Being known as Lot 46, Block 15.01 formerly known as Lot 8, Block 802 on the current tax map of the Town of Newton.

Being the same property as conveyed from Dorothy Ambro f/k/a Dorothy Daly, married, to Angelo Laceri, single, as set forth in Deed Book 2744 Page 15 dated 07/10/2003, recorded 07/31/2003, SUSSEX County, NEW JERSEY.

Tax ID: Block 15.01 Lot 46

State of New Jersey

GTT/REP-3  
(9-2015)

**SELLER'S RESIDENCY CERTIFICATION/EXEMPTION**

(Please Print or Type)

**SELLER'S INFORMATION**

Names(s) U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT

Current Street Address

15480 Laguna Canyon Rd., Suite 100

City, Town, Post Office Box

Irvine

State

CA

Zip Code

92618

**PROPERTY INFORMATION**

Block(s) 15.01

Lot(s) 46

Qualifier

Street Address 23 Union Place

City, Town, Post Office Box

Town of Newton,

State

NJ

Zip Code

07860

Seller's Percentage of Ownership

100%

Total Consideration

\$153,000.00

Owner's Share of Consideration

\$153,000.00

4/30/19

**SELLER'S ASSURANCE (Check the Appropriate Box(es) 2 through 14 apply to Residents and Nonresidents)**

1.  Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident gross income tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2.  The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3.  Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4.  Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5.  Seller is not an individual, estate, or trust and is not required to make an estimate gross income tax payment.
6.  The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated income tax payment.
7.  The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale and report the recognized gain.
8.  Seller did not receive non-like kind property.
9.  The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to affect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
10.  The deed is dated prior to August 1, 2004, and was not previously recorded.
11.  The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12.  The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13.  The property transferred is a cemetery plot
14.  The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.

**SELLER'S DECLARATION**

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

Date

4/30/2019

Rushmore Loan Management Services LLC  
its appointed Attorney in Fact

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact  
Rushmore Loan Management Services, L.L.C. its Attorney in Fact

Signature

(Seller) Please indicate if Power of Attorney or attorney in Fact

20190514010084400 5/5  
05/14/2019 11:31:19 AM DEED  
Recording Fee: \$80.00



**Town of Newton**  
**39 Trinity Street**  
**Newton, NJ 07860**

Scott J. Holzhauer, CTA  
Tax Assessor

Phone: (973) 383-3521 x234  
Fax: (973) 383-8961  
Email: [assessor@newtontownhall.com](mailto:assessor@newtontownhall.com)

William P. Askin  
c/o Askin & Hooker, LLC  
200 Woodport Rd., suite A  
Sparta, NJ 07871

February 12, 2020

**RE: Certified List of Property Owners @ 200-ft. (Cama List #642)**

**Property Owner:** Samaritan Inn  
**Property Location:** 23 Union Place, Newton  
**Block / Lot(s) ID:** 15.01 / 46

Dear Applicant:

Attached please find a complete list of all property owners in the Town of Newton (Sussex County) that appear to be situated within 200-feet of the above referenced parcel(s). This information is certified as that which appears in the Town of Newton Tax Book, including any ownership changes that have been recently received in the form of new deeds.

The initial printout titled "Owner & Address Report" takes data directly from the Mod IV file in the Assessor's computer. The properties provided on the list were determined by taking scaled offsets from the subject property as identified on the most recent Tax Map for the municipality. The attached "Addendum" includes any other entities that require notification in accordance with the provisions of the M.L.U.L. and pursuant to Subsection (h) of N.J.S.A. 40:55D-12 (agencies that have registered to receive notice with regard to Planning and/or Zoning applications).

If you have any questions, feel free to contact my office.

Sincerely,

Town of Newton



Scott J. Holzhauer, CTA, SCGREA  
Tax Assessor

Attch.

Cc: Planning Board/Board of Adjustment

**(LIST CERTIFIED FOR 90 DAYS FROM DATE OF ISSUE)**

List Date: February 12, 2020

**ADDENDUM**

Pursuant to Subsection (h) of N.J.S.A. 40:55D-12, the following entities marked “**X**” must also be included in the 200-ft notification for the subject property in question:

INCLUDE	ROADS/ ASSOCIATIONS / UTILITIES	ADDRESS / CONTACT INFO
<b>X</b>	State Highways: <ul style="list-style-type: none"> <li>• Route 206</li> </ul>	State of NJ – DOT 1035 Parkway Ave CN 600 Trenton, NJ 08625 ----- NJDOT Permit Section 200 Stierli Court Mt. Arlington, NJ 07856
<b>X</b>	County Roads: <ul style="list-style-type: none"> <li>• All County Roads</li> </ul>	Sussex County Planning Board Administration Building One Spring St Newton, NJ 07860
	Railroads: <ul style="list-style-type: none"> <li>•</li> </ul>	
	Associations: <ul style="list-style-type: none"> <li>•</li> </ul>	None known or specified
<b>X</b>	Utilities Companies: <ul style="list-style-type: none"> <li>• NJ Bell Telephone</li> </ul>	NJ Bell Telephone Co. 540 Broad St Newark, NJ 07101
<b>X</b>	<ul style="list-style-type: none"> <li>• United Telephone</li> </ul>	United Telephone Co. c/o Embarq 5454 West 110 <sup>th</sup> St Overland Park, KS 66207
	Adjacent Municipalities: <ul style="list-style-type: none"> <li>•</li> </ul>	Subject is within 200-ft of adjacent municipality. You must obtain a list of additional Property Owners from them.

OWNER & ADDRESS REPORT

NEWTON

FROM SUBJECT PROPERTY 15.01 / 46

02/12/20 Page 1 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
15.01	3		2	RAZZANO, ANTHONY M & VEALEY, ALISHA 4 TOWNSEND ST NEWTON, NJ 07860	4 TOWNSEND ST	
15.01	4		2	METZGAR, STEVEN & JILL 6 TOWNSEND ST NEWTON, NJ 07860	6 TOWNSEND ST	
15.01	5		2	MORAN, GRACE ANN 8 TOWNSEND ST NEWTON, NJ 07860	8 TOWNSEND ST	
15.01	6		2	HARFORD PROPERTIES, LLC 55 TRINITY ST NEWTON, NJ 07860	10 TOWNSEND ST	
15.01	7		2	BARONE, ROSINE 3 UPPER CROSS UPPER SADDLE RIVER, NJ 07458	16 TOWNSEND ST	
15.01	8		2	BUCCI, MICHAEL 12 MAPLE AVE NEWTON, NJ 07860	20 TOWNSEND ST	
15.01	9		2	FREEMAN, CHARLES R & NOELLE A 22 TOWNSEND ST NEWTON, NJ 07860	22 TOWNSEND ST	
15.01	34		2	POCCIA, ANTONIO JR & FRANCA M 40 BROOKSTONE DR MORRIS PLAINS, NJ 07950	18 UNION PL	
15.01	35		2	KINSEY, WILLIAM 25 UNION PL NEWTON, NJ 07860	20 UNION PL	
15.01	36		2	SHEHU, SAJMIR 22 UNION PL NEWTON, NJ 07860	22 UNION PL	
15.01	37		2	PAVESE, FRANK 24 UNION PL NEWTON, NJ 07860	24 UNION PL	
15.01	38		1	CATALANO, MICHAEL ET AL 17 HIGH ST NEWTON, NJ 07860	26 UNION PL	
15.01	39		2	MASLOWSKI, RYSZARD J & BONNIE 28 UNION PL NEWTON, NJ 07860	28 UNION PL	
15.01	40		2	FRASER, HERB 47 PHILLIPS RD NEWTON, NJ 07860	32 UNION PL	
15.01	43		2	DEJESUS, WILLIAM A & CHRISTINE 749 HANCOCK HWY HONESDALE, PA 18431	31 UNION PL	
15.01	44		2	MACE, ROBERT E JR & KIRSTEN 29 UNION PL NEWTON, NJ 07860	29 UNION PL	
15.01	45		2	COWARD, RUFUS L & HAZEL M 25 UNION PL NEWTON, NJ 07860	25 UNION PL	
15.01	46		15D	SAMARITAN INN, INC 901 SWARTSWOOD RD NEWTON, NJ 07860	23 UNION PL	
15.01	47		15D	THE SAMARITAN INN 901 SWARTSWOOD ROAD NEWTON, NJ 07860	21 UNION PL	

OWNER & ADDRESS REPORT

NEWTON

FROM SUBJECT PROPERTY 15.01 / 46

02/12/20 Page 2 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
15.01	48		2	TBS PROPERTIES, LLC 49 MCKINLEY ST HACKENSACK, NJ 07601	19 UNION PL	
15.01	49		2	JAMES E FRITSCH JR, LLC 19 STONE ROW LN OAK RIDGE, NJ 07438	17 UNION PL	
15.01	50		2	SCROWCROFT, WILLIAM & JANET 15 UNION PL NEWTON, NJ 07860	15 UNION PL	
15.01	53		4A	HARFORD PROPERTIES, LLC 35 FLAGSTONE HILL RD WANTAGE, NJ 07461	55 TRINITY ST	REALTOR OFFICE

*Mayor*  
Sandra Lee Diglio

*Deputy Mayor*  
Daniel G. Flynn

*Council Members*  
Matthew S. Dickson  
Jason J. Schlaffer  
Helen R. Le Frois



*Town Manager*  
Thomas S. Russo, Jr.

*Town Clerk*  
Lorraine A. Read

Telephone: (973) 383-3521  
Facsimile: (973) 383-8961  
39 Trinity Street  
Newton, NJ 07860

William P. Askin  
Askin & Hooker, LLC  
200 Woodport Rd. – Suite A  
Sparta, NJ 07871

February 10, 2020

**Re: Block 15.01, Lot 46  
23 Union Place**

Dear Mr. Askin:

Attached please find the Tax Record printout for the above-mentioned property.

The 2019 taxes on this parcel were paid through December 31, 2019. This parcel is now declared exempt from taxes starting the tax year 2020. There are no delinquencies or liens.

Should you have any questions, please feel free to contact me.

Sincerely,

Theresa Schlosser, CTC  
Tax Collector

Enclosure

TAX DEPARTMENT TOWN OF NEWTON  
 Page 1 Mon Feb 10 12:55:38 EST 2020

Property Information

Block : 15.01	Lot: 46	Qualification :	Deductions:
Tax Account Number : 10986			Senior: 0
Dimension : 00000.162 AC.			Vet : 0
Property location : 23 UNION PL			Widow : 0
Property Class : 15D			Survivor: 0
Bank code :			Disabled: 0
Additional Lots :			Deduction amount: 0.00

Owner Information

SAMARITAN INN, INC  
 901 SWARTSWOOD RD  
 NEWTON, NJ 07860

Property Information

2019 Net Tax :	7,303.34	Land value:	63,100
2020 Net Tax :	0.00	Improvement value:	107,300
2020 Total Tax:	0.00*	Net taxable value:	170,400

Special Tax codes : Special Tax Amount : 0.00

Tax Payment History: 2020

	Due Feb. 1st 1st Quarter	Due May 1st 2nd Quarter	Due Aug. 1st 3rd Quarter	Due Nov. 1st 4th Quarter	1/2 next yr
Tax Due:	0.00	0.00	0.00	0.00	0.00
Tax Paid:	0.00	0.00	0.00	0.00	0.00
Balance:	0.00	0.00	0.00	0.00	0.00

NOTE:

2020 Balance Summary

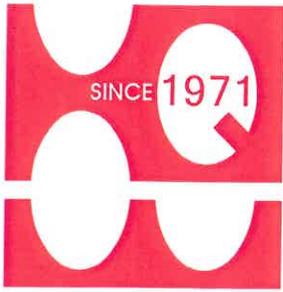
Totals Due: 0.00 Paid : 0.00 Adjust: 0.00 Bal: 0.00

Transaction History

Tax Year	Tax Due	Tax Paid	Interest	Date Paid	Total Paid	Dep#
2020 Tax Year						
Bal Forward	0.00					
1st Quarter	0.00					
2nd Quarter	0.00					
3rd Quarter	0.00					
4th Quarter	0.00					
Ending Bal	0.00					

Summary of Transactions for All Years Listed Above By Dates:

mode paid tax int date



HQW ARCHITECTS L.L.C.

**23 UNION PLACE – CHANGE OF USE ANALYSIS**

**03/05/2020**

Samaritan Inn  
Project No. 10-5048

REHAB SUBCODE: Change of Use. The existing building, as determined by the Authorities Having Jurisdiction (AHJ) is an R-5 Use. It is a residential building with 2 dwelling units. The proposed Change of Use is from an R-5 Use to Use an R-2 Use. The nature of the R-2 Use is that a 3<sup>rd</sup> dwelling unit within the existing footprint of the 1<sup>st</sup> floor is being constructed.

Change of use R-5 → R-2

Construction Class: VB  
Area: 1<sup>st</sup> Floor – 780SF  
2<sup>nd</sup> Floor – 780 SF  
Building Height: 2 story  
Building is Not sprinklered.

Referencing the Tables in NJAC 5:23 – 6.31 Change of Use

<https://up.codes/viewer/new-jersey/nj-rehabilitation-subcode/chapter/§5%3A23-6.31/change-of-use#§5:23-6.31>

TABLE	NAME	R-5 Rank	R-2 Rank	DIFFERENCE
B	Relative Group Hazard	5	5	Same
C	Exits	4	3	Higher
E	Height & Area	4	3	Higher
F	Exposure Exterior Walls	4	4	Same
G	Automatic Sprinklers	6	2	Higher
K	Structural Load	3	3	Same

TABLE B: The Change of Use is to the same relative group hazard. This building area is not required to comply with the basic requirements of the Rehabilitation Sub-code except as may be required should alteration or reconstruction work be performed.

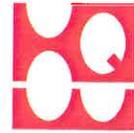


TABLE C: The Change of Use is to a higher hazard category. The existing building is required to conform to the requirements of NJAC 6:31 (c) 2. These requirements include Number of Exits and Exit Doorways, Means of Illumination, Doors, Gates and Turnstiles, Exit Signs, Egress Through Adjoining Spaces, Exit Access Travel Distance and Exit Discharge, The Code requires a 30 minute fire barrier at the existing stairs however there is an exception for a sprinklered building.

TABLE E: The Change of Use is to a higher hazard category. The existing building is required to the height and area limitations of Chapter 5 of the building subcode.

TABLE F: The Change of Use is to the same hazard category. No change necessary.

TABLE G: The Change of Use is to a higher hazard category. The existing building is required to conform to the requirements of building subcode 903.2.8. The existing building does not have a sprinkler system. The new 380 square foot unit shall be separated from other dwelling units by 1-hr wall and ceiling assemblies. As per the AHJ, a limited area sprinkler system will be required to be installed in the new and basement. A fire alarm system shall be installed as required by Section 907.2.9.

TABLE K: The Change of Use is to the same hazard category. The existing structure may be used without modification. The Owner may wish to verify the existing structure should heavy loads be anticipated.

This analysis is an overview of the work necessary to effectuate the proposed change of use. It is not an exhaustive review of all the work that may be required and is subject to review and acceptance by the Authorities Having Jurisdiction. Any questions regarding this analysis may be directed to the undersigned.

Analysis performed by,

Christopher M. Wolverton, AIA  
Principal  
HQW Architects LLC

**BUILDING CODE INFORMATION**

USE GROUP:	R2		
CONSTRUCTION CLASSIFICATION:	5B		
ACTUAL AREA:	EXISTING	NEW	TOTAL
1ST FLOOR	780	NC	780
2ND FLOOR	780	NC	780
TOTAL			1560 S.F.
BUILDING VOLUME:	EXISTING	NEW	TOTAL
BUILDING HEIGHT:	EXISTING	EXISTING	VARIES < 35'-0"
IMPERVIOUS COVERAGE:	3,422 S.F. OF 5,700 S.F. 60% IMPERVIOUS COVERAGE		

**SYMBOL KEY**

- EXISTING CONSTRUCTION TO REMAIN
- EXISTING CONSTRUCTION TO BE REMOVED
- NEW STUD WALL CONSTRUCTION
- ULC 1500 1-HOUR HD JOIST CEILING
- 1/2" TYPE X GYP BOARD, 2X10 JOIST @ 16" O.C., 1/2" TRG SUBFLOOR. NOTIFY ARCHITECT IF EX. CONDITIONS VARY
- 1HR
- 1HR
- 1HR
- 1HR
- UL 506 1-HOUR HD STUD FIRE BARRIER
- 1/2" TYPE X GYP BOARD EA SIDE OR 2 LAYERS 1/2" GYP BOARD EA SIDE

**GENERAL NOTES**

GOVERNING CODES OR STANDARDS:  
 INTERNATIONAL RESIDENTIAL CODE 2016 NEW JERSEY EDITION  
 NEC 2017  
 NFPA 70B  
 NFPA 70E  
 NFPA 72  
 NFPA 75  
 NFPA 78  
 NFPA 80  
 NFPA 85  
 NFPA 96  
 NFPA 101  
 NFPA 102  
 NFPA 103  
 NFPA 104  
 NFPA 105  
 NFPA 106  
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**ELECTRICAL NOTES**

THE LOCATION OF EQUIPMENT, OUTLETS ETC. AS GIVEN ON THE DRAWINGS IS APPROXIMATELY CORRECT BUT IT SHALL BE UNDERSTOOD THAT THEY ARE SUBJECT TO SUCH MODIFICATION AS MAY BE FOUND NECESSARY OR DESIRABLE AT THE TIME OF INSTALLATION IN ORDER TO MEET STRUCTURAL REQUIREMENTS. SUCH CHANGES SHALL BE MADE WITHOUT EXTRA CHARGE.

ANY ITEM OF LABOR OR EQUIPMENT NOT SPECIFIED IN DETAIL BY THE SPECIFICATIONS OR INDICATED ON THE DRAWINGS BUT WHICH IS INCIDENTAL TO OR NECESSARY FOR THE COMPLETE INSTALLATION AND PROPER OPERATION OF THE SEVERAL BRANCHES OF THE WORK DESCRIBED HEREIN OR REASONABLY IMPLIED SHALL BE FURNISHED AS IF CALLED FOR IN DETAIL.

ALL WORK SHALL BE IN STRICT CONFORMANCE WITH THE 2017 NATIONAL ELECTRIC CODE, STATE AND UTILITY CODES.

THIS CONTRACTOR SHALL OBTAIN AND PAY ALL FEES FOR PERMITS AND APPROVALS FROM AUTHORITIES HAVING JURISDICTION.

THIS CONTRACTOR SHALL GUARANTEE ALL MATERIALS AND LABOR FOR ONE YEAR FROM THE FINAL ACCEPTANCE DATE OF THE OWNER.

THIS CONTRACTOR SHALL LOCATE SWITCHES + 3'-10" AFF, RECEPTACLES +1'-6" AFF, AND PANELS 6'-6" TO TOP BREAKER.

FEEDERS AND BRANCH CIRCUITS SHALL BE INSTALLED AS FOLLOWS:

- A. EXPOSED (INDOORS), EMT
- B. EXPOSED (OUTDOORS), IMC (INTERMEDIATE METAL CONDUIT)
- C. CONCEALED ABOVE CEILING OR IN STUD WALL: TYPE AC CABLE (BX) FOR 15, 20 & 25 AMP CIRCUITS ONLY
- D. BURIED IN EARTH: PVC (SCHEDULE 40) IMC
- E. FINAL CONNECTIONS TO MOTORS: FLEXIBLE METAL (INDOORS), LIQUID TIGHT (OUTDOORS)

OUTLET BOXES SHALL BE STAMPED STEEL, EXPOSED SHALL BE CAST MALLEABLE IRON.

WIRE SHALL BE TYPE "THHN", "THHN", #12 GAUGE COPPER, MINIMUM SIZE.

WIRE DEVICES SHALL BE SPECIFICATION GRADE AS MANUFACTURED BY LEVITON OF APPROVED EQUAL.

PANELS SHALL BE SQUARE D, OR EQUAL BY GENERAL ELECTRIC, OR ITE. PROVIDE TYPE-WRITTEN DIRECTORY.

PLATES ON CONCEALED OUTLETS SHALL BE STAINLESS STEEL.

SAFETY SWITCHES SHALL BE HEAVY DUTY, SQUARE D OR EQUAL BY GENERAL ELECTRIC, OR ITE.

FUSES SHALL BE AS MANUFACTURED BY BUSSMAN.

GROUNDING SHALL CONFORM TO THE 2008 NATIONAL ELECTRICAL CODE.

IF CONTINUITY OF WIRING TO EXISTING LIGHTING FIXTURES, DUPLEX RECEPTACLES, ETC., IS INTERRUPTED BY THE REMOVAL OF A PARTIAL CIRCUIT, CONTRACTOR SHALL INSTALL NECESSARY WIRING TO INSURE CONTINUITY OF THIS CIRCUIT WHICH IS REMAINING.

ABSOLUTELY NO EXPOSED CONDUIT / WIRING DEVICES, ETC. FOR ITEMS REMAINING. ALL SHALL BE CONCEALED IN WALLS AND / OR CEILINGS, UNLESS SHOWN OTHERWISE.

PROVIDE AFCI CIRCUIT BREAKERS FOR NEW CIRCUITS. PROVIDE AFCI CIRCUIT BREAKERS ON EXISTING CIRCUITS THAT ARE MODIFIED BY THE WORK INDICATED ON THE PLANS.

**PLUMBING GENERAL NOTES**

1. PLUMBING CONTRACTOR TO PROCURE AND PAY FOR ALL NECESSARY PERMITS AND LICENSES REQUIRED TO CARRY OUT WORK, OBTAIN AND PAY FOR ALL NECESSARY CERTIFICATE OF APPROVAL FOR WORK, PAY FOR ALL LEGAL FEES.

2. INSTALLATION TO COMPLY WITH ALL FEDERAL, STATE MUNICIPAL LAWS, AND ALL CODES, RULES, ORDINANCES, AND REGULATIONS OF HEALTH, PUBLIC OR OTHER AUTHORITIES CONTROLLING OR LIMITING THE METHODS, MATERIALS TO BE USED OR ACTIONS OF THESE EMPLOYED IN THE WORK.

3. PLUMBING CONTRACTOR SHALL VISIT JOB SITE AND BECOME TOTALLY FAMILIAR WITH ALL CONDITIONS OF CONSTRUCTION BEFORE SUBMITTING BID.

4. PIPE INSTALLATIONS

- A. RUN ALL PIPING CONCEALED IN CEILINGS, WALLS AND PARTITIONS.
- B. ALL PIPING TO BE FITTED TO LOW POINTS WITH DRAIN VALVES, SOIL, VENT AND WASTE TO BE SLOPED AT 1/8" PER FOOT MIN.
- C. SLEEVE PIPING THAT PASSES THROUGH MASONRY WALLS. FIRE SAFE PIPING THROUGH FIRE RATED WALLS.
- D. PROVIDE ROD HANGERS WITH CLEVIS PIPE SUPPORT 1/2" O.C.
- E. PROVIDE VALVES REQUIRED FOR COMPLETE CONTROL OF ALL SYSTEMS. STOP VALVES OR SUPPLY TO ALL FIXTURES TO BE CIRCUM PLATED WHERE EXPOSED.
- F. PROVIDE SEISMIC RESTRAINTS FOR ALL EQUIPMENT AND PIPING AS REQUIRED.
- G. PROVIDE ALL CUTTING AND PATCHING AS REQUIRED FOR THE INSTALLATION OF THE NEW PIPING. PATCH SURFACE TO MATCH EXISTING.

5. PLUMBING CONTRACTOR TO PERFORM ALL TESTS OF THE PLUMBING WORK AS REQUIRED BY THE AUTHORITIES HAVING JURISDICTION IN THE PRESENCE OF THE OWNER. PROVIDE ALL APPARATUS, TEMPORARY CONNECTIONS, AND TEST REPEATED UNTIL REQUIREMENTS ARE MET.

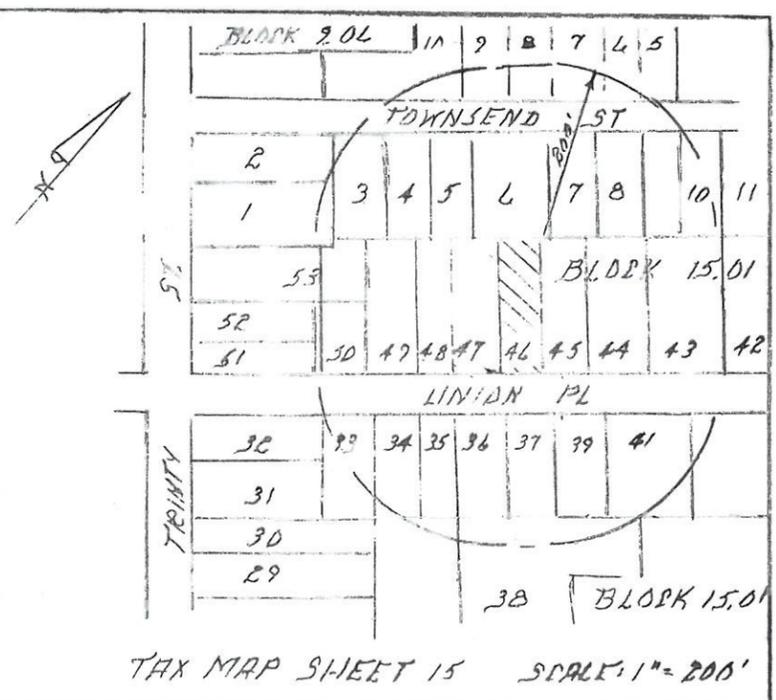
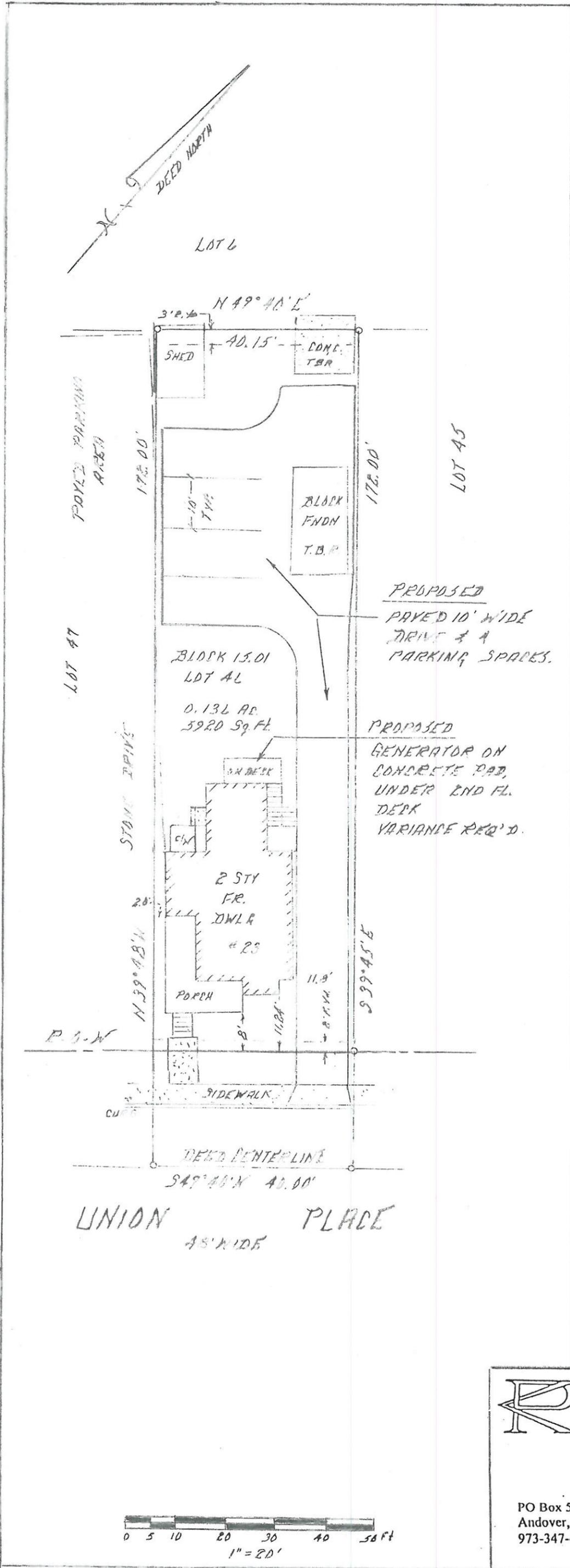
6. PLUMBING CONTRACTOR TO CARRY OUT PERIODIC CLEANING TO REMOVE RUBBISH ETC. TO LEAVE PREMISES FREE FROM DEBRIS AND DISCARDED MATERIALS. AFTER INSTALLATION, CLEAN FIXTURE FITTINGS, ETC. AND LEAVE READY FOR USE.

**PLUMBING SYSTEM MATERIALS**

- 1. **PIPE** COLD WATER, SPRINKLER AND HOT WATER PIPING: TYPE "L" COPPER WITH WROUGHT COPPER WITH SOLDERED FITTINGS. LEAD FREE SOLDER ONLY.
- 2. **INSULATION** INSULATE ALL NEW HOT AND COLD WATER PIPING WITH 1" FIBERGLASS PIPING INSULATION, K FACTOR .025 AT 75 DEGREE F WITH ALL SERVICE .1/2" PROVIDE VAPOR BARRIER FOR COLD WATER PIPING. PROVIDE ZESTON OR E PREFORMED PLASTIC FITTING COVERS. INSULATION AND COVERS SHALL HAVE AND SMOKE DEVELOPED RATES OF 26/50.

**DEMOLITION NOTES**

- 1. THE CONTRACTOR SHALL VISIT THE SITE PRIOR TO SUBMITTING A BID, TO FULLY FAMILIARIZE THEMSELVES WITH THE CONDITIONS AFFECTING THEIR WORK.
- 2. THE DEMOLITION PLAN DESCRIBES, IN GENERAL, THE WORK NECESSARY TO BE REMOVED. HOWEVER IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE FOR THEMSELVES THE TOTAL EXTENT OF DEMOLITION, CUTTING, AND PATCHING REQUIRED TO PROPERLY INSTALL THE NEW WORK INCLUDING, BUT NOT LIMITED TO, REMOVAL, RELOCATION, OR REPLACEMENT OF ANY MECHANICAL, ELECTRICAL, OR PLUMBING ITEMS OF WORK.
- 3. SHOULD THE CONTRACTOR ENCOUNTER A MATERIAL DURING THE PROGRESS/DEMOLITION ON THIS PROJECT THEY SUSPECT MAY CONTAIN ASBESTOS, AND THE MATERIAL MUST BE REMOVED OR PENETRATED TO ACCOMMODATE THE NEW CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER AND ARCHITECT IN WRITING BEFORE ANY WORK ON THE MATERIAL IS PERFORMED. THE OWNER WILL HAVE THE MATERIAL TESTED AND HAVE IT REMOVED IF THE RESULTS WARRANT IT.
- 4. THE CONTRACTOR SHALL ERRECT AND BE RESPONSIBLE FOR ALL TEMPORARY BRACING, SHORING AND WEATHER PROTECTION AS REQUIRED TO CONSTRUCT THE WORK.
- 5. THE CONTRACTORS SHALL PROTECT ALL WORK INDICATED TO REMAIN.
- 6. ANY EXISTING WORK DISTURBED BY THIS CONTRACT SHALL BE REPAIRED TO MATCH EXISTING ADJACENT MATERIALS AND FINISHES, UNLESS OTHERWISE INDICATED.
- 7. EXISTING ITEMS (I.E. EQUIPMENT, FIXTURES, WIRING, PLUMBING, DUCTWORK, ETC.) NOT REQUIRED OR MADE OBSOLETE BY THE CONSTRUCTION SHALL BE REMOVED BY THE CONTRACTOR.
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**ZONE T-5 TOWN CORE SUPPORT AREA**

	REQ'D EXIST./PROP.
LOT AREA (DEED)	NO SPED 6880 S.F.
LOT AREA (TO ROAD)	5920 S.F.
MAX BLDG. COVER	4736 S.F. 3354 S.F.
FRONT YARD	0' 8' (PORCH)
SIDE YARD	0' 2.0L 11.8'R
REAR YARD	3' 87'
BLDG HGT.	2.5TY MIN. 2.5TY

NOTE: BLDG. COVERAGE INCLUDES: DWELLING & PORCHES, PROPOSED DRIVE & PARKING & EXIST. SHED

**OWNER & APPLICANT**

SAMARITAN INN, INC  
 901 SWARTSWOOD RD.  
 NEWTON, N.J. 07860  
 TEL: 973-940-8878 FAX: 973-940-8870  
 EMAIL: SAMARITANINN.DIR@AEMAIL.COM

**MUNICIPAL APPROVAL**

APPROVED BY THE TOWN OF NEWTON  
 LAND USE BOARD AT A MEETING  
 HELD ON \_\_\_\_\_

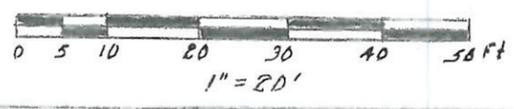
CHAIRMAN \_\_\_\_\_  
 SECRETARY \_\_\_\_\_  
 ENGINEER \_\_\_\_\_

**MINOR SITE PLAN**  
 23 UNION PLACE  
 BLOCK 15.01 LOT 46  
 TOWN OF NEWTON  
 SUSSEX COUNTY NEW JERSEY  
 SCALE: 1" = 20' MARCH 4, 2020

**PITTENGER & KEITH**  
 Professional Land Surveyors and Planners

PO Box 53  
 Andover, NJ 07821  
 973-347-4232

J. Keith  
 3/05/20  
 JUDITH A. KEITH LLS #29352  
 LICENSED LAND SURVEYOR  
 PROFESSIONAL PLANNER #3552



The Newton Planning Board  
Town of Newton  
Affidavit For Subdivision

SECTION I (Check One)

Minor Subdivision      \_\_\_\_\_ Preliminary Major      \_\_\_\_\_ Final Major

Variance required: Yes  No \_\_\_\_\_ If yes, complete application for variance as well.

SECTION II

Newton Commons Condo Association, Inc.

1. Name of Applicant: c/o A & R Midstate Management, LLC Phone No: 973-398-6609
2. Address: 200 Valley Road Ste 207, Mount Arlington, NJ 07856-1320
3. Owner of Record: Newton Commons Condo Association, Inc. c/o A & R Midstate Management, LLC  
Address: 200 Valley Road Ste 207, Mount Arlington, NJ 07856-1320
4. Location of Site: Portion of Common Area between 63 Plainfield Ave & 69 Plainfield Ave Total Area: 10.026 Acres  
Dimensions: 500 ft. x 1400 ft. Irregular      Zone: T-3 Neighborhood Residential  
12.01      1  
Block: 12.09 Lot: 1      Tax Map Sheet No: 11 & 13  
Road Frontage: 88.79 ft.      Historic District: N/A

SECTION III

1. Engineer's or Surveyor' Name: Douglas Dykstra License No: 34846  
Address: 11 Lawrence Road, Newton, NJ 07860 Phone No: 973-579-2177
2. Proposed subdivision will include: (Check all that apply)  
 Residential Use      \_\_\_\_\_ Commercial Use  
\_\_\_\_\_ Industrial Use      \_\_\_\_\_ Tract Development  
 Individual Lot (s)
3. Do any protective covenants or deed restrictions apply to the land being subdivided?  
\_\_\_\_\_ Yes       No

If answer is yes, attach a copy of covenants or restrictions.

STATE OF NEW JERSEY)

S.S.

COUNTY OF )

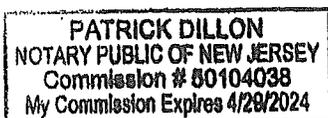
Sworn to and signed before me this 19th day of December, 2019

Patrick Dillon

A notary public of New Jersey

[Signature]

Signature of Applicant



The Newton Planning Board  
Town of Newton  
Affidavit For Appeal or Variance

SECTION I (Check one) \_\_\_\_\_ Appeal  Variance

SECTION II Application is being made to: (Check one)  Planning Board \_\_\_\_\_ Historic Commission

SECTION III TO BE COMPLETED BY ALL APPLICANTS

- Name of Applicant: Newton Commons Condo Association, Inc. c/o A & R Midstate Management, LLC  
Address: 200 Valley Road Ste 207, Mount Arlington, NJ 07856-1320 Phone Number: 973-398-6609
- Owner of Record: Newton Commons Condo Association, Inc. c/o A & R Midstate Management, LLC  
Address: 200 Valley Road Ste 207, Mount Arlington, NJ 07856-1320 Phone Number: 973-398-6609 here
- Location of Site: Portion of Common Area between 63 Plainfield Ave & 69 Plainfield Ave Phone Number: 973-398-6609  
Dimensions: 500 ft, x 1400ft, Irregular Total Area: 10.026  
12.01 1  
Block 12.09 Lot 1 Tax Map Sheet No. 11 & 13  
Road Frontage: 88.79 ft. Zone: T-3 Neighborhood Residential

SECTION IV

Proposed Setback: N/A ft. Height of Building: N/A ft.  
Building Measurements: N/A feet front N/A feet deep  
Total Area of Proposed Structure: N/A sq. ft  
Percentage of Site Occupied by Building (s): N/A  
Intended Use of Structure: N/A

Request is hereby made for permission to erect, convert or use a "Intensification of an  
existing non-conforming use" contrary to the requirements of  
Section(s) 320-7A. (3) of the Zoning Ordinance.

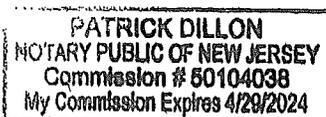
A narrative statement is required setting forth the relief requested and the legal basis for the relief.  
(attached)

STATE OF NEW JERSEY  
COUNTY OF SUSSEX

Sworn to and signed before me this 19th day of December, 2019.

Patrick Dillon  
A Notary public of New Jersey

[Signature]  
Signature of Applicant or Petitioner



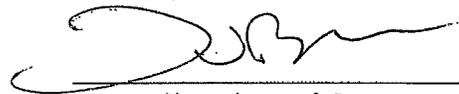
The Newton Planning Board  
Town of Newton  
Affidavit of Ownership

STATE OF NEW JERSEY)

S.S.

COUNTY OF )

Jack Bell of full age, being duly sworn according to law, upon his/her/their oath depose(s) and say(s) that he/she/they reside(s) at 490 Cambridge Lane in the municipality of Newton, County of Sussex and State of New Jersey, and that he/she/they is/are the owner(s) in fee of all that certain lot, piece of parcel of land situated, lying and being in the Town of Newton, and described on the Tax Map of the Town of Newton as Block \_\_\_\_\_, Lot \_\_\_\_\_, also known as \_\_\_\_\_, Newton, New Jersey, and hereby authorize (s) \_\_\_\_\_ to make the application, and that the statements contained in said application are correct to the best of his/her/their knowledge.

  
Signature of Owner

Sworn to and signed before me

This 19th day of December, 20 19.

  
A Notary Public of the State of New Jersey

PATRICK DILLON  
NOTARY PUBLIC OF NEW JERSEY  
Commission # 80104038  
My Commission Expires 4/28/2024

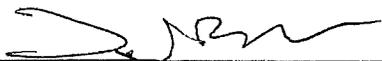
**TOWN OF NEWTON  
PLANNING BOARD**

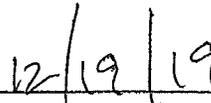
NOTICE TO ALL APPLICANTS:

As part of the review process for subdivision and site plan applications, it is often necessary and advisable that various members of the administrative staff, boards and committees visit the property in question. We are hereby requesting your permission to authorize such inspections by the appropriate Town representatives with respect to this application for a \_\_\_\_\_ on Block \_\_\_\_\_, Lot \_\_\_\_\_, Newton, Sussex County, New Jersey.

Your cooperation will be appreciated. Should you have any problem with this request, please contact the Planning Department, 39 Trinity Street, Newton, New Jersey 07860.

PERMISSION GRANTED TO INSPECT PROPERTY:

  
\_\_\_\_\_  
OWNER

  
\_\_\_\_\_  
DATE



March 4, 2020

Kathleen Citterbart  
Town of Newton Planning Board  
39 Trinity Street  
Newton, NJ 07860

**Re: Variance Narrative Statement  
Application for Newton Commons Condo Association, Inc.  
Minor Subdivision and D-2 Use Variance**

Dear Ms. Citterbart:

As indicated on the application, a narrative statement is required to describe the relief requested and the legal basis for the relief. The purpose of this letter is also to address items 77, 78, and 79 on the Land Use Application Checklist.

The applicant proposes to subdivide a 0.314 acre lot from Lot 1 of the existing planned development. Although the entire planned development is considered when analyzing the bulk area and density requirements, the lot can only be subdivided from a single tract. The proposed lot fronts on Plainfield Avenue and is flanked by single family homes (that are not part of the condo association). The lot is vacant and wooded with a stone row that is located near the middle of the lot. Another stone row is located at the rear of the proposed lot. There is a driveway turn-around area encroachment for the home on Lot 1 Block 13.09 (63 Plainfield Avenue).

The proposed lot will conform to all T3 zoning criteria and a new home could be built on the proposed lot. The proposed lot is similar in size, shape, width and depth to the neighboring lots on Plainfield Avenue, and therefore fits with the character of the neighborhood. A home on the proposed lot would be connected to central sewer and water.

The applicant is a condominium association. As with most condominium neighborhoods, the privately-owned townhouses are surrounded by common property which is owned and maintained by the condo association. The condo neighborhood is a lawfully created preexisting nonconforming use in the T-3 zone. When the tract was approved for subdivision in 1984, the property was zoned R-TH. Since the project was approved and built, the Town changed the zone of the property to T-3 zone. According to the Newton Ordinance Section 320-7A.(3) (T-3: Neighborhood Residential Zone), allowable building types in the T-3 zone are single family and duplex. Since the current use of the property is for Condominium townhouses, which have up to eight (8) attached units, the property no longer conforms to the current zoning.

The density of the overall planned development will be changed as a result of the subdivision. The current density is 5.306 units/acre. The density will be 5.425 units per acre

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after the subdivision. The zone permits a maximum density of 4.84 units per acre. This requires a variance to allow an increase in density, per N.J.S.A. 40:55D-70.1d(5). The increase in density is considered a de-minimus change and has no impact to the zone plan or public good.

Due to the reduction in land area that results from the subdivision, the existing non-conformities are presumed to be intensified and a variance to allow an expansion of a nonconforming use is required, per N.J.S.A. 40:55D-70.1d(2).

No variance may be granted without showing that such variance can be granted without substantial detriment to the public good and will not substantially impair the public good.

N.J.S.A.40:55D-68 protects non-conforming uses that exist at the time of passage of a new ordinance. The condominium planned development existed prior to the change of the zoning to "T-3". The nonconformity may continue upon the lot "so occupied". Since the lot is changing by way of subdivision, this protection no longer applies and a variance is needed. (*Razzberry's Inc. v Kingwood Tp.* 250 N.J. Super.324 (App. Div. 1991)). The Razzberry case concluded that the subdivision would result in an expansion of a non-conformity.

The general, and far-reaching, intent of master plan is to bring all non-conforming uses into conformity with the current zoning. However, in this case it is unreasonable and would inflict undue hardship to force each townhouse building owner to evacuate, tear down the complex and all its buildings, and then subdivide the tract to create conforming single family home lots. The condominium neighborhood has existed there for over 30 years and is an important part of the fabric of the community.

The subdivision of the small lot that exists is a sort of "tag" off the main tract will not result in substantial detriment to the public good, and will not substantially impair the intent of the zone plan. In fact, it supports the goal of the T-3 zone by creating a conforming, buildable lot for a single family home. The impact to the remainder tract is negligible. The rear yard setback will be impacted slightly, limited to the area near the proposed lot. The required minimum setback is 30 feet, the existing setback is 22.3 feet, and the setback after the subdivision will be 17.8'. This setback could be made conforming by sliding the new lot line toward Plainfield Avenue until it 12.3 feet or so until it conforms. This is not the preferred or logical placement of the property line because (1) it would reduce the building envelope of the proposed lot, (2) it would create a "bump-out" along the 443-foot long linear straight boundary line, and (3) the property line is better suited near the existing stone row wherein a natural physical boundary separates the two areas.

Special reasons exist to grant the variance because the benefit of offering a conforming single-family home lot promotes the general welfare (goal a) and to promote the establishment of appropriate population densities and concentrations that will promote the well-being of neighborhoods and community (goal e). Currently the area of the proposed lot has some deciduous trees and unmaintained underbrush, and is generally unkempt. The

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**Dykstra Associates, PC**

[www.edykstra.com](http://www.edykstra.com)

**Engineers • Land Surveyors • Planners • Landscape Architects • Environmental Consultants**

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construction of new single family home with a driveway and yard would improve the aesthetics of the neighborhood.

Based on the reasons noted above, the application for subdivision and D-2 variance can be granted.

Please contact me with any questions.

Regards,

Jason Dunn, PP, LLA



December 16, 2019

Rev. 3/4/2020

List of variances/waivers per Application Checklist Item #10.

Block 12.01, Lot 1 and Block 12.09, Lot 1: Portion of common area between 63 Plainfield Ave and 69 Plainfield Ave.

Checklist Waiver Requests:

3. As per the Newton Tax Collector, these two lots are tax exempt.
11. There were no copies provided from the Town of Newton after an OPRA request dated 6/19/19. - DOCUMENTS PROVIDED BY BOARD ENGINEER ARE ATTACHED
14. Soil Erosion /Sediment Control is not required.
15. There are no NJDOT/NJDEP applications required.
28. Tax Assessor is closed until December 26, 2019.
42. No construction proposed at this time.
43. No construction proposed at this time.
52. No driveway at this time. SIGHT DISTANCE WAS FIELD CHECKED AND NOTE ADDED TO PLAN
54. No easements.
70. No Wetlands.
71. Tax Assessor is closed until December 26, 2019.
74. No building proposed.
75. No solid waste, curbside pick-up is provided.
76. No construction. Residential zone.
80. No Zoning Order documents.

Variance:

1. Use variance: intensification of an existing non-conforming use. See attached narrative. A D-5 VARIANCE HAS ALSO BEEN REQUESTED

PHOTO 2



PHOTO 1



APPLICATION CHECKLIST  
TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY

Applicant's Name & Address: Newton Commons  
 Tax Block(s) 12.01  
 Adjacent Roads CARRIAGE LANE  
 Present Zoning T-3  
 Proposed Use RESIDENTIAL

Date Received 1  
 Tax Lot(s) 1

COMPLETE	INCOMPLETE	WAIVER	NA	ADMINISTRATIVE	MINOR SUBDIVISION	MINOR SITE PLAN	PRELIMINARY SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL SITE PLAN	FINAL MAJOR SUBDIVISION	VARIANCE REQUEST ("C-1")	APPEAL ZONING INTERPRETATION
X				1. Application Form Original plus 5 copies for Completeness/Technical Review Committee Once deemed complete: Original Plus (19 Copies)	X	X	X	X	X	X	X	X
X				2. Fees and Escrow Deposits	X	X	X	X	X	X	X	X
		X		3. Certification of Taxes, Liens, Assessments Paid <b>PROPERTY IS TAX EXEMPT</b>	X	X	X	X	X	X	X	X
X				4. Tax Map Maintenance Update Fee	X					X		X
X				5. One original plus five copies of Proposed Plan for Completeness Review/ Twenty (20) Copies of Proposed Plan Once Deemed Complete	X	X	X	X	X	X	X	X
X				6. Affidavit of Ownership/Authorization Form	X	X	X	X	X	X	X	X
X				7. Site Inspection Authorization	X	X	X	X	X	X	X	X
				8. Compliance with Legal Notice Requirements a. Proof of Publication b. Affidavit of Service			X	X	X	X	X	X
				9. Corporation or Partnership Form	X	X	X	X	X	X	X	X
X				10. Listing of All Variances, Design Standards and Checklist Waivers and Justification	X	X	X	X	X	X	X	X
X				11. Copies of All Prior Resolutions Pertaining to this Property	X	X	X	X	X	X	X	X
X				12. Two Recent Photographs of the Property	X	X	X	X	X	X	X	X
X				13. Copy of Sussex County Planning Board Application	X	X	X	X	X	X	X	X
		X		14. Copy of Soil Erosion/Sediment Control Application		X	X	X	X	X	X	X
		X		15. Copy of NJDOT/NJDEP Applications	X	X	X	X	X	X	X	X
COMPLETE	INCOMPLETE	WAIVER	NA	PLANS/REPORTS-SPECIFICATIONS	MINOR SUBDIVISION	MINOR SITE PLAN	PRELIMINARY SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL SITE PLAN	FINAL MAJOR SUBDIVISION	VARIANCE REQUEST ("C-1")	APPEAL ZONING INTERPRETATION
X				16. Plan Clearly and Legibly Drawn or Reproduced at a Scale not Smaller Than 1 Inch Equals 50 Feet	X	X	X	X	X	X	X	X
X				17. Sheet Size: 24" x 36"	X	X	X	X	X	X	X	X
X				18. Name, Address, License Number of Plan Preparer, Signature, Original Raised Seal	X	X	X	X	X	X	X	X
X				19. Title Block	X	X	X	X	X	X	X	X
X				20. Record Owner(s) Name and Address	X	X	X	X	X	X	X	X
X				21. Applicant's Name, Address, Phone Number, Fax Number and Email	X	X	X	X	X	X	X	X

COMPLETE	INCOMPLETE	WAIVER	NA	PLANS/REPORTS/SPECIFICATIONS	MINOR SUBDIVISION	MINOR SITE PLAN	PRELIMINARY SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL SITE PLAN	FINAL MAJOR SUBDIVISION	VARIANCE REQUEST ("C" & "D")	APPEAL ZONING INTERPRETATION
X				22. Name of Project, if any	X	X	X	X	X	X	X	X
X				23. Date of Map Preparation and Each Subsequent Revision	X	X	X	X	X	X	X	X
X				24. Zoning District of Parcel and Surrounding Lands	X	X	X	X	X	X	X	X
X				25. Zoning Chart Listing Existing/Proposed Requirements for Area, Setbacks, Lot Coverage Height, Density, Parking	X	X	X	X	X	X	X	X
			X	26. Proposed Developer's Agreement					X	X		
X				27. Existing Structures within 200 Feet (200') and Distance to Property Line	X	X	X	X	X	X	X	X
X				28. Obtain Each Block and Lot Numbered in Conformity with the Municipal Tax Map as Determined by the Municipal Tax Assessor and Obtain Street Address from the 911 Coordinators	X	X	X	X	X	X	X	X
X				29. Scale of Map, Both Written and Graphic	X	X	X	X	X	X	X	X
X				30. North Arrow Giving Reference Meridian	X	X	X	X	X	X	X	X
X				31. Properties within 200 Feet, Lot and Block Number and Owner, Outline of 200 Foot (200') Perimeter, 500 feet for lots over 50 acres in size			X	X	X	X	X	X
X				32. Tax Map Sheet Number	X	X	X	X	X	X	X	X
X				33. Key Map Showing Location of Tract to be Considered in Relation to Surrounding Area, Within 200 feet. Scale not Less Than 1 inch Equals 400 Feet and North Arrow.	X	X	X	X	X	X	X	X
X				34. Area of Eulke Tract	X	X	X	X	X	X	X	X
X				35. Meas and Bounds of Proposed Lot(s)	X			X		X	X	X
X				36. Area and Frontage of Proposed Lot(s)	X			X		X	X	X
X				37. Area/Frontage of Remaining Tract	X			X		X	X	X
X				38. Property Lines to the Nearest Hundredth	X			X		X	X	X
X				39. Bearings to the Nearest Second	X			X		X	X	X
X				40. Lot Acreage to the Nearest Hundredth	X	X	X	X	X	X	X	X
X				41. Building Envelopes	X	X	X	X	X	X	X	X
		X		42. Location of Existing Railroads, Bridges, Culverts, Drainage Pipe, Water and Sewer, Utility Poles & Underground Utilities	X	X	X	X	X	X	X	X
		X		43. Natural Features Including Existing Vegetation, Wet Areas, Watercourse, Flood Plain Limit, Rock Outcroppings	X		X	X	X	X	X	X
		X		44. Open Space, Buffer Zone, Recreation Areas, Municipal and Public Areas and Lands to be Conveyed to the Town If Applicable			X	X	X	X	X	
		X		45. Plan and Profiles of Road Locations, Type, Size, Width of Right-of-Way, Paving Materials, Edge of Pavement, Curbs, Sidewalks, Catch Basins, Drainage Structures, All Utilities, Right-of-Way Easements, Existing Buildings or Other Structures. Profile Shall be at a Scale of 1 inch Equals 5 Feet Vertical, 1 inch Equals 50 Feet Horizontal.			X	X	X	X	X	
		X		46. Road Cross Sections Every Fifty Feet (50') Along Centerline at a Scale of 1 inch Equals 5 Feet Horizontal and			X	X	X	X	X	

COMPLETE	INCOMPLETE	WAIVER	NA	PLANS/REPORTS-SPECIFICATIONS	MINOR SUBDIVISION	MINOR SITE PLAN	PRELIMINARY SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL SITE PLAN	FINAL MAJOR SUBDIVISION	VARIANCE REQUEST ("C" & "D")	APPEAL ZONING INTERPRETATION
				Vertical								
			X	47. Existing and Proposed Contours at Five Foot (5') Intervals for Slopes Fifteen Percent (15%) or Greater, Two Foot (2') Intervals for Lesser Slopes			X	X	X	X		
			X	48. Earthwork Summary			X	X				
			X	49. Cut and Fill Limits			X	X	X	X		
			X	50. Location of Proposed Drainage Structures, Curbs, Swales, Berms, Guide Rails, Edge of Pavement, Sidewalks			X	X	X	X		
			X	51. Construction Details for Drainage Structures, Curb, Guide Rail, Pavement Design, Sidewalks, Utilities			X	X	X	X		
			X	52. Existing/Proposed Driveway Locations with Sight Distance Profiles	X	X	X	X	X	X		
			X	53. Road Locations, Names, Width of Right-of-Way and Copy of Approval of Street Name	X	X	X	X	X	X	X	X
			X	54. Sight Triangle, Drainage, Utility, Driveway and Other Easements	X	X	X	X	X	X	X	
			X	55. Provisions for Certification and Approvals	X	X	X	X	X	X	X	
			X	56. Letter Itemizing All Elements Covered Under Performance Bond			X	X	X	X		
			X	57. Letter of Approval and Certification from Town Engineer			X	X	X	X		
			X	58. Letter Certifying Conformance to Preliminary Plan by Applicant's Engineer			X	X	X	X		
			X	59. Compliance with All Aspects of NJ Map Filing Law						X		
			X	60. Soil Erosion Plan and Details		X	X	X				
			X	61. Fire Protection Details Include Number of Proposed Units, Available Water Supply, Water Main Size, Flow, Hydrant Location; Approval from Fire Marshal for Same.			X	X	X			
			X	62. Letter from Town Water and Sewer Utility Stating Capacity to Serve Development			X	X	X	X		
			X	63. Cluster Development Option Data				X				
			X	64. Environmental Impact Statement			X	X				
			X	65. Landscape Plan with Types, Quantity Size and Location of Plantings, Scientific and Common Names.			X	X				
			X	66. Lighting Plan, Including Fixture and Footing Details, Wattage, Height, Isolux Patterns			X	X				
			X	67. Drainage Plan Including Runoff Calculations for Fifty (50) Year Storm Frequency and a Map Showing Drainage Area Per Stormwater Management Requirements			X	X				
			X	68. Storm Drainage Facilities Improvements Designed for One Hundred (100) Year Flood Capacity Per Stormwater Management Requirements or as Recommended by Town Engineer			X	X				
			X	69. Copies of Stream Encroachment Permit Applications, if Applicable			X	X				
			X	70. NDEP Letter of Interpretation Regarding the Presence/Absence of Wetlands on Property and Within 150'. If Wetlands are Present, Line Verified by NDEP and Transition Area Established, NDEP Reference Number on Plan. For Minors Only a Delination is Needed and an Absence/Presence Letter to Determine Buffer Width.	X	X	X	X	X	X	X	X
			X	71. Written Confirmation from Tax Assessor that Proposed Lot Numbers are Acceptable	X			X			X	



**Town of Newton**  
**39 Trinity Street**  
**Newton, NJ 07860**

Scott J. Holzhauer, CTA  
Tax Assessor

Phone: (973) 383-3521 x234  
Fax: (973) 383-8961  
Email: [assessor@newtontownhall.com](mailto:assessor@newtontownhall.com)

**Dykstra Associates, PC**  
**11 Lawrence Rd**  
**Newton, NJ 07860**

**September 26, 2019**

**RE: Certified List of Property Owners @ 200-ft. (Cama List #635)**  
**Property Owner:** NEWTON COMMONS CONDO ASSOC, INC  
**Property Location:** CARRIAGE LANE  
**Block / Lot(s) ID:** 12.09 / 1

Dear Applicant:

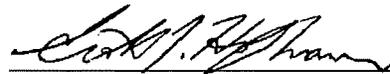
Attached please find a complete list of all property owners in the Town of Newton (Sussex County) that appear to be situated within 200-feet of the above referenced parcel(s). This information is certified as that which appears in the Town of Newton Tax Book, including any ownership changes that have been recently received in the form of new deeds.

The initial printout titled "Owner & Address Report" takes data directly from the Mod IV file in the Assessor's computer. The properties provided on the list were determined by taking scaled offsets from the subject property as identified on the most recent Tax Map for the municipality. The attached "Addendum" includes any other entities that require notification in accordance with the provisions of the M.L.U.L. and pursuant to Subsection (h) of N.J.S.A. 40:55D-12 (agencies that have registered to receive notice with regard to Planning and/or Zoning applications).

If you have any questions, feel free to contact my office.

Sincerely,

Town of Newton



Scott J. Holzhauer, CTA, SCGRE  
Tax Assessor

Attch.

Cc: Planning Board/Board of Adjustment

**(LIST CERTIFIED FOR 90 DAYS FROM DATE OF ISSUE)**

List Date: September 26, 2019

**ADDENDUM**

Pursuant to Subsection (h) of N.J.S.A. 40:55D-12, the following entities marked “**X**” must also be included in the 200-ft notification for the subject property in question:

INCLUDE	ROADS/ ASSOCIATIONS / UTILITIES	ADDRESS / CONTACT INFO
X	State Highways: <ul style="list-style-type: none"> <li>• Route 206</li> </ul>	State of NJ – DOT 1035 Parkway Ave CN 600 Trenton, NJ 08625 ----- NJDOT Permit Section 200 Stierli Court Mt. Arlington, NJ 07856
X	County Roads: <ul style="list-style-type: none"> <li>• All County Roads</li> </ul>	Sussex County Planning Board Administration Building One Spring St Newton, NJ 07860
	Railroads: <ul style="list-style-type: none"> <li>•</li> </ul>	
	Associations: <ul style="list-style-type: none"> <li>•</li> </ul>	None known or specified
X	Utilities Companies: <ul style="list-style-type: none"> <li>• NJ Bell Telephone</li> </ul>	NJ Bell Telephone Co. 540 Broad St Newark, NJ 07101
X	<ul style="list-style-type: none"> <li>• United Telephone</li> </ul>	United Telephone Co. c/o Embarq 5454 West 110 <sup>th</sup> St Overland Park, KS 66207
	Adjacent Municipalities: <ul style="list-style-type: none"> <li>•</li> </ul>	Subject is within 200-ft of adjacent municipality. You must obtain a list of additional Property Owners from them.

OWNER & ADDRESS REPORT

NEWTON

FROM SUBJECT PROPERTY 12.09 / 1

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BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
11.01	4		15D	BRISTOL GLEN, INC 3311 HIGHWAY 33 NEPTUNE, NJ 07753	200 BRISTOL GLEN DR	
11.01	5		15D	FIRST UNITED METHODIST CHURCH 111 RYERSON AVE NEWTON, NJ 07860	111 RYERSON AVE	
11.01	8		2	BALDINI, LUIGI & MARGARET ANNE 10 BARRY LN NEWTON, NJ 07860	10 BARRY LN	
11.01	9		2	BRUCATO, MELISSA 12 BARRY LN NEWTON, NJ 07860	12 BARRY LN	
11.01	10		15E	ST JOSEPHS CATHOLIC CEMETERY 17 ELM ST NEWTON, NJ 07860	150 WOODSIDE AVE	
12.01	1		1	NEWTON COMMONS CONDO ASSOC, INC 200 VALLEY ROAD, SUITE 203 MOUNT ARLINGTON, NJ 07856	CARRIAGE LN	
12.02	1	C0015	2	WILLIAMS, BENJAMIN J 15 CARRIAGE LN NEWTON, NJ 07860	15 CARRIAGE LN	
12.02	2	C0017	2	CAMP, RICHARD A & LAURA J 17 CARRIAGE LN NEWTON, NJ 07860	17 CARRIAGE LN	
12.02	3	C0019	2	MILLIKEN, KAITLYN J ET AL 19 CARRIAGE LN NEWTON, NJ 07860	19 CARRIAGE LN	
12.02	4	C0021	2	MELICK, WILLIAM 21 CARRIAGE LN NEWTON, NJ 07860	21 CARRIAGE LN	
12.03	1	C0039	2	CLOUTIER, ANDRE H 39 CARRIAGE LN NEWTON, NJ 07860	39 CARRIAGE LN	
12.03	2	C0041	2	GALE, JAMES 41 CARRIAGE LN NEWTON, NJ 07860	41 CARRIAGE LN	
12.03	3	C0043	2	SHARPE, NICOLE 43 CARRIAGE LN NEWTON, NJ 07860	43 CARRIAGE LN	
12.03	4	C0045	2	EIS, THEODORE & GERALDINE 45 CARRIAGE LN NEWTON, NJ 07860	45 CARRIAGE LN	
12.03	5	C0047	2	FULLER, ELAINE 47 CARRIAGE LN NEWTON, NJ 07860	47 CARRIAGE LN	
12.07	1	C0073	2	MALLAN, EDWINA 73 CARRIAGE LN NEWTON, NJ 07860	73 CARRIAGE LN	
12.07	2	C0075	2	GREEN, LOIS 75 CARRIAGE LN NEWTON, NJ 07860	75 CARRIAGE LN	
12.07	3	C0077	2	DUGAN, JAMES C & MAUREEN H 77 CARRIAGE LN NEWTON, NJ 07860	77 CARRIAGE LN	
12.07	4	C0079	2	MONTELEONE, CRAIG P & CHERYL A 79 CARRIAGE LN NEWTON, NJ 07860	79 CARRIAGE LN	

OWNER & ADDRESS REPORT

NEWTON

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FROM SUBJECT PROPERTY 12.09 / 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
12.07	5	C0081	2	HAHN, RICHARD M ET AL 8 DICKERSON RD AUGUSTA, NJ 07822	81 CARRIAGE LN	
12.07	6	C0083	2	SIDDIQUI, IMTIAZ & NAFEESA 252 WASHINGTON VALLEY RD RANDOLPH, NJ 07869	83 CARRIAGE LN	
12.07	7	C0085	2	GORDON, APRIL 85 CARRIAGE LN NEWTON, NJ 07860	85 CARRIAGE LN	
12.07	8	C0087	2	COOK, JANET B & HUISKING, ROBIN 87 CARRIAGE LN NEWTON, NJ 07860	87 CARRIAGE LN	
12.08	1	C0129	2	TRIPP, JACK & RENAY 129 CARRIAGE LN NEWTON, NJ 07860	129 CARRIAGE LN	
12.08	2	C0127	2	PASCULLI, CATHERINE B 127 CARRIAGE LN NEWTON, NJ 07860	127 CARRIAGE LN	
12.08	3	C0125	2	DIMATTEO, ANASTASIO & DEBORRAH 125 CARRIAGE LN NEWTON, NJ 07860	125 CARRIAGE LN	
12.08	4	C0123	2	DELUCA, VINCENT & GINA C/O VOGT 123 CARRIAGE LN NEWTON, NJ 07860	123 CARRIAGE LN	
12.08	5	C0121	2	SALUJA, MANINDER S 47 GRAPHIC BLVD SPARTA, NJ 07871	121 CARRIAGE LN	
12.08	6	C0119	2	FERRONE, THOMAS & CLAUDIA 119 CARRIAGE LN NEWTON, NJ 07860	119 CARRIAGE LN	
12.08	7	C0117	2	RAMSEY, ROGER G & LOIS 117 CARRIAGE LN NEWTON, NJ 07860	117 CARRIAGE LN	
12.08	8	C0115	2	SIDDIQUI, IMTIAZUDDIN M ET AL 252 WASHINGTON VALLEY RD RANDOLPH, NJ 07869	115 CARRIAGE LN	
12.09	1		1	NEWTON COMMONS CONDO ASSOC, INC 200 VALLEY ROAD, SUITE 203 MOUNT ARLINGTON, NJ 07856	CARRIAGE LN	
12.10	1	C0020	2	ZALESKI, JOSEPH C & JOSEPHINE M 20 CARRIAGE LN NEWTON, NJ 07860	20 CARRIAGE LN	
12.10	2	C0018	2	LEYDEN, YVONNE M 18 CARRIAGE LN NEWTON, NJ 07860	18 CARRIAGE LN	
12.10	3	C0016	2	ROMAN, CLAUDIA A 16 CARRIAGE LN NEWTON, NJ 07860	16 CARRIAGE LN	
12.10	4	C0014	2	QUINN, TERRANCE & KATHLEEN 19 RUNNING HILLS DR NEWTON, NJ 07860	14 CARRIAGE LN	
12.11	1	C0022	2	PERAGINO, DIANA 27 FOSTER ST NEWTON, NJ 07860	22 CARRIAGE LN	
12.11	2	C0024	2	PORTER, WILLIAM W & CATHERINE A 1 MANOR DR NEWTON, NJ 07860	24 CARRIAGE LN	

OWNER & ADDRESS REPORT

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FROM SUBJECT PROPERTY 12.09 / 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
12.11	3	C0026	2	NELSON, KAREN A 26 CARRIAGE LN NEWTON, NJ 07860	26 CARRIAGE LN	
12.11	4	C0028	2	BROESLER, GLEN E & JESSICA 28 CARRIAGE LN NEWTON, NJ 07860	28 CARRIAGE LN	
12.11	5	C0030	2	SPINA, DENISE 30 CARRIAGE LN NEWTON, NJ 07860	30 CARRIAGE LN	
12.11	6	C0032	2	LITTLE, IRENE F 32 CARRIAGE LN NEWTON, NJ 07860	32 CARRIAGE LN	
12.12	1	C0034	2	MINTER, MARGARET C 34 CARRIAGE LN NEWTON, NJ 07860	34 CARRIAGE LN	
12.12	2	C0036	2	PASSAFARO, ERICA 36 CARRIAGE LN NEWTON, NJ 07860	36 CARRIAGE LN	
12.12	3	C0038	2	WILLIAMS, JAMES J 38 CARRIAGE LN NEWTON, NJ 07860	38 CARRIAGE LN	
12.12	4	C0040	2	US BANK TRUST C/O RESICAP 3630 PEACHTREE RD NE, 1500 ATLANTA, GA 30326	40 CARRIAGE LN	
12.12	5	C0042	2	SIDDIQUI, IMTIAZUDDIN & NAFESSA 252 WASHINGTON VALLEY RD RANDOLPH, NJ 07869	42 CARRIAGE LN	
12.12	6	C0044	2	KOMSA, LEON & REBECCA 44 CARRIAGE LN NEWTON, NJ 07860	44 CARRIAGE LN	
12.13	1	C0072	2	SIDNAM, DOROTHY A 72 CARRIAGE LN NEWTON, NJ 07860	72 CARRIAGE LN	
12.13	2	C0074	2	SALMON, GREGORY J 31 DRY RD BLAIRSTOWN, NJ 07825	74 CARRIAGE LN	
12.13	3	C0076	2	YANKO, DENISE C/O 76 CARRIAGE LN NEWTON, NJ 07860	76 CARRIAGE LN	
12.13	4	C0078	2	ROFF, ROBERT J & DAWN R 78 CARRIAGE LN NEWTON, NJ 07860	78 CARRIAGE LN	
12.13	5	C0080	2	QUINN, CHRISTOPHER D & PATRICK L 80 CARRIAGE LN NEWTON, NJ 07860	80 CARRIAGE LN	
12.13	6	C0082	2	RIVERA, JAMES & LISETTE 82 CARRIAGE LN NEWTON, NJ 07860	82 CARRIAGE LN	
12.13	7	C0084	2	PANDISCIA, MARY ANN 84 CARRIAGE LN NEWTON, NJ 07860	84 CARRIAGE LN	
12.14	1	C0088	2	PERRY, NICOLE & KEVIN W 88 CARRIAGE LN NEWTON, NJ 07860	88 CARRIAGE LN	
12.14	2	C0090	2	RESKOVAC, WENDY L 90 CARRIAGE LN NEWTON, NJ 07860	90 CARRIAGE LN	

OWNER & ADDRESS REPORT

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FROM SUBJECT PROPERTY 12.09 / 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
12.14	3	C0092	2	WALTERS, CLARA E 92 CARRIAGE LN NEWTON, NJ 07860	92 CARRIAGE LN	
12.14	4	C0094	2	ALGER, THOMAS B 94 CARRIAGE LN NEWTON, NJ 07860	94 CARRIAGE LN	
12.15	1	C0096	2	HONTZ, JACK J & ELIZABETH J 200 BRISTOL GLEN DR #309 NEWTON, NJ 07860	96 CARRIAGE LN	
12.15	2	C0098	2	GARCIA, JAIME & AURELIA 98 CARRIAGE LN NEWTON, NJ 07860	98 CARRIAGE LN	
12.15	3	C0100	2	DANDERLINE, RICHARD & RUDDER, HOPE 18 SUTHERLAND RD MONTCLAIR, NJ 07043	100 CARRIAGE LN	
12.15	4	C0102	2	SIDDIQUI, MAAZ & NAFEESA 252 WASHINGTON VALLEY RD RANDOLPH, NJ 07869	102 CARRIAGE LN	
12.16	1	C0104	2	SMALLEY, JOHN & BARBARA 104 CARRIAGE LN NEWTON, NJ 07860	104 CARRIAGE LN	
12.16	2	C0106	2	UNDERWOOD, ROBERT 106 CARRIAGE LN NEWTON, NJ 07860	106 CARRIAGE LN	
12.16	3	C0108	2	GENTILE, JOSEPH & PATRICIA 108 CARRIAGE LN NEWTON, NJ 07860	108 CARRIAGE LN	
12.16	4	C0110	2	BROOKS, ROBERT M & YVONNE R 110 CARRIAGE LN NEWTON, NJ 07860	110 CARRIAGE LN	
12.16	5	C0112	2	SIDDIQUI, IMTIAZUDDIN & NAFEESA 252 WASHINGTON VALLEY RD RANDOLPH, NJ 07869	112 CARRIAGE LN	
12.16	6	C0114	2	FORTINI, DANTE V 114 CARRIAGE LN NEWTON, NJ 07860	114 CARRIAGE LN	
13.07	1		2	CIPRIANO, JAMES 23 RIDGEWOOD AVE NEWTON, NJ 07860	23 RIDGEWOOD AVE	
13.07	2		2	PIERSON, DENNIS & DIANNE 19 RIDGEWOOD AVE NEWTON, NJ 07860	19 RIDGEWOOD AVE	
13.07	19		3A	BRYCE, PATRICIA A 110 WOODSIDE AVE NEWTON, NJ 07860	110 WOODSIDE AVE	
13.07	19	QFARM	3B	BRYCE, PATRICIA A 110 WOODSIDE AVE NEWTON, NJ 07860	110 WOODSIDE AVE	
13.07	20		2	EMPIRE TF6 JERSEY HOLDINGS, LLC 57 WEST 38TH ST., 9TH FL. NEW YORK, NY 10018	120 WOODSIDE AVE	
13.07	21		4A	136 WOODSIDE, LLC 136 WOODSIDE AVE NEWTON, NJ 07860	136 WOODSIDE AVE	
13.08	1		2	CASSIDY, MARIA P 75 PLAINFIELD AVE NEWTON, NJ 07860	75 PLAINFIELD AVE	

OWNER & ADDRESS REPORT

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FROM SUBJECT PROPERTY 12.09 / 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
13.10	1		2	COYLE, JEAN 128 CARRIAGE LN NEWTON, NJ 07860	128 CARRIAGE LN	
13.10	2		2	SCHWARTZ, JOHN S & RITA 800 RIVERSIDE DR. APT 4-I NEW YORK, NY 10032	57 FAIRVIEW AVE	
13.10	3		2	SYPNIEWSKI, THEODORE D & SUSAN E 53 PLAINFIELD AVE NEWTON, NJ 07860	53 PLAINFIELD AVE	
13.10	4		2	WILEY, CAROLE F 51 PLAINFIELD AVE NEWTON, NJ 07860	51 PLAINFIELD AVE	
13.10	5		2	BROESLER, JOSEPH P & LINDA L 47 PLAINFIELD AVE NEWTON, NJ 07860	47 PLAINFIELD AVE	
13.10	6		2	RUDIO, HARRY & DIANA 41 PLAINFIELD AVE NEWTON, NJ 07860	41 PLAINFIELD AVE	
13.10	7		2	GARRIS, JUSTIN C & COURTNEY L 39 PLAINFIELD AVE. NEWTON, NJ 07860	39 PLAINFIELD AVE	
13.10	8		2	NANNERY, WILLIAM J & DEBBIE A 33 PLAINFIELD AVE NEWTON, NJ 07860	33 PLAINFIELD AVE	
13.10	19		2	HENEGAN, DEBORAH E 16 RIDGEWOOD AVE NEWTON, NJ 07860	16 RIDGEWOOD AVE	
13.10	20		2	STRELZIK, ALAN & MAUREEN 20 RIDGEWOOD AVE NEWTON, NJ 07860	20 RIDGEWOOD AVE	
13.10	21		2	MULDOON, EDWARD III & ANDO, PATRICI 22 RIDGEWOOD AVE NEWTON, NJ 07860	22 RIDGEWOOD AVE	



Per Checklist Number 11: Prior resolutions pertaining to the property

- Resolution for Preliminary Approval for Major Site Plan June 30 1980
- Review letter from Harold Pellow, P.E. April 29, 1980
- Review letter from Harold Pellow, P.E. June 3, 1980
- Ordinance to Vacate Portion of Condit Street Date stamp illegible (1981?)
- Resolution for Final Approval of Major Site Plan June 2, 1981
- Developer's Agreement May 27, 1981
- Reduced copy of Site Plan Set

Note: there is no Final Site Plan filed with the Clerk or on record.

RESOLUTION GRANTING PRELIMINARY APPROVAL  
OF MAJOR SITE PLAN TO CHARLES REID AND  
MICHAEL MONTALBANO OF "REIDMONT, A TOWN-  
HOUSE DEVELOPMENT"

WHEREAS, application has been made to this Board by Charles Reid and Michael Montalbano for approval of a townhouse project known as "Reidmont, a Townhouse Development situated in the Town of Newton, Sussex County, New Jersey " shown on plans prepared by Ganger, Schoor and Cassera, Inc. consisting of 76 townhouse units located on premises containing 14.7 acres located on premises designated as Block 1012 Lot 1A; Block 1001 Lot 7; Block 1002 Lot 25; Block 1007 Lot 4; Block 1007 Lot 24 and Block 502 Lot 5A - 21 on the Tax Map of the Town of Newton located in the R-TH Residential Townhouse District, and

WHEREAS, a special public hearing was held on this application on June 30, 1980, and

WHEREAS, the applicant appeared by Gary S. Stein, Esq. of Stein & Kurland, Esqs., Paramus, New Jersey, and

WHEREAS, the application and site plan submitted by applicant have been reviewed by this Board and by the Board's planning consultants and appears to meet all requirements of Rev. Gen. Ords. Section 20-10A applicable to the R-TH Residential District except as hereinafter referred to,

Now therefore, based upon the Board's review of the submissions of applicant and the testimony, exhibits and correspondence submitted by applicant and others, it is

RESOLVED by the Planning Board of the Town of Newton to grant preliminary approval to the major site plan of Charles Reid and Michael Montalbano for the development known as "Reidmont, a Townhouse Development" subject to the following express conditions:

1. Submission of revised site plan to show compliance with Revised General Ordinances Section 20-10A.10 relating

to the requirement that at least 10% of the parcel area must be developed for active or passive recreational use as therein defined.

2. Obtaining of a variance from the provisions of Revised General Ordinances Section 20-10A.9 as to any structure containing less than 4 townhouses.

3. Submission and approval of all condominium documents including specifically the master deed, by-laws of property owner's association and facility license agreement, if any.

4. Proof of submission to the Department of Community Affairs pursuant to the Planned Real Estate Development Full Disclosure Act and filing with this Board of a copy of the proposed Public Offering Statement.

5. Payment of all real estate taxes now due and owing.

It should be understood that preliminary site plan approval does not authorize issuance of any building permits, but developer may proceed to install improvements for which no construction permit is required as soon as a developer's agreement has been entered into with the Town and Planning Board.

BE IT FURTHER RESOLVED, that in order to provide an orderly procedure for final approval or approvals, the following requirements shall be met at the time of submission of the final site plan for the development or any section thereof:

1. Execution of a developer's agreement with the Planning Board and Town Council, setting forth the developer's undertakings with respect to the installation and maintenance of (1) street lighting, (2) water mains and service connections, (3) sewer mains and service connections, (4) required drainage structures, (5) fire hydrants, and (6) any other required improvements or undertakings. Said developer's agreement shall specify the time within which construction shall be completed and shall

require that prior to the issuance of any certificates of occupancy all water and sewer mains, drainage structures and street improvements, exclusive of top wearing course, shall be completed.

2. Preparation and submission to the Planning Board of proposed ordinances to vacate all previously dedicated public streets and public areas not now required for public use.

3. If applicant proposes to develop in separate condominium sections, a dedication map must be filed in the Sussex County Clerk's Office dedicating all open space and common elements to the owners of all proposed townhouse units.

4. Applicant shall obtain from the Town Engineer the required amount of performance guarantees, and final approval shall be made subject to posting such guarantees.

5. Submission of a letter from the Town Council that permits authorizing the use of the municipal sewer system will be forthcoming; otherwise final approval will be conditioned thereon.

# HAROLD E. PELLOW & ASSOCIATES INC.

CONSULTING ENGINEERS

R.D. #1, BOX 20 • AUGUSTA, NEW JERSEY 07822 • 201-948-6463

April 29, 1980

MEMORANDUM TO: Newton Planning Board

FROM: Harold E. Pellow, Town Engineer

SUBJECT: Reidmont Site Plan Located At Plainfield Avenue

Gentlemen:

I have reviewed the Reidmont Site Plan and make the following comments and recommendations:

1. The proposed project is a permitted use in the Residential Townhouse Zone.
2. The 76 units represents 5.2 units per acre which is less than the 7 units per acre permitted in the zone. There are two duplex structures proposed which would require variances from the provisions of Section 20-10A.9 of the Ordinance which requires not less than 4 units per structure.
3. The building coverage is approximately 10 percent which is half of the 20 percent permitted. The total impervious area is equal to roughly 26 percent of the tract.
4. A 30 foot buffer is required along all zone boundary lines. The buffer strip has not been provided along the northwesterly property line and the northerly property line. The existing homes fronting on Plainfield Avenue and Ridgewood Avenue will not be buffered from the project because proposed storm drains, sewer lines and a part of the road within the buffer strip will require clearing of the existing woods. The easterly property line is buffered by the 40 to 60 foot cliff existing along the property line. However, a fence should be required along the easterly property line in order to isolate the project from this hazardous area. A fence should also be provided around the detention basin.

5. The "Drainage Area Plan" is acceptable. I had minor differences in the various drainage areas because I assumed half of each roof slopes toward the front and rear due to gable roofs. This minor variation does not significantly alter the total runoff calculation and therefore is acceptable. The storm drainage proposed in the street and the yard drains are adequate to handle the runoff.
6. A detention basin is proposed to reduce the excess storm water runoff. The calculated existing runoff toward Ridgewood Avenue is too high. I do not concur with the 5.36 c.f.s. calculated as flowing from the site toward West Nelson Street. The existing storm drainage below Ridgewood Avenue is considered inadequate. The applicant should submit calculations to confirm that the proposed runoff from the detention basin will not intensify the problems in the existing storm drainage system. The County Engineers office has indicated that they will require additional information on this project. Flood routing calculations for the basin should be provided for the sediment basin configuration (8 inch corrugate metal pipe) and the final detention basin configuration (15 inch R.C.P. outlet pipe)
7. The vertical alignment of the proposed road is acceptable. However, the horizontal alignment includes a curve with a centerline radius of only 35 feet which is not acceptable. Section 19-8.2 of the Subdivision Ordinance requires a minimum centerline radius of 100 feet. All the other horizontal curves on the proposed road have the minimum 100 foot radii.
8. The buildings conform to yard setback requirements. Approximately 50 percent of the tract is either undisturbed or landscaped as required by the ordinance. However, 10% of the open area or 32,000 square feet has not been used to provide recreation facilities as required.
9. I recommend that the board require either a park or 2 tennis courts to satisfy the required 32,000 square feet of recreational area. Attached is a marked up print which shows a modified street layout and tennis courts. This modification would result in the loss of eight (8) units. The 35 foot radius curve has been eliminated by this modification.
10. A street lighting plan should be provided.
11. Solid waste storage areas should be provided.

12. Mail service for the development may require central delivery points throughout the complex. The Post Master should be consulted regarding his requirements and if central mail units are required they should be shown on the plan so that sidewalk and landscaping needs can be determined.
13. Construction details shown on sheet 8 of 13 are acceptable.
14. The cross sections do not reflect the proposed site grading or driveways shown on the plan. Curb, depressed curb, inlets, storm drains, sewers, sidewalks, topsoil, seed and mulch should all be shown on the cross sections. Cross sections at existing driveways should also be shown. The grading proposed along Lot 5A-11 would necessitate removal of the existing fence which is located in the right of way. This removal should be avoided if possible. Quantities of cut and fill should be shown.
15. OK The concrete sidewalk should be continuous along the road. The plan indicates that in driveway areas the sidewalk area is blacktop. Sidewalks within the driveway areas should be 8 inches thick and a concrete apron should extend to the curb.
16. The right of ways for Ridgewood Avenue, Fairview Street and Condit Street must be vacated by ordinance.
17. The project must be approved by the Utility Board. It is anticipated that the project would house at least 202 residents based on the following demographic statistics:

Type of Unit	Number Of Units	Average No. Of Residents Per Unit	Total Residents
1 Bedroom Unit	16	1.9	30
2 Bedroom Unit	57	2.81	160
3 Bedroom Unit	3	4.0	12
	<u>76</u>		<u>202</u>

Very truly yours,

*Harold E. Pellow*

Harold E. Pellow  
Town Engineer

HEP:mrh

cc: Wm. Bene, Building Official

*all 2 bedroom units*

# HAROLD E. PELLOW & ASSOCIATES INC.

CONSULTING ENGINEERS

===== R.D. #1, BOX 2D • AUGUSTA, NEW JERSEY 07922 • 201-948-6463 =====

June 3, 1980

MEMORANDUM TO: Newton Planning Board

FROM: Harold E. Pellow, Town Engineer

SUBJECT: Reidmont Site Plan Located At Plainfield Avenue  
Revised Plans Dated May 23, 1980

Gentlemen:

I have reviewed the revised plans for the Reidmont Site Plan and make the following comments and recommendations:

1. The 30 foot buffer strip has been provided along three sides of the project. A fence is shown along the easterly property line to isolate the cliff area. The fence does not provide isolation for the units in the vicinity of Lot 6, Block 1007.
2. The flood route calculations have been provided for the proposed detention basin and are acceptable. In our report dated April 29, 1980 a fence was recommended around the basin. The applicant has indicated that if a fence is required the slopes of the basin would be revised to 2:1. The proposed 4:1 slopes and the resulting excess volume provided in the basin is preferred.
3. The cross sections are acceptable. The applicants engineer will provide a cross section for the driveways on Lots 5A-10 and 5A-11 when the field layout is done for construction. A condition of approval should be the submittal and approval of the additional cross sections for the existing driveways located on Barry Lane.

- ④ The 10 percent of the open space for recreation facilities has not been provided as required by ordinance.
5. The reference in last months minutes to concept discussions on road layout and tract density with the Board has no status. The Planning Board is not bound by concept discussions in their review of a preliminary site plan.
6. The sidewalk has been revised to show concrete at the driveways.
- ⑦ The applicants attorney and engineer should prepare the required ordinances for vacating the rights of way as shown on sheet 2 of 14. The approval should be conditioned on the vacating of the rights of way by the Town Council.
8. The County Planning Board has approved the site plan but has recommended that the Town of Newton realize that any problems with drainage west of Woodside Avenue will not be upgraded with county cooperation. The proposed detention basin is designed to limit run-off from the site at the present rate and therefore is not expected to worsen the drainage conditions downstream of the site.
- ⑨ Any approval should be subject to soil erosion and sediment control certification by the Soil Conservation District.
- ⑩ The construction of the sewer should be subject to approval by the Utility Board. I recommend that the Sussex County Municipal Utilities Authority be contacted for their approval. A sewage facilities permit from the Department of Environmental Protection is expected to be required. Any approval should be conditioned on receipt of all required state, county and local permits.
- ⑪ The water main specifications and proposed valve locations etc. should be reviewed by the town.
12. The applicant has offered the proposed road to the town. If the town takes over the road it should also take over all utilities including storm drains. Proper easements would have to be prepared and deeded to the town.

Very truly yours



Harold E. Pellow  
Town Engineer

TOWN OF NEWTON  
NEW JERSEY  
ORDINANCE NO.

AN ORDINANCE TO VACATE, RELEASE AND EXTINGUISH THE PUBLIC RIGHT IN AND TO A PORTION OF CONDIT STREET, IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, HERETOFORE DESCRIBED AS A PUBLIC STREET

WHEREAS, heretofore there was dedicated to the public a certain street known as Condit Street, the dimensions, boundary and location of which are more particularly set forth on the Tax Map of the Town of Newton, County of Sussex and State of New Jersey by W. J. Hardin, Town Engineer, 1943; Revised to December 1979 by Harold Pellow & Associates, and

WHEREAS, the dedication of the portion of Condit Street hereinafter described has not been accepted by the Town of Newton either in whole or in part; and

WHEREAS, the Newton Planning Board has given approval and it appears to the Mayor and Council of the Town of Newton and the said Mayor and Council do hereby determine that the public interest will be better served by releasing the hereinafter described portion of Condit Street from the aforesaid dedication;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Newton, County of Sussex and State of New Jersey, that:

Section 1

All that portion of Condit Street, situate, lying and being in the Town of Newton, in the County of Sussex and State of New Jersey, more particularly described as follows:

Beginning at the point of intersection of the southerly line of Plainfield Ave. (50' wide) and the easterly line of Condit St. (50' wide), said point also being the northwesterly corner of Lot 1 Block 1002, as shown on the Tax Assessment maps of the Town

RECEIVED NOV 1 1981

of Newton, Sussex County, N.J., and running; thence, (1) S 40°29'10" E 150.08 feet to a point; thence, (2) S 47°26'50" W 25.02 feet to a point; thence (3) N 40°29'10" W 150.08 feet to a point in the southerly line of Plainfield Ave.; thence, (4) N 47°26'50" E 25.02 feet along the southerly line of Plainfield Ave. to the point or place of beginning, containing 3,752 square feet, more or less;

Beginning at the point of intersection of the southerly line of Plainfield Ave. (50' wide) and the westerly line of Condit St. (50' wide), said point also being the northeasterly corner of Lot 6 Block 1001, as shown on the Tax Assessment maps of the Town of Newton, Sussex County, N.J. and running; thence, (1) N 47°26'50" E 25.01 feet along the southerly line of Plainfield Ave., to a point; thence, (2) S 40°29'10" E 150.08 feet to a point; thence, (3) S 47°26'50" W 25.01 feet to a point; thence, (4) N 40°29'10" W 150.08 feet to the point or place of beginning, containing 3,752 square feet, more or less;

Beginning at the point of intersection of the northerly line of Ridgewood Ave. (40' wide) and the easterly line of Condit St. (50' wide), as shown on the Tax Assessment maps of the Town of Newton, Sussex County, N.J. and running; thence, (1) S 47°26'50" W 50.03 feet to a point; thence, (2) N 40°29'20" W 150.08 feet to a point; thence (3) N 47°26'50" E 50.03 feet to a point; thence, (4) S 40°29'10" E 150.08 feet to the point or place of beginning, containing 7,504 square feet, more or less; and

Beginning at the point of intersection of the southerly line of Ridgewood Ave. (40' wide) and the easterly line of Condit Street (50' wide), as shown on the Tax Assessment maps of the Town of Newton, Sussex County, N.J. and running; thence, (1) S 40°29'10" E 150.00 feet to a point; thence, (2) S 47°26'50" W 50.03 feet to a point; thence, (3) N 40°29'10" W 150.00 feet to a point; thence, (4) N 47°26'50" E 50.03 feet to the point or place of beginning, containing 7,500 square feet, more or less.

be and the same is hereby vacated as a public street or highway and the public right in, over, to and through the hereinabove described portion of said street arising from the aforesaid dedication, be and the same is hereby released, vacated and extinguished.

Section 2

All ordinances or parts of ordinances consistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

Section 3

This ordinance shall take effect upon final publication after final passage is required by law.

Approved:

Mayor

Attest:

Town Clerk

RESOLUTION GRANTING FINAL APPROVAL OF MAJOR SITE PLAN TO CHARLES REID AND MICHAEL MONTALBANO OF "REIDMONT, A TOWNHOUSE DEVELOPMENT"

WHEREAS, on June 30, 1980 preliminary approval of the site plan of "Reidmont, a Townhouse Development" was granted by the Planning Board of the Town of Newton, subject to six conditions set forth therein, and

WHEREAS, it is hereby found and determined that all of said six conditions have been fulfilled, and

WHEREAS, seven other conditions were likewise imposed in said resolution, the first of which was the execution of a developer's agreement with the Planning Board and Town Council, which condition has not as yet been fulfilled, but all other conditions numbered two through seven inclusive have been fulfilled, and

WHEREAS, subsequent to the date of preliminary approval the Town of Newton adopted a Site Plan Review Ordinance, which became Chapter 19A of the Revised General Ordinances of the Town, and in which, in Section 19A-11, it is required that the Planning Board accept, in accordance with the standards adopted in Sections 19-5.3 and 19-7.10 for the purpose of assuring the installation and maintenance of on-tract improvements, a performance guarantee, and

WHEREAS, the sections referred to above require, as a condition of final approval, the construction of certain improvements therein specified prior to final approval and the posting of performance guaranties for other improvements not required to be completed prior to final approval, and

WHEREAS, applicant has requested waiver of the requirement for the construction of improvements prior to final approval by reason of the fact that his preliminary approval was granted prior to the adoption of said ordinance and could be construed as changing the general terms and conditions of the preliminary approval so granted, contrary

to law, and contrary to the specific decision of the Planning Board made at its meeting on June 30, 1980, and

WHEREAS, it is found and determined, based on the testimony submitted by applicant, that a change in this condition of approval would work an undue hardship upon the applicant, it is determined as hereinafter set forth, that a waiver of said provision will be recommended to the Governing Body to be incorporated in the developer's agreement to be executed by the parties, and

WHEREAS, all other requirements for final approval have been met, it is therefore

RESOLVED by the Planning Board of the Town of Newton that the final site plan of "Reidmont, a Townhouse Development" shall be and is hereby approved, subject to the following express condition:

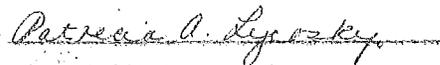
Execution by developer, the Planning Board and Town Council of a developer's agreement containing all provisions set forth in a draft thereof submitted by applicant dated 5/27/81 as well as the following:

1. Waiver by the Town Council of the requirements of the newly enacted site plan review ordinance requiring construction of improvements as a condition to final approval.
2. Requiring that a map shall be filed in the Sussex County Clerk's Office, which shall dedicate to the public the roadway passing through said development and which is an extension of both Barry Lane and Fairview Avenue and of all water and sewer lines and drainage structures not within the right-of-way of said street.
3. Requiring applicant to post the sum of Four Thousand (\$4,000.00) Dollars in escrow to reimburse the Town for the costs of the review of the application and plans and for inspections of improvements as required by ordinance. Any part of the deposit remaining unused upon completion of the project shall be returned to developer and any deficit shall be paid prior to issuance of certificates of occupancy in Stage III of the development.

The undersigned, Secretary of the Town of Newton  
Planning Board, hereby certifies that the above is a true copy  
of a resolution adopted by said Board on the 2nd day of June,  
1981.

  
Herbert E. Watson, Secretary

ATTEST:

  
PATRICIA A. LYCOSKY  
NOTARY PUBLIC, STATE OF NEW JERSEY  
My Commission Expires December 26, 1983

5/27/81

DEVELOPER'S AGREEMENT

THIS AGREEMENT made this                    day of June, 1981, by and between REIDMONT ASSOCIATES, INC., a corporation of the State of New Jersey, having its principal office at E. 106 Ridgewood Avenue, Paramus, New Jersey, hereinafter referred to as the "DEVELOPER" and the PLANNING BOARD OF THE TOWN OF NEWTON, a municipal statutory agency of the State of New Jersey, with offices at the Municipal Building, Trinity Street, Newton, New Jersey, hereinafter referred to as "PLANNING BOARD" and the TOWN COUNCIL OF THE TOWN OF NEWTON, a municipal corporation of the State of New Jersey with offices at the Municipal Building, Trinity Street, Newton, New Jersey, hereinafter referred to as "TOWN COUNCIL"

WITNESSETH:

WHEREAS, the Developer, as successor in interest to Charles Reid and Michael Montalbano, has heretofore submitted to the Planning Board an application for approval of a townhouse project to be known as "Reidmont Village, a Condominium" consisting of seventy-six townhouse units located on premises containing 14.7 acres located in the R-TH residential townhouse district and hereinafter referred to as the "project"; and

WHEREAS, Developer has received preliminary and final site plan approval from the Planning Board, subject to the conditions set forth in the Resolutions of approval; and

WHEREAS, in order to satisfy the conditions of approval, the Planning Board has required the execution of an agreement between the Developer, the Planning Board and the Town Council incorporating the terms and conditions of such approvals as binding covenants between the parties;

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto do hereby agree and covenant as follows:

1. There is annexed to this Agreement as exhibit A a list of the improvements which the Developer agrees to install and complete all of said required improvements within a period of three (3) years from the date of the execution of this Agreement. Such improvements are also shown and designated on the site plan entitled, "Reidmont, a Townhouse Development situated in the Town of Newton, Sussex County, New Jersey, prepared by Canger, Shoor and Cassera, Inc., consulting engineers, final revision dated April 10th, 1981."

With respect to the installation of such improvements, the parties agree as follows:

(a) The Developer has the right to install all improvements at the inception of the project or to install the improvements in stages. In the event Developer elects to install the improvements in stages, it is agreed that Developer will construct all of the improvements in each of the stages shown on exhibit B annexed hereto, treating each such stage as a unit depicting the minimum area for each separate stage of construction of improvements.

(b) If improvements are constructed in stages, no certificates of occupancy will be issued for any units within the area of such stage unless all improvements within such area have been substantially completed and approved by the Town Engineer. As a condition of issuance of any certificate of occupancy for a unit within a stage shown on exhibit B, the Town Engineer may also require the substantial completion of improvements outside that area if reasonably necessary for the

safe and healthful occupancy of the units.

(c) No certificate of occupancy for any unit will be issued until all of the off site improvements have been substantially completed.

(d) The Developer will post a performance bond in the amount required by the Town Engineer to guarantee installation of all required improvements prior to the issuance of any building permit for any Condominium units; provided, however, the amount of such bond shall not include the value of improvements completed by the Developer prior to the issuance of any building permit.

2. The Developer shall maintain an adequate inspection system and perform such inspections as will assure that the work performed in completing the project, including all improvements, conforms to this Agreement and the Resolutions of approval issued by the Planning Board and shall maintain and make available to the Town of Newton adequate records of such inspections indicating the dates and personnel accomplishing the same.

3. All operations of the Developer, including storage of materials, and location of temporary buildings upon the areas involved in the project, shall be confined to areas authorized or approved by the Building Inspector. The Developer shall at all times keep the construction area of the project, including storage areas, free from accumulation of waste material or rubbish.

4. The Developer acknowledges that it will preserve and protect all existing vegetation, such as trees, shrubs and grass, on or adjacent to the construction site of the roadways and condominium units subject to the condition that the preservation and protection of vegetation shall not unreasonably in-

terfere with the construction of the project.

5. All work in relation to the installation of improvements set forth in exhibit A and as required by the Planning Board shall be subject to inspection by the Town of Newton at reasonable times during the construction phase in order to verify that the work is being performed in accordance with town standards.

6. Developer shall be required to submit to the Planning Board periodic reports, at least quarterly, indicating the progress of completion of the improvements, and such reports shall include an estimated date of completion of improvements not yet completed as of the date of the report.

7. Developer agrees to furnish "as built" plans for all street improvements to be dedicated to the public as shown on the final site plan. Developer's engineer shall also notify the Planning Board of any variations between the final site plan as approved and the "as built" site plan with respect to required improvements.

8. In accordance with the conditions of site plan approval the Developer shall post a bond or bonds in amounts established by the Town Engineer to guarantee the completion of the improvements set forth in exhibit A. Developer shall have the right from time to time during the progress of construction of improvements to apply to the Planning Board for partial releases of such bonds in amounts commensurate with the value of the improvements certified by the Developer's engineer to have been completed. Planning Board agrees to promptly forward its recommendations with respect to such applications for bond releases to the Town Council after obtaining verification from its engineer as to the completion of improvements by the Developer.

9. The Town Council of the Town of Newton is made a party to this Agreement for the purpose of enforcement of the terms and conditions of this Agreement. It is acknowledged by all parties that the planning and zoning matters related to the terms and conditions of this Agreement are and shall remain reposed within the exclusive jurisdiction of the Planning Board as required by law.

10. Developer represents that it has the full legal authority to execute this Agreement and to construct the improvements and condominium units as shown on the site plan and acknowledges that this Agreement will be recorded in the Office of the Clerk of Sussex County to provide public notice of its contents and effect.

11. This Agreement shall be binding upon and its provisions shall inure to the benefit of the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals or caused this Agreement to be signed by its proper corporate officers and caused its proper corporate seal to be affixed, the day and year first above written.

REIDMONT ASSOCIATES, INC.

ATTEST:

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
President

PLANNING BOARD OF THE TOWN OF NEWTON

ATTEST:

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Chairman

TOWN COUNCIL OF THE TOWN OF NEWTON

ATTEST:

\_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Mayor

EXHIBIT A

SCHEDULE OF IMPROVEMENTS TO BE CONSTRUCTED BY REIDMONT ASSOCIATES, INC.

I. On Site Improvements.

(a) All interior roadways constituting the complete road network as shown on the site plan, including bituminous base, FABC topping, concrete curbs and concrete sidewalks as indicated on the site plan and sub base as may be required by the Town Engineer due to soil conditions encountered during construction.

(b) Storm drainage as shown on the site plan including lawn inlets, catch basins, reinforced concrete pipe, headwalls at each end of the detention basin consisting of the outfall structure and stone channel.

(c) Water service. The Developer shall install water service by tying into the 6" water main on Plainfield Avenue and installing an 8" water main through the interior road network, joining the existing water main at Plainfield Avenue and Barry Lane. There will also be water main construction from the detention basin tying in to the existing water main on Ridgewood Avenue. The water service will also include the fire hydrants with valves as shown on the site plan; house connections; water main connections and related valves for connection to the existing water mains.

(d) Sanitary sewer service. Developer will install asbestos covered pipe as shown on the site plan and shall also install fifteen (15) manholes and will construct sanitary sewer service in accordance with the site plan and will tie in such service to the existing manhole located at Ridgewood Avenue.

(e) Fencing and planting. The Developer will install six foot high chain link fence as shown on the site plan. Developer will also plant shade and evergreen trees in accordance with the site plan.

(f) Street lighting. Street lighting for the project shall be installed by the utility company pursuant to arrangements between the utility company and the Developer. The precise location of street lighting installations shall be determined by the utility company, subject to the approval of the Developer and the Town Engineer.

#### II. Off Site Improvements.

In accordance with the site plan, the Developer will construct off site drainage improvements by installing reinforced concrete pipe from the site to the storm drainage manhole presently located on Ridgewood Avenue and will reconstruct the inlet located on Ridgewood Avenue at the point of connection and the Developer will make all necessary repairs to restore Ridgewood Avenue necessitated by the construction of such off site drainage, such repairs to be subject to the approval of the Town Engineer.

Developer will also perform any water main trench repairs on Pleasant Avenue necessitated by the construction of water mains and related work, such repairs to be subject to the approval of the Town Engineer.

Developer will reconstruct the existing driveways on Barry Lane based on roadway cross sections at the center line of driveways which shall be submitted to the Town Engineer for approval prior to the start of construction of the extension of Barry Lane to Plainfield Avenue.



# NEWTON COMMONS

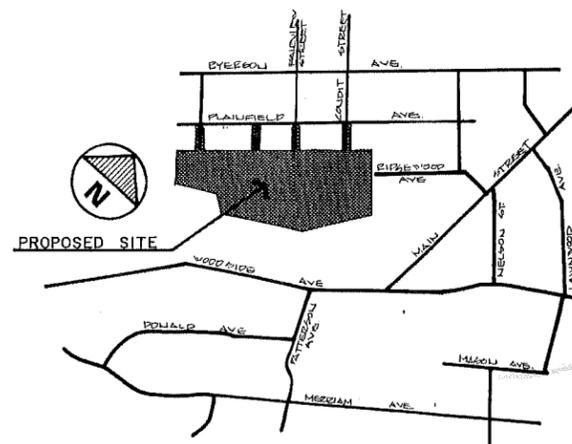
## A TOWNHOUSE DEVELOPMENT

SITUATED IN  
THE TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY

PREPARED BY

**canger, schoor & cassera inc.**

Consulting Engineers • Planners • Land Surveyors  
1359 Litchfield Road, P.O. Box 120, Parsippany - Troy Hills, NJ 07054  
(201) 247-2200



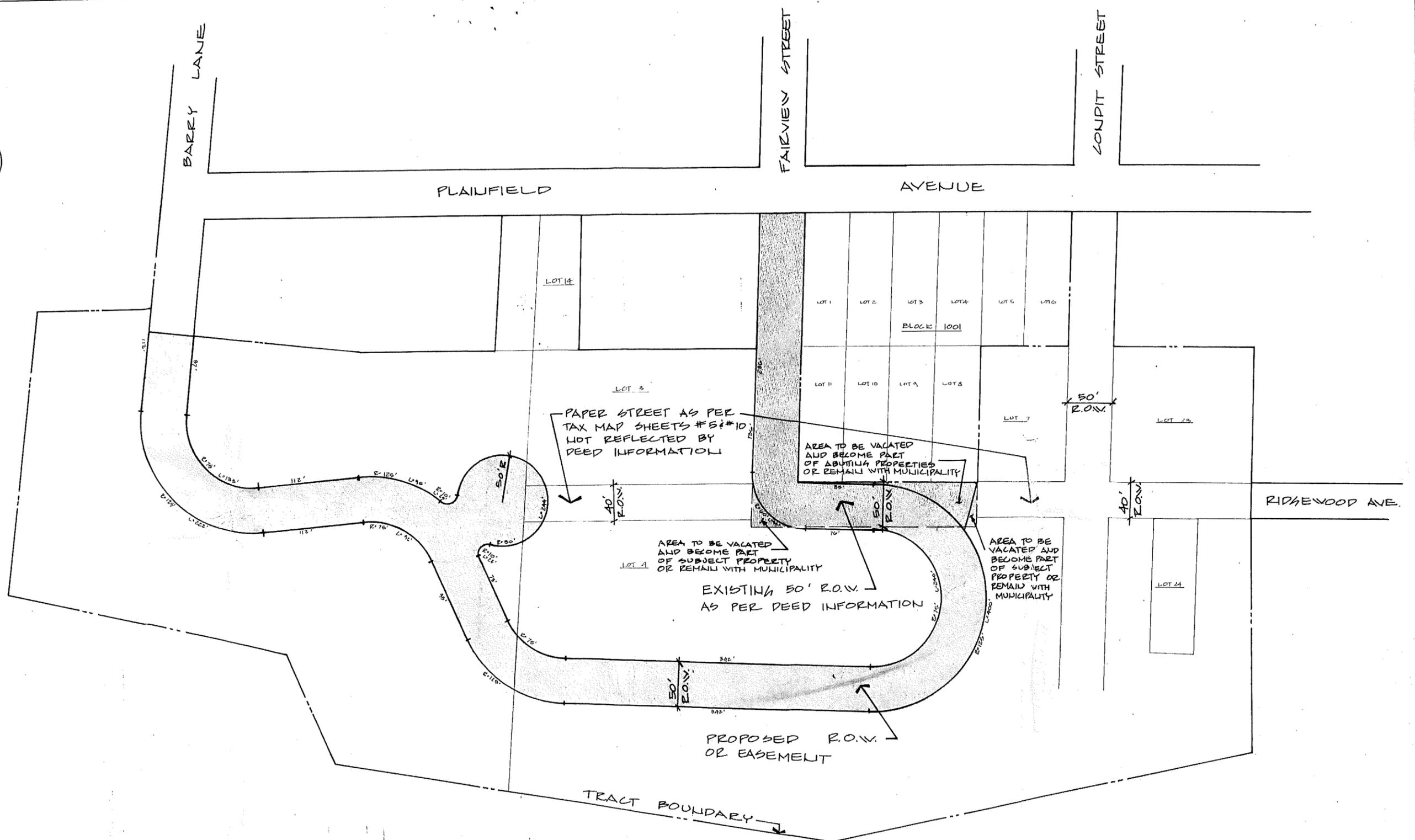
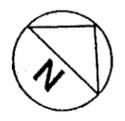
**LOCATION MAP**  
SCALE: 1" = 550' ±

**GENERAL NOTES**

1. Owner & Applicant: Joseph Nardone  
BROOKSIDE HOMES  
30 Galest Drive  
Wayne, N.J. 07470
2. Property known as Block 502, Lot 5A-21; Block 1007, Lot 4; Block 1001, Lot 7; Block 1002, Lot 25; block 1012, Lots 1A, 1B as shown on Tax Map sheets 5 & 10; and containing a total of 14.55 acres.
3. Property to be located in the R-TII zone with the following standards:

	Allowed	Provided
Density	7 Units/Acre	5.25 Units/Acre
Front Yard	25 feet	25 feet
Rear Yard	25 feet	25 feet
Between Structures	50 feet	50 feet
Structure Length	180 feet	180 feet
Minimum Units per Structure	4	4
Maximum Units per Structure	10	6
Building Coverage	70%	(2) 70%
Frontage	300 feet	300 feet
Parking Spaces	2 Bedroom - 1 1/2 Spaces/Unit	2 Spaces/Unit
	3 Bedroom - 2 Spaces/Unit	
Buffer Requirement	10 feet	30 feet
Total Units	76	76

4. Proposed storm sewer shall be Class III RCP unless otherwise specified.
5. Proposed sanitary sewer shall be Class 1500 Asbestos Cement Pipe unless otherwise specified.
6. All utilities shall be installed underground.
7. Existing utilities shown are only approximate and shall be verified prior to any construction.
8. Proposed water main shall be 6 inch Cement Lined Ductile Iron Pipe.
9. All construction shall conform to the specifications and ordinances of the Township of Newton.
10. Solid waste disposal shall be accomplished by the use of trash compactors supplied to all units. Individual waste containers shall be used for temporary storage of the reduced trash volume.
11. Specific location of street lights to be established by the power company. Two fixture types are available and are reflected on the detail sheet. Fixture type to be selected by the Municipality.
12. Provisions for mail pick-up and delivery will be as per recommendations of the Newton Postmaster.
13. SEE LAYOUT PLAN FOR REGULATORY PERMITS AND DATA.



THEODORE D. CASSERA  
PROFESSIONAL ENGINEER

*Theodore D. Cassera*

THEODORE D. CASSERA, P.E., Lic. No. 22944

ANTHONY C. CANGER  
LICENSED LAND SURVEYOR

*Anthony C. Canger*

ANTHONY C. CANGER, L.S., Lic. No. 16199

DATE	REVISIONS
6/25/80	20' R.O.W. MAP
8-14-88	BARRY LANE R.O.W.
7/8/96	DEED AS PER THE COMMONS 2016 20, 1990, 1976
11/28/08	CHANGE TIME FROM DEEDS TO THIS CURRENT COMMONS

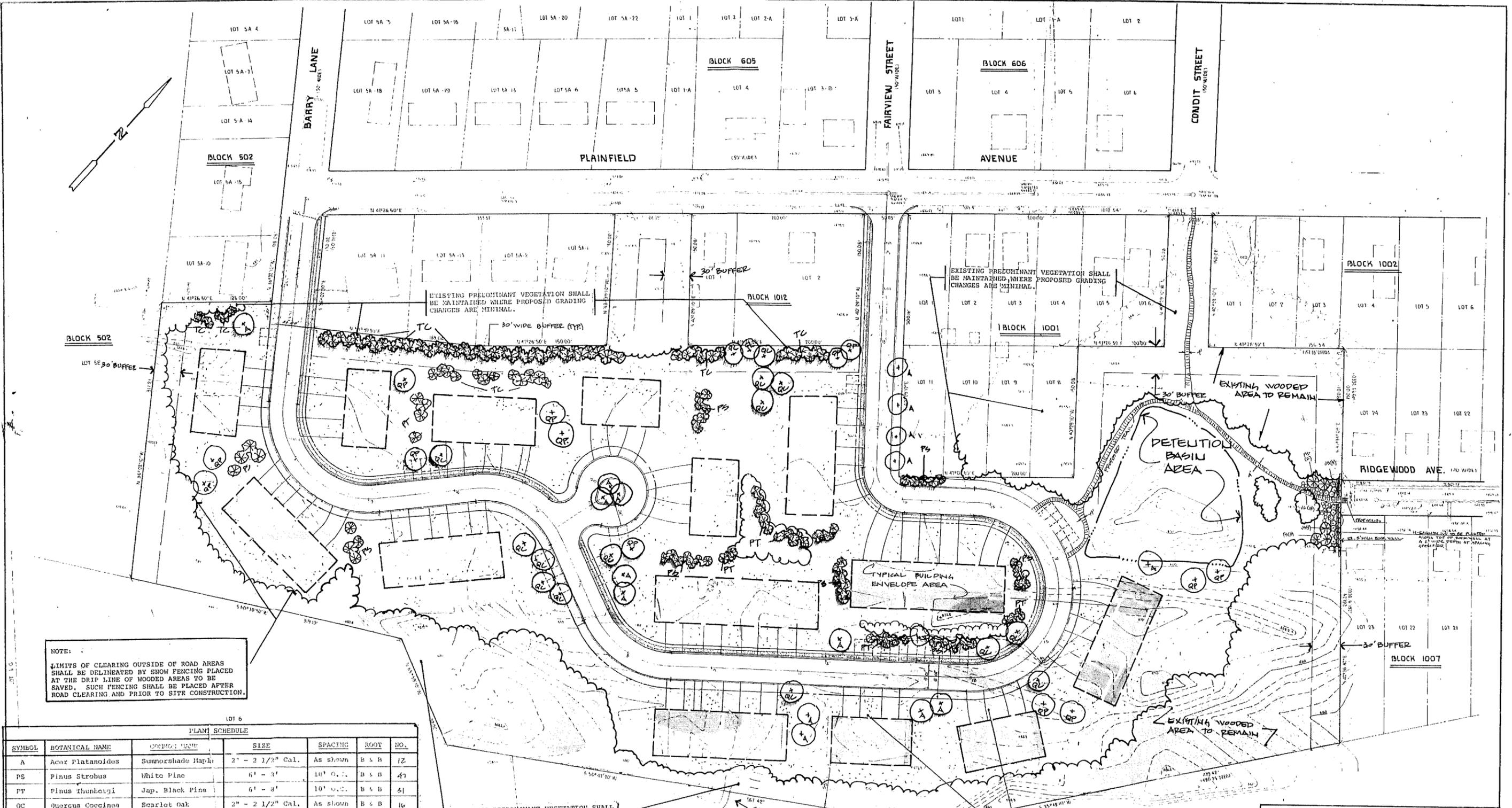
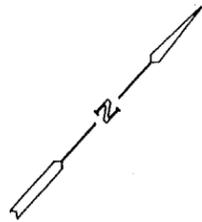
**canger, schoor & cassera inc.**  
Civil/Utility Engineers • Planners • Land Surveyors  
1250 Littleton Road, PO Box 120, Parsippany - Troy Hills, N.J. 07054  
(201) 287-2800

SCALE: 1" = 60'  
DATE: 6/28/00  
DRAWN BY: JCD  
CHECKED BY: JCD  
FILE NO: 14975  
FIELD BY: -

TOWNSHIP OF NEWTON  
SUSSEX COUNTY, NEW JERSEY

**EIGHT OF WAY MAP**

FOR  
**NEWTON COMMONS**



NOTE:  
 LIMITS OF CLEARING OUTSIDE OF ROAD AREAS SHALL BE DELINEATED BY SNOW FENCING PLACED AT THE DRIP LINE OF WOODED AREAS TO BE SAVED. SUCH FENCING SHALL BE PLACED AFTER ROAD CLEARING AND PRIOR TO SITE CONSTRUCTION.

PLANT SCHEDULE							
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	ROOT	NO.	
A	Acer Platanoides	Summershade Maple	2" - 2 1/2" Cal.	As shown	B & B	12	
PS	Pinus Strobus	White Pine	6' - 8'	10' O.C.	B & B	47	
PT	Pinus Thunbergii	Jap. Black Pine	6' - 8'	10' O.C.	B & B	51	
QC	Quercus Coccinea	Scarlet Oak	2" - 2 1/2" Cal.	As shown	B & B	16	
QP	Quercus Palustris	Pin Oak	2" - 2 1/2" Cal.	As shown	B & B	13	
TC	Tsuga Canadensis	Canadian Hemlock	8' - 10'	10' O.C.	B & B	70	
JC	Juniperus Conferta	Jap. Shore Juniper	12"-15"	3' O.C.	---	18	
JS	Juniperus Sargentii	Sargent Juniper	2'-2 1/2'	3' O.C.	B & B	12	
H	Hedera Helix	English Ivy	12"-15"	8" O.C.	Plats	500	

- NOTE:
- All plant material shown at semi-mature growth.
  - Predominant existing vegetation to be preserved where minor change in grade allows.
  - All plant materials to be mulched with 2" layer of clean wood chip mulch.
  - See sheet 7 of 14 for typical unit planting scheme.
  - Plant spacing shall comply with the spacing specifications note. (See S.C.9. Detail sheet)
  - Detail recreation facilities to be developed by client.

EXISTING PREDOMINANT VEGETATION SHALL BE MAINTAINED WHERE PROPOSED GRADING CHANGES ARE MINIMAL.

NOTE:  
 SEE TYPICAL UNIT PLANTING SCHEME FOR DETAILED UNIT LANDSCAPING

LEGEND	
EXISTING	PROPOSED
	WOODED AREA
	DECIDUOUS SHADE TREE
	EVERGREEN TREE
	ROCK OUTCROP
	TRAIL
	WALK
	TURF AREAS

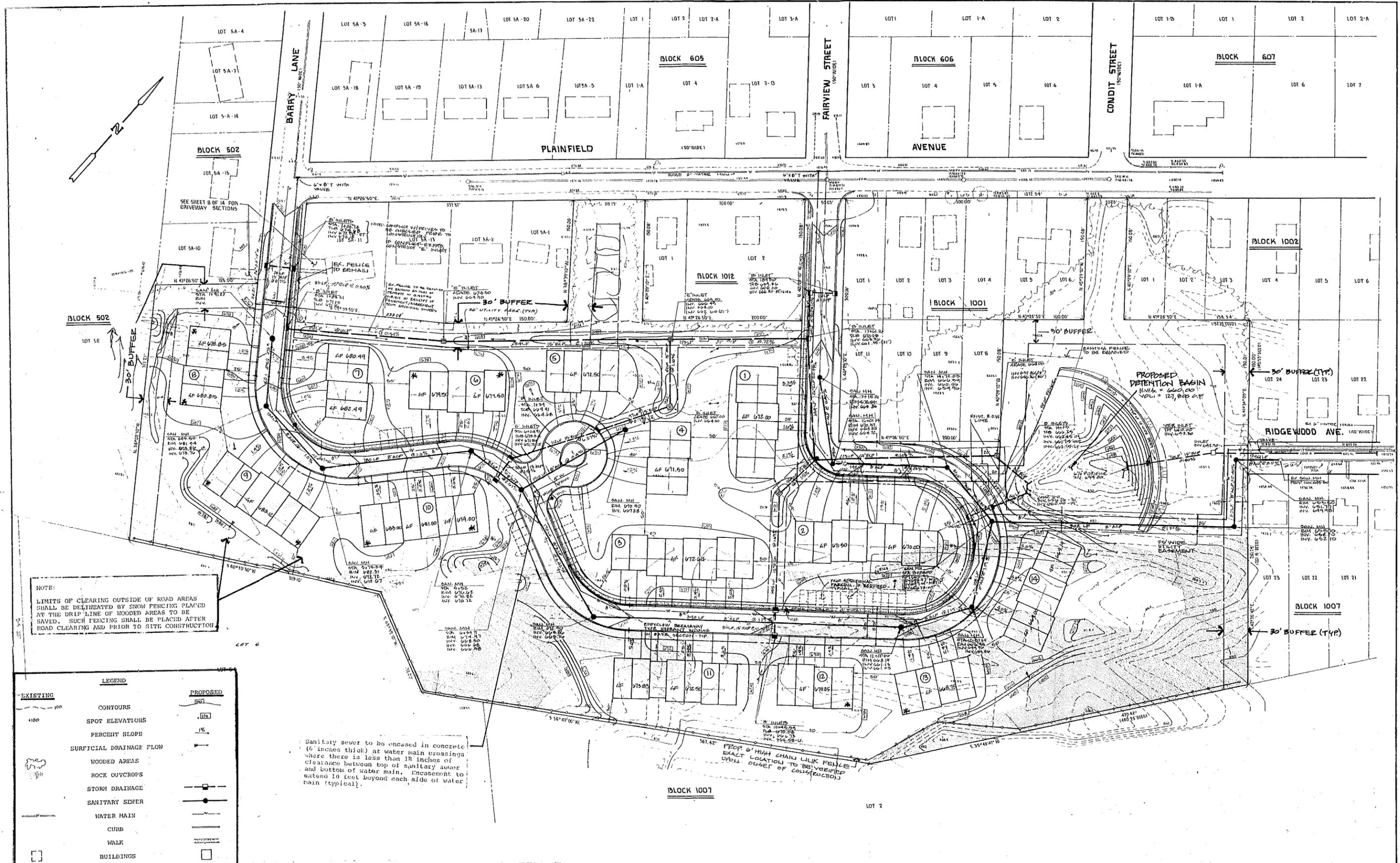
THEODORE D. CASSERA  
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*Theo D Cassera*  
 THEODORE D. CASSERA, P.E., LIC. NO. 22944

ANTHONY C. CANGER  
 LICENSED LAND SURVEYOR  
*Anthony C Canger*  
 ANTHONY C. CANGER, L.S., LIC. NO. 15099

DATE	REVISIONS
5/25/80	SHOW 30' BUFFER AREAS AND ADDED PLANT MATERIAL
6/15/80	REV. BARRY LANE BLOCK
7/8/80	REV. AS PER COMMENTS AT JUNE 23/80 Mtg.
11/28/80	CHANGE TITLE FROM RESIDENTS TO NEWTON COMMONS
6/25/84	REV. AS PER PLANNING BOARD COMMENTS

**canger, schoor & cassera inc.**  
 Consulting Engineers • Planners • Land Surveyors  
 1359 Littleton Road, P.O. Box 120, Parsippany, Troy Hills, N.J. 07054  
 (201) 267-2600  
 SCALE: 1" = 50'  
 DATE: 4/21/80  
 DRAWN BY: TD, TZ, JAS/TS  
 FILE NO: FIELD 84

TOWN OF NEWTON  
 SUFFER COUNTY, NEW JERSEY  
**LANDSCAPE PLAN**  
 FOR  
**NEWTON COMMONS**



NOTE:  
 LIMITS OF CLEARING OUTSIDE OF ROAD AREAS SHALL BE DELINEATED BY SNOW FENCING PLACED AT THE DRIP LINE OF WOODED AREAS TO BE SAVED. SUCH FENCING SHALL BE PLACED AFTER ROAD CLEARING AND PRIOR TO SITE CONSTRUCTION.

LEGEND	
EXISTING	PROPOSED
CONTOURS	CONTOURS
SPOT ELEVATIONS	SPOT ELEVATIONS
PERCENT SLOPE	PERCENT SLOPE
SURFICIAL DRAINAGE FLOW	SURFICIAL DRAINAGE FLOW
WOODED AREAS	WOODED AREAS
ROCK OUTCROPS	ROCK OUTCROPS
STORM DRAINAGE	STORM DRAINAGE
SANITARY SEWER	SANITARY SEWER
WATER MAIN	WATER MAIN
CURB	CURB
WALK	WALK
BUILDINGS	BUILDINGS
PARKING SPACE IF REQUIRED	PARKING SPACE IF REQUIRED

Sanitary sewer to be encased in concrete (6 inches thick) at water main crossings where there is less than 18 inches of clearance between top of sanitary sewer and bottom of water main. Encasement to extend 10 feet beyond each side of water main (typical).

DATE	REVISIONS	DATE	REVISIONS
JUL 2, 1984	REV SAN & WATER MAIN TO ALLOW BETTER WORK CONSTRUCTION	NOV 22, 1983	REV DETENTION BASIN & SAN. SEWER
		JAN 18, 1985	ADDED TYPICAL FROM EXISTING TO NEWLY CONSTRUCTED
		DEC 21, 1983	REV ASPHALT, SAND, & GRAVEL
		JAN 18, 1984	REV. PIPING, VALVES, & INCREASING PER. FROM 18" TO 24"
		JUNE 29, 1984	REV. ASPHALT, SAND, GRAVEL, & INCREASING PER. FROM 18" TO 24"

THEODORE D. CASSERA  
 PROFESSIONAL ENGINEER  
*Theodore D. Cassera*  
 THEODORE D. CASSERA, P.E., Lic No 22894

ANTHONY C. CANGER  
 LICENSED LAND SURVEYOR  
*Anthony C. Canger*  
 ANTHONY C. CANGER, L.S., Lic No 15089

DATE	REVISIONS
5/20/80	REV. DRIVEWAY & ASPHALT DRIVEWAY
6/15/80	REV. DRIVEWAY & ASPHALT DRIVEWAY
6/24/80	ADD 6" LAYER FINE GRAVEL & 1" LAYER SAND
7/8/80	REV. AS PER PER. COMMENTS AT JUNE 29, 1984
12/1/80	REV. SAN. SEWER AS PER COMMENTS AT JUNE 29, 1984

**canger, schoor & cassera inc.**  
 Consulting Engineers • Planners • Land Surveyors  
 1359 Littleton Road, PO Box 120, Parsippany - Troy Hills, N.J. 07054  
 SCALE 1" = 50'  
 DATE 4/21/80  
 DRAWN BY: CLK/D BY: FILE NO: FIELD BK  
 TD TC 14576

TOWN OF NEWTON  
 SUSSEX COUNTY, NEW JERSEY  
**SITE PLAN**  
 FOR  
**NEWTON COMMONS**  
 SHEET 2 OF 14

Newton Commons presentors for MAY 20, 2020  
NEWTON PLANNING BOARD

Henry T. Chou, Esq.  
21 Roszel Road, P.O. Box 5226 hchou@hillwallack.com  
Princeton NJ 08543-5226  
609.734.4447

Laurie Reuther, CMCA, Regional Property Manager  
AR Management Co  
200 Valley Rd. #207 Laurie@armanagementco.com  
Mt. Arlington, NJ 07856  
973.398.6609

JACK BELL, PRESIDENT - NEWTON COMMONS  
CONDO ASSOCIATION BOARD

973 261-2489

jacplumb@earthlink.net

JASON DUNN, PP, LLA  
PROFESSIONAL PLANNER  
11 LAWRENCE ROAD  
NEWTON, NJ 07860  
973-579-2177  
jason@edykstra.com

# PROPOSED MINOR SUBDIVISION

TAX LOT 1 BLOCK 12.01  
TOWN OF NEWTON, SUSSEX COUNTY, NJ  
TAX MAP SHEETS 11 & 13

## LIST OF ADJOINING PROPERTY OWNERS

THIS LIST COMPILED FROM A CERTIFIED LIST OF ADJOINING PROPERTY OWNERS FOR BLOCK 12.01, LOT 1 AND BLOCK 12.09, LOT 1 PREPARED BY THE TOWN OF NEWTON TAX ASSESSORS OFFICE, CURRENT AND ACCURATE AS POSSIBLE AS OF SEPTEMBER 26, 2019

BLOCK	LOT	PROPERTY OWNER	BLOCK	LOT	PROPERTY OWNER
11.01	4	BRISTOL GLEN, INC	12.11	6	LITTLE, IRENE F
11.01	5	FIRST UNITED METHODIST CHURCH	12.12	1	MINTER, MARGARET C
11.01	8	BALDINI, LUIGI & MARGARET ANNE	12.12	2	PASSAFARO, ERICA
11.01	9	BRUCATO, MELISSA	12.12	3	WILLIAMS, JAMES J
11.01	10	ST JOSEPHS CATHOLIC CEMETERY	12.12	4	US BANK TRUST C/O RESICAP
12.01	1	NEWTON COMMONS CONDO ASSOC, INC	12.12	5	SIDDIQUI, IMIAZUDDIN & NAFESSA
12.02	1	WILLIAMS, BENJAMIN J	12.12	6	KOMSA, LEON & REBECCA
12.02	2	CAMP, RICHARD A & LAURA J	12.13	1	SIDNAM, DOROTHY A
12.02	3	MILLIKEN, KAITLYN J ET AL	12.13	2	SALMON, GREGORY J
12.02	4	MELICK, WILLIAM	12.13	3	YANKO, DENISE
12.03	1	CLOUTIER, ANDRE H	12.13	4	ROFF, ROBERT J & DAWN R
12.03	2	GALE, JAMES	12.13	5	QUINN, CHRISTOPHER D & PATRICK L
12.03	3	SHARPE, NICOLE	12.13	6	RIVERA, JAMES & LISETTE
12.03	4	EIS, THEODORE & GERALDINE	12.13	7	PANDISCIA, MARY ANN
12.03	5	FULLER, ELAINE	12.14	1	PERRY, NICOLE & KEVIN W
12.04	1	BELL, JON N	12.14	2	RESKOVAC, WENDY L
12.04	2	SIDDIQUI, AJAZ & NAFESSA	12.14	3	WALTERS, CLARA E
12.04	3	COX, SUSAN K	12.14	4	ALGER, THOMAS B
12.04	4	WUNDERLICH, DANIEL D & LORI	12.15	1	HONTZ, JACK J & ELIZABETH J
12.05	1	RUPP, CHARLES W JR & KAREN	12.15	2	GARCIA, JAIME & AURELIA
12.05	2	ALLSTAEDT LIVING TRUST	12.15	3	DANDERLINE, RICHARD & RUDDER, HOPE
12.05	3	SCIORRA, CYNTHIA ET AL	12.15	4	SIDDIQUI, MAZ & NAFESSA
12.05	4	SUGARMAN, RICHARD H	12.16	1	SMALLEY, JOHN & BARBARA
12.06	1	BEIERLE, NANCY K	12.16	2	UNDERWOOD, ROBERT
12.06	2	SIDDIQUI, IMTIAZ & NAFESSA	12.16	3	GENTILE, JOSEPH & PATRICIA
12.06	3	GRANWEHR, PETER A & BARBARA J	12.16	4	BROOKS, ROBERT M & YVONNE R
12.06	4	CAMPBELL, THOMAS E	12.16	5	SIDDIQUI, IMTIAZUDDIN & NAFESSA
12.06	5	MCNALLY, HELEN	12.16	6	FORTINI, DANTE V
12.06	6	THOMPSON, GABRIELLE	13.01	8	BUTTERFIELD, THOMAS & JACQUALINE
12.07	1	MALLAN, EDWINA	13.01	9	BONGIARDINA, DENISE
12.07	2	GREEN, LOIS	13.01	10	ROZSAS, JOHN T & DONNA D
12.07	3	DUGAN, JAMES C & MAUREN H	13.01	11	KEELY, JOSEPH P & VIRGINIA
12.07	4	MONTELEONE, CRAIG P & CHERYL A	13.01	12	ZVIRBLIS, CAROLEE P & JOSEPH L
12.07	5	HAHN, RICHARD M ET AL	13.07	1	CIPRIANO, JAMES
12.07	6	SIDDIQUI, IMTIAZ & NAFESSA	13.07	2	PIERSON, DENNIS & DIANNE
12.07	7	GORDON, APRIL	13.07	19	BRYCE, PATRICIA A
12.07	8	COOK, JANET B & HUISKING, ROBIN	13.07	20	EMPIRE TFG JERSEY HOLDINGS, LLC
12.08	1	TRIPP, JACK & RENAY	13.07	21	136 WOODSIDE, LLC
12.08	2	PASCULLI, CATHERINE B	13.08	1	CASSIDY, MARIA P
12.08	3	DIMATTEO, ANASTASIO & DEBORRAH	13.08	2	SLACK, ROBERT M
12.08	4	DELUCA, VINCENT & GINA C/O VOGT	13.08	3	DARDAGANIS, PETER & RUTH
12.08	5	SALLUIA, MANINDER S	13.08	4	GEUTHER, KATHERINE I ET AL
12.08	6	FERRONE, THOMAS & CLAUDIA	13.09	1	BARNES, EDWARD C III & MELISSA
12.08	7	RAMSEY, ROGER G & LOIS	13.09	2	TOGNETTI, CHRISTOPHER J & AMY J
12.08	8	SIDDIQUI, IMTIAZUDDIN M ET AL	13.10	1	COYLE, JEAN
12.09	1	NEWTON COMMONS CONDO ASSOC, INC	13.10	2	SCHWARTZ, JOHN S & RITA
12.10	1	ZALESKI, JOSEPH C & JOSEPHINE M	13.10	3	SYPIIEWSKI, THEODORE D & SUSAN E
12.10	2	LEYDEN, YVONNE M	13.10	4	WILEY, CAROLE F
12.10	3	ROMAN, CLAUDIA A	13.10	5	BROESLER, JOSEPH P & LINDA L
12.10	4	QUINN, TERRANCE & KATHLEEN	13.10	6	RUDIO, HARRY & DIANA
12.11	1	PERAGINO, DIANA	13.10	7	GARRIS, JUSTIN C & COURTNEY L
12.11	2	PORTER, WILLIAM W & CATHERINE A	13.10	8	NANNERY, WILLIAM J & DEBBIE A
12.11	3	NELSON, KAREN A	13.10	19	HENEGAN, DEBORAH E
12.11	4	BROESLER, GLEN E & JESSICA	13.10	20	STRELZIK, ALAN & MAUREEN
12.11	5	SPINA, DENISE	13.10	21	MULDOON, EDWARD III & ANDO, PATRICI

## OTHER PARTIES REQUIRING NOTICE:

STATE OF NJ - DOT  
1035 PARKWAY AVE  
CN 600  
TRENTON, NJ 08625

NJDOT  
PERMIT SECTION  
200 STIERI COURT  
MOUNT ARLINGTON, NJ 07856

NJ BELL TELEPHONE CO.  
540 BROAD ST  
NEWARK, NJ 07101

SUSSEX COUNTY PLANNING BOARD  
ADMINISTRATION BUILDING  
ONE SPRING STREET  
NEWTON, NJ 07860

UNITED TELEPHONE CO. c/o EMBARQ  
5454 WEST 110th ST  
OVERLAND PARK, KS 66207

## NOTES

- ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH THE LAND SURVEYORS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID COPIES
- SIGNATURE AND EMBOSSED SEAL SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE NEW JERSEY STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
- CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON OR PERSONS FOR WHOM THE SURVEY IS PREPARED AND ON THEIR BEHALF TO THE TITLE COMPANY, LENDING INSTITUTION AND/OR GOVERNMENTAL AGENCY LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS, SUBSEQUENT OWNERS OR ANY OTHER PARTY
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A PROFESSIONAL LAND SURVEYORS RAISED SEAL IS ILLEGAL AND PUNISHABLE BY LAW
- THE WORD CERTIFY, AS USED HEREON, MEANS AN EXPRESSION OF THE SURVEYOR'S PROFESSIONAL OPINION TO THE BEST OF HIS INFORMATION, KNOWLEDGE AND BELIEF, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE
- NOTHING HEREON IS INTENDED TO EXPRESS AN OPINION AS TO OWNERSHIP OR TITLE
- THE SURVEYED PROPERTY IS SUBJECT TO DOCUMENTS OF RECORD
- BY CONTRACTUAL AGREEMENT, THIS SURVEY IS BASED ON THE DEED(S) VESTING TITLE IN THE CURRENTLY LISTED OWNER AND SHOWS PLOTTABLE EASEMENTS APPEARING IN SAID DEED(S). THE CLIENT HAS NOT PROVIDED, AND DA HAS NOT EXAMINED, ANY TITLE COMMITMENT OR OTHER DOCUMENTS FOR THE PURPOSE OF PLOTTING EASEMENTS, RIGHTS OF WAY, EXCEPTIONS, RESTRICTIONS, OBLIGATIONS, ENCUMBRANCES, COVENANTS, AGREEMENTS OR TITLE DEFECTS. ANY SUCH SHOWN HEREON ARE BASED ON DA'S OWN RESEARCH WHICH IS NOT CLAIMED TO BE EXHAUSTIVE. THE PROPERTY IS SUBJECT TO SUCH STATE OF FACTS AS WOULD BE DISCLOSED BY A COMPLETE AND ACCURATE TITLE SEARCH.
- IMPROVEMENTS SHOWN HEREON BEYOND THE AREA OF SUBDIVISION TAKEN FROM 2015 ORTHO PHOTOGRAPHY.



### T-3 NEIGHBORHOOD RESIDENTIAL ZONE BULK REQUIREMENTS

BASE RESIDENTIAL DENSITY	BY RIGHT	EXISTING TAX LOT 1 BLOCK 12.01	PROPOSED TAX LOT 1 BLOCK 12.01	PROPOSED NEW LOT	VARIANCE Y/N
4.84 UNITS/ACRE	9,000 S.F. LOT MIN.	140,612 S.F.	126,953 S.F.	N/A*	N
BUILDING CONFIGURATION	ALLOWED	EXISTING TAX LOT 1 BLOCK 12.01	PROPOSED TAX LOT 1 BLOCK 12.01	PROPOSED NEW LOT	VARIANCE Y/N
PRINCIPAL BUILDING	2 STORIES/35 FEET MAX	N/A	N/A	N/A*	N
ACCESSORY BUILDING	2 STORIES/35 FEET MAX	N/A	N/A	N/A*	N
LOT OCCUPATION	ALLOWED	EXISTING TAX LOT 1 BLOCK 12.01	PROPOSED TAX LOT 1 BLOCK 12.01	PROPOSED NEW LOT	VARIANCE Y/N
LOT WIDTH	72 FEET MINIMUM	638'	638'	88.79'	N
LOT COVERAGE	60% MAX.	0%	0%	N/A*	N
PRINCIPAL STRUCTURE SETBACKS	REQUIRED	EXISTING TAX LOT 1 BLOCK 12.01	PROPOSED TAX LOT 1 BLOCK 12.01	PROPOSED NEW LOT	VARIANCE Y/N
FRONT YARD	35'	N/A	N/A	N/A*	N
SIDE YARD	12'	N/A	N/A	N/A*	N
REAR YARD	30'	22.3'	17.8'	N/A*	Y
FRONTAGE BUILD-OUT	40% MIN AT SETBACK	N/A	N/A	N/A*	N
ACCESSORY BUILDING SETBACKS	REQUIRED	EXISTING TAX LOT 1 BLOCK 12.01	PROPOSED TAX LOT 1 BLOCK 12.01	PROPOSED NEW LOT	VARIANCE Y/N
FRONT	20' MINIMUM + PRINCIPAL BUILDING SETBACK	N/A	N/A	N/A*	N
SIDE YARD	7' MINIMUM	N/A	N/A	N/A*	N
REAR YARD	7' MINIMUM	N/A	N/A	N/A*	N
FLOOR AREA RATIO	REQUIRED	EXISTING TAX LOT 1 BLOCK 12.01	PROPOSED TAX LOT 1 BLOCK 12.01	PROPOSED NEW LOT	VARIANCE Y/N
	N/A	N/A	N/A	N/A	N/A
PARKING	ALLOWED	EXISTING TAX LOT 1 BLOCK 12.01	PROPOSED TAX LOT 1 BLOCK 12.01	PROPOSED NEW LOT	VARIANCE Y/N
	N/A	N/A	N/A	N/A	N/A

### AREA SUMMARY: ENTIRE PLANNED DEVELOPMENT TRACT

TAX LOT 1 BLOCK 12.01 (CONDO ASSOC PROPERTY)	3.228 ACRES; 140,612 SF*
TAX LOTS 1-4 BLOCK 12.02	0.088 ACRES; 3,817 SF*
TAX LOTS 1-5 BLOCK 12.03	0.143 ACRES; 6,220 SF*
TAX LOTS 1-4 BLOCK 12.04	0.111 ACRES; 4,847 SF*
TAX LOTS 1-4 BLOCK 12.05	0.114 ACRES; 4,972 SF*
TAX LOTS 1-6 BLOCK 12.06	0.182 ACRES; 7,949 SF*
TAX LOTS 1-8 BLOCK 12.07	0.247 ACRES; 10,744 SF*
TAX LOTS 1-8 BLOCK 12.08	0.220 ACRES; 9,570 SF*
TAX LOT 1 BLOCK 12.09 (CONDO ASSOC PROPERTY)	6.689 ACRES; 291,373 SF
TAX LOTS 1-4 BLOCK 12.10	0.116 ACRES; 5,073 SF*
TAX LOTS 1-6 BLOCK 12.11	0.165 ACRES; 7,184 SF*
TAX LOTS 1-6 BLOCK 12.12	0.184 ACRES; 8,010 SF*
TAX LOTS 1-7 BLOCK 12.13	0.184 ACRES; 8,027 SF*
TAX LOTS 1-4 BLOCK 12.14	0.115 ACRES; 5,029 SF*
TAX LOTS 1-4 BLOCK 12.15	0.117 ACRES; 5,090 SF*
TAX LOTS 1-6 BLOCK 12.16	0.182 ACRES; 7,949 SF*
AREA LOCATED WITHIN THE R.O.W. OF CARRIAGE LANE	1.893 ACRES; 82,454 SF
AREA LOCATED WITHIN THE R.O.W. OF FAIRVIEW AVENUE	0.344 ACRES; 14,970 SF
<b>ENTIRE TRACT</b>	<b>14.323 ACRES; 623,890SF</b>

\* DENOTES SQUARE FOOTAGE PER TAX MAP.

### SUBDIVISION AREA SUMMARY

EXISTING TAX LOT 1 BLOCK 12.01	3.228 ACRES; 140,612 SF
PROPOSED TAX LOT 1.01 BLOCK 12.01	0.314 ACRES; 13,659 SF
REMAINDER TAX LOT 1 BLOCK 12.01	2.914 ACRES; 126,953 SF

## RESIDENTIAL UNIT DENSITY NOTES:

CURRENT CONDITION:  
76 UNITS = NUMBER OF UNITS WITHIN PLANNED DEVELOPMENT  
14,323 ACRES = AREA OF TOTAL PLANNED DEVELOPMENT INCLUDING THE COMMON LOTS, TOWNHOUSE LOTS, AND ROAD RIGHT OF WAYS  
76 UNITS / 14,323 ACRES = 5.306 UNITS/ACRE

AFTER SUBDIVISION:  
14,009 ACRES = AREA OF TOTAL PLANNED DEVELOPMENT INCLUDING THE COMMON LOTS, TOWNHOUSE LOTS, AND ROAD RIGHT OF WAYS  
76 / 14,009 = 5.425 UNITS/ACRE

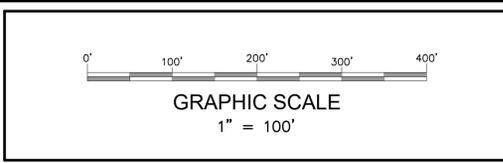
T-3 ZONE PERMITS A MAXIMUM OF 4.84 UNITS/ACRE

TOWN OF NEWTON  
RESOLUTION OF APPROVAL FOR MINOR SUBDIVISION WAS APPROVED AT A REGULAR MEETING OF THE PLANNING BOARD OF THE TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY HELD ON THE X th DAY OF X, 2020

\_\_\_\_\_ CHAIRMAN  
\_\_\_\_\_ SECRETARY  
\_\_\_\_\_ PLANNING BOARD ENGINEER

MINOR SUBDIVISION  
TAX LOT 1 BLOCK 12.01  
TOWN OF NEWTON, SUSSEX COUNTY, NJ

COVER SHEET



DYKSTRA ASSOCIATES, PC  
11 LAWRENCE ROAD  
NEWTON, N.J. 07860  
(973) 579-2177

DOUGLAS O. DYKSTRA  
PROFESSIONAL LAND SURVEYOR  
N.J. LIC. No. 34846  
PROFESSIONAL PLANNER  
N.J. LIC. No. 04808

OWNER/APPLICANT  
NEWTON COMMONS CONDO ASSOCIATION, INC  
C/O A & R MIDSTATE MANAGEMENT, LLC  
midstatemanagement@optonline.net  
PHONE (973) 398-6609  
FAX (973) 398-6925

PROJECT NO.: NWT-76  
CONTOUR INT.: 1'  
SCALE: 1" = 100'  
DATE: 10-10-2019  
SHEET 1 of 3

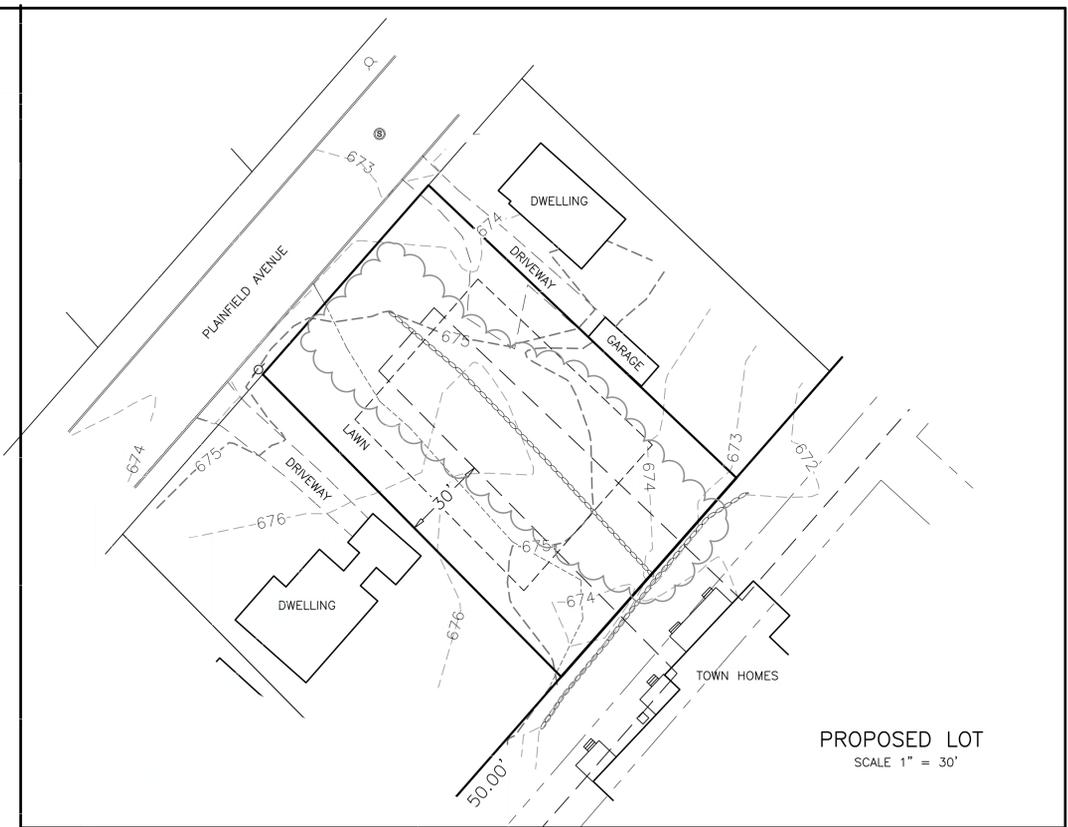
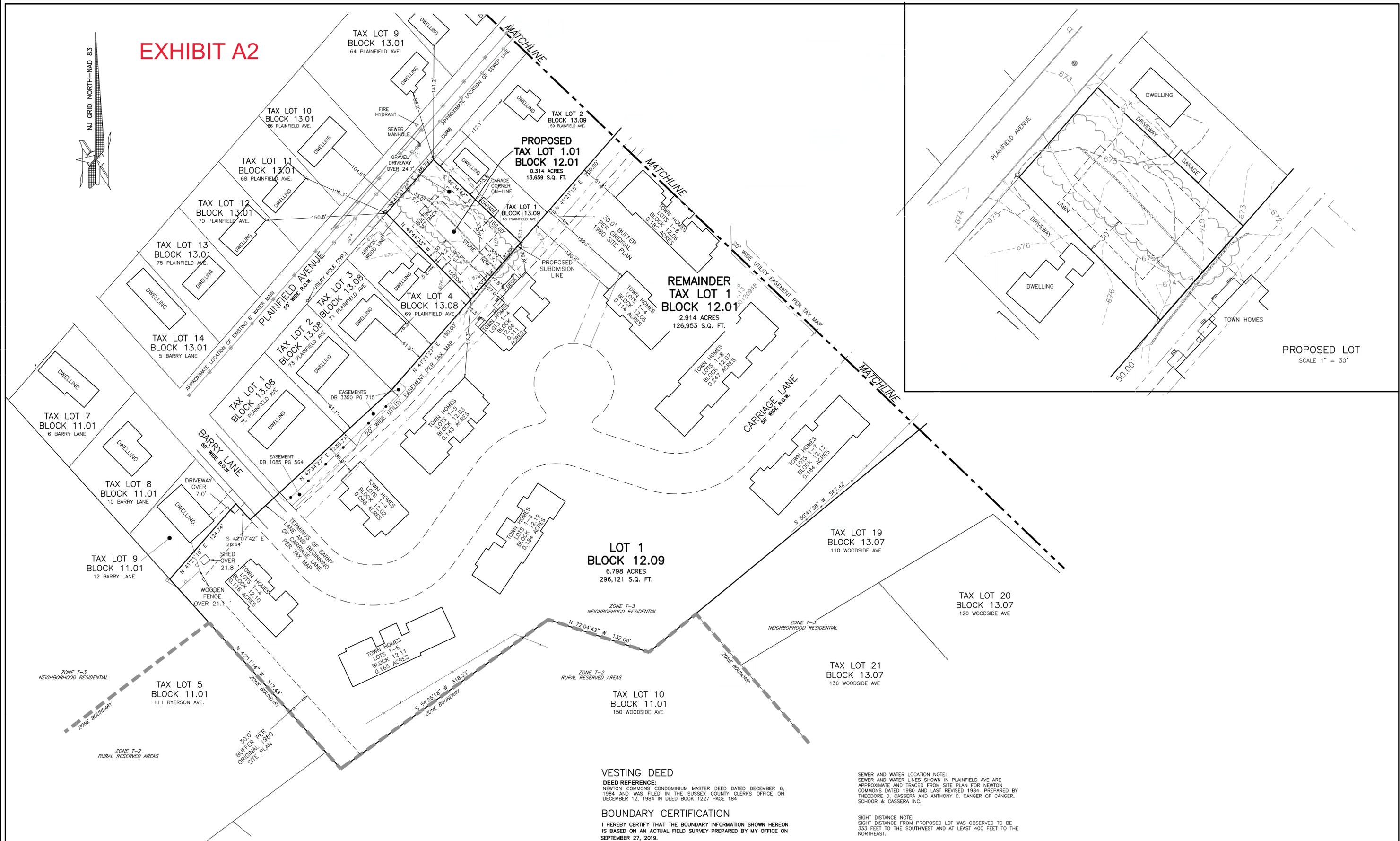
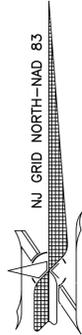
DATE	REVISION
02/28/2020	REVISIONS PER COMPLETENESS ITEMS







# EXHIBIT A2



### VESTING DEED

**DEED REFERENCE:**  
 NEWTON COMMONS CONDOMINIUM MASTER DEED DATED DECEMBER 6, 1984 AND WAS FILED IN THE SUSSEX COUNTY CLERKS OFFICE ON DECEMBER 12, 1984 IN DEED BOOK 1227 PAGE 184

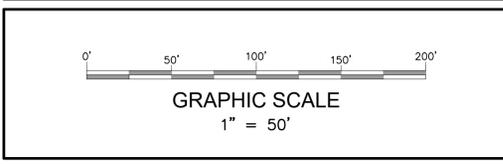
### BOUNDARY CERTIFICATION

I HEREBY CERTIFY THAT THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY PREPARED BY MY OFFICE ON SEPTEMBER 27, 2019.

**SEWER AND WATER LOCATION NOTE:**  
 SEWER AND WATER LINES SHOWN IN PLAINFIELD AVE ARE APPROXIMATE AND TRACED FROM SITE PLAN FOR NEWTON COMMONS DATED 1980 AND LAST REVISED 1984. PREPARED BY THEODORE D. CASSERA AND ANTHONY C. CANGER OF CANGER, SCHOOR & CASSERA INC.

**SIGHT DISTANCE NOTE:**  
 SIGHT DISTANCE FROM PROPOSED LOT WAS OBSERVED TO BE 333 FEET TO THE SOUTHWEST AND AT LEAST 400 FEET TO THE NORTHEAST.

MINOR SUBDIVISION  
 TAX LOT 1 BLOCK 12.01  
 TOWN OF NEWTON, SUSSEX COUNTY, NJ  
**BOUNDARY SURVEY AND  
 MINOR SUBDIVISION-SHEET A**

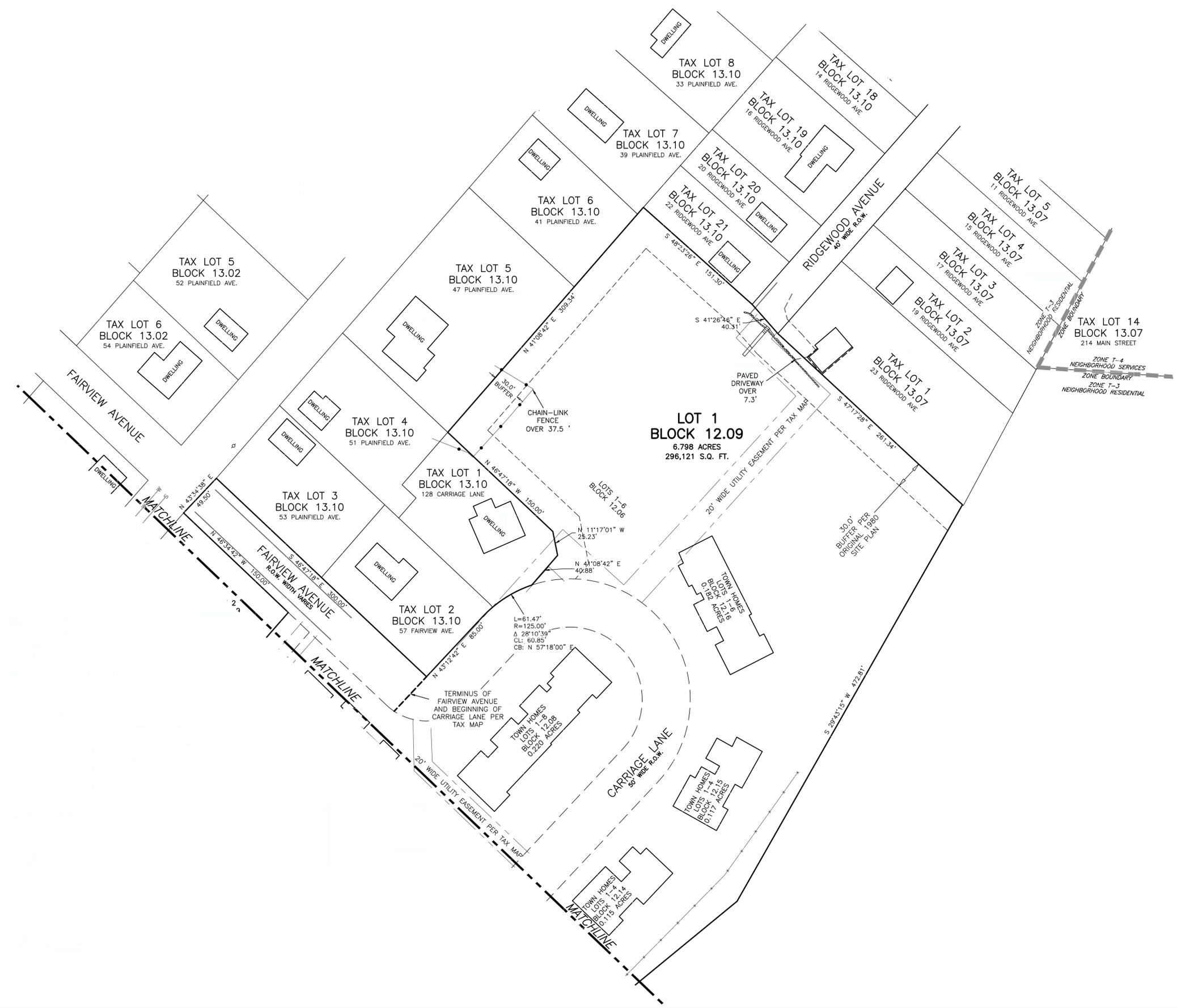


DYKSTRA ASSOCIATES, PC  
 11 LAWRENCE ROAD  
 NEWTON, N.J. 07860  
 (973) 579-2177  
  
**DOUGLAS O. DYKSTRA**  
 PROFESSIONAL LAND SURVEYOR  
 N.J. LIC. No. 34846  
 PROFESSIONAL PLANNER  
 N.J. LIC. No. 04808

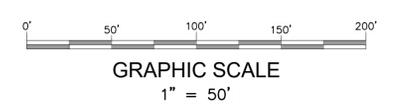
**OWNER/APPLICANT**  
 NEWTON COMMONS CONDO  
 ASSOCIATION, INC  
 C/O A & R MIDSTATE  
 MANAGEMENT, LLC  
 midstatedevelopment@optonline.net  
 PHONE (973) 398-6609  
 FAX (973) 398-6925

PROJECT NO.: NWT-76
CONTOUR INT.: 1'
SCALE: 1" = 50'
DATE: 10-10-2019
SHEET 2 of 3

DATE	REVISION
02/28/2020	REVISIONS PER COMPLETENESS ITEMS



MINOR SUBDIVISION  
 TAX LOT 1 BLOCK 12.01  
 TOWN OF NEWTON, SUSSEX COUNTY, NJ  
**BOUNDARY SURVEY AND  
 MINOR SUBDIVISION-SHEET B**



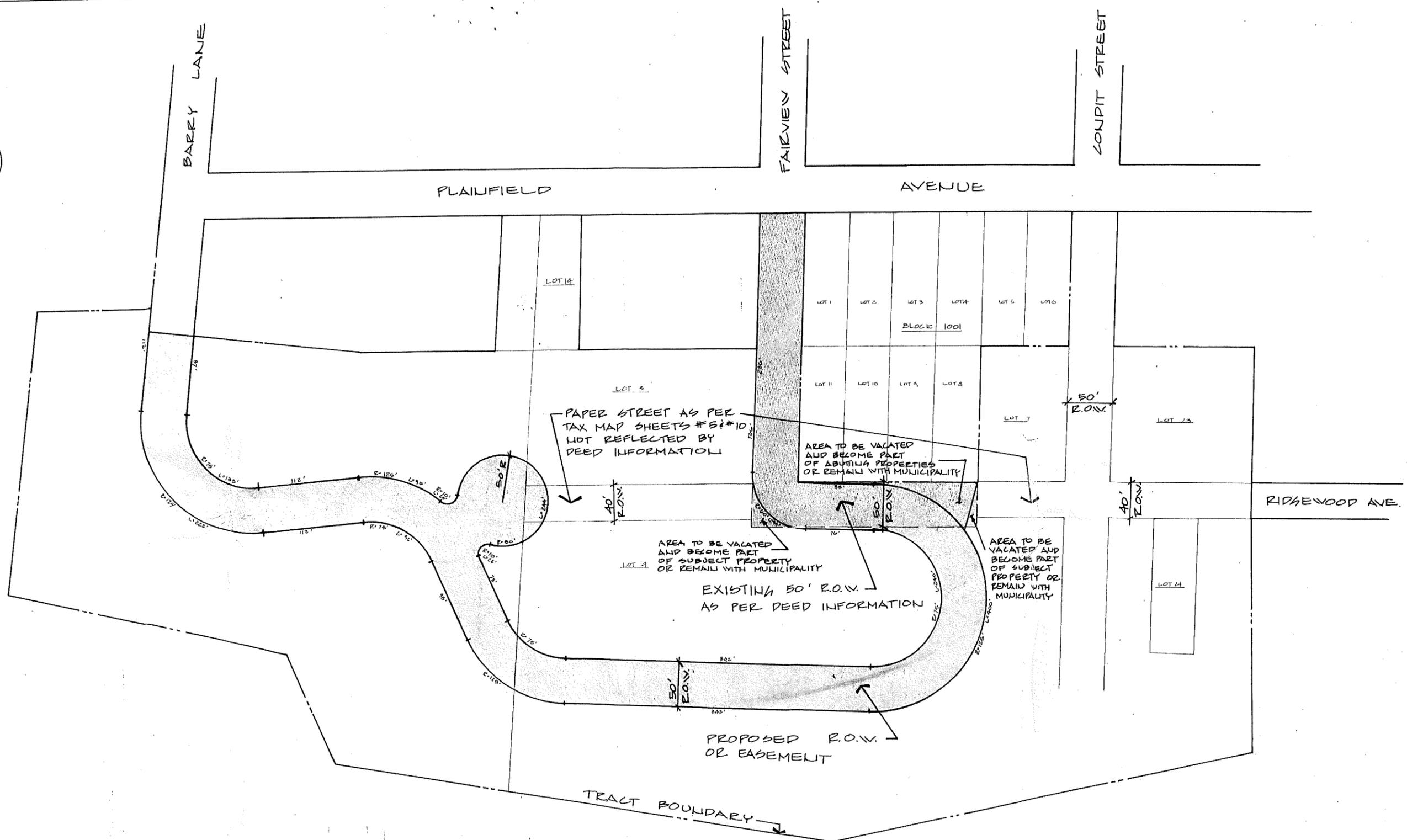
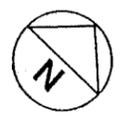
**DYKSTRA ASSOCIATES, PC**  
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**DOUGLAS O. DYKSTRA**  
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 ASSOCIATION, INC  
 C/O A & R MIDSTATE  
 MANAGEMENT, LLC  
 midstatemanage@optonline.net  
 PHONE (973) 398-6609  
 FAX (973) 398-6925

PROJECT NO.: NWT-76
CONTOUR INT.: N/A
SCALE: 1" = 50'
DATE: 10-10-2019
SHEET 3 of 3

DATE	REVISION
02/28/2020	REVISIONS PER COMPLETENESS ITEMS





THEODORE D. CASSERA  
PROFESSIONAL ENGINEER

*Theodore D. Cassera*

THEODORE D. CASSERA, P.E., Lic. No. 22944

ANTHONY C. CANGER  
LICENSED LAND SURVEYOR

*Anthony C. Canger*

ANTHONY C. CANGER, L.S., Lic. No. 16199

DATE	REVISIONS
6/25/80	20' R.O.W. MAP
8-14-80	BARRY LANE R.O.W.
7/8/86	DEED AS PER THE COMMONS 2016 20, 1990, 1976
11/28/88	CHANGE TIME FROM DEEDS TO TRANSFERRED COMMONS

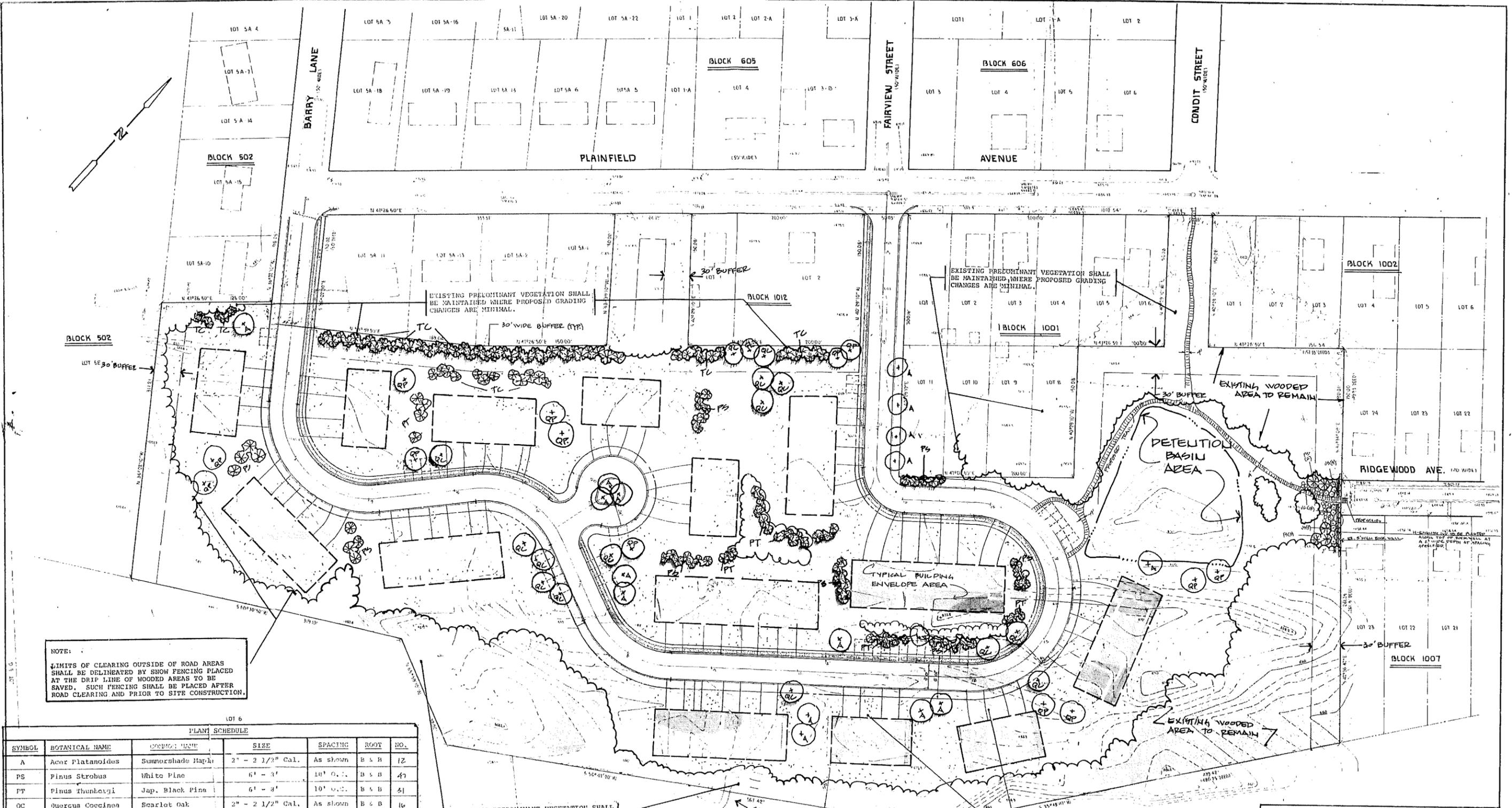
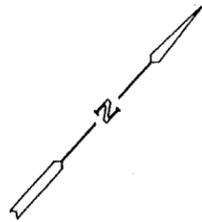
**canger, schoor & cassera inc.**  
Civil Engineering • Planning • Land Surveyors  
1250 Littleton Road, PO Box 120, Parsippany - Troy Hills, N.J. 07054  
(201) 287-2800

SCALE: 1" = 60'  
DATE: 6/25/80  
DRAWN BY: TP TC  
CHECKED BY: JAS  
FIELD BY: -

TOWNSHIP OF NEWTON  
SUSSEX COUNTY, NEW JERSEY

**EIGHT OF WAY MAP**

FOR  
**NEWTON COMMONS**



NOTE:  
 LIMITS OF CLEARING OUTSIDE OF ROAD AREAS SHALL BE DELINEATED BY SNOW FENCING PLACED AT THE DRIP LINE OF WOODED AREAS TO BE SAVED. SUCH FENCING SHALL BE PLACED AFTER ROAD CLEARING AND PRIOR TO SITE CONSTRUCTION.

PLANT SCHEDULE						
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	ROOT	NO.
A	Acer Platanoides	Summershade Maple	2" - 2 1/2" Cal.	As shown	B & B	12
PS	Pinus Strobus	White Pine	6' - 8'	10' O.C.	B & B	47
PT	Pinus Thunbergii	Jap. Black Pine	6' - 8'	10' O.C.	B & B	51
QC	Quercus Coccinea	Scarlet Oak	2" - 2 1/2" Cal.	As shown	B & B	16
QP	Quercus Palustris	Pin Oak	2" - 2 1/2" Cal.	As shown	B & B	13
TC	Tsuga Canadensis	Canadian Hemlock	8' - 10'	10' O.C.	B & B	70
JC	Juniperus Conferta	Jap. Shore Juniper	12"-15"	3' O.C.	---	18
JS	Juniperus Sargentii	Sargent Juniper	2'-2 1/2'	3' O.C.	B & B	12
H	Hedera Helix	English Ivy	12"-15"	8" O.C.	Plats	500

- NOTE:
- All plant material shown at semi-mature growth.
  - Predominant existing vegetation to be preserved where minimum change in grade allows.
  - All plant materials to be mulched with 2" layer of clean wood chip mulch.
  - See sheet 7 of 14 for typical unit planting scheme.
  - Plant spacing shall comply with the spacing specifications note. (See S.C.9. Detail sheet)
  - Detail recreation facilities to be developed by client.

EXISTING PREDOMINANT VEGETATION SHALL BE MAINTAINED WHERE PROPOSED GRADING CHANGES ARE MINIMAL.

NOTE:  
 SEE TYPICAL UNIT PLANTING SCHEME FOR DETAILED UNIT LANDSCAPING

LEGEND	
EXISTING	PROPOSED
	WOODED AREA
	DECIDUOUS SHADE TREE
	EVERGREEN TREE
	ROCK OUTCROP
	TRAIL
	WALK
	TURF AREAS

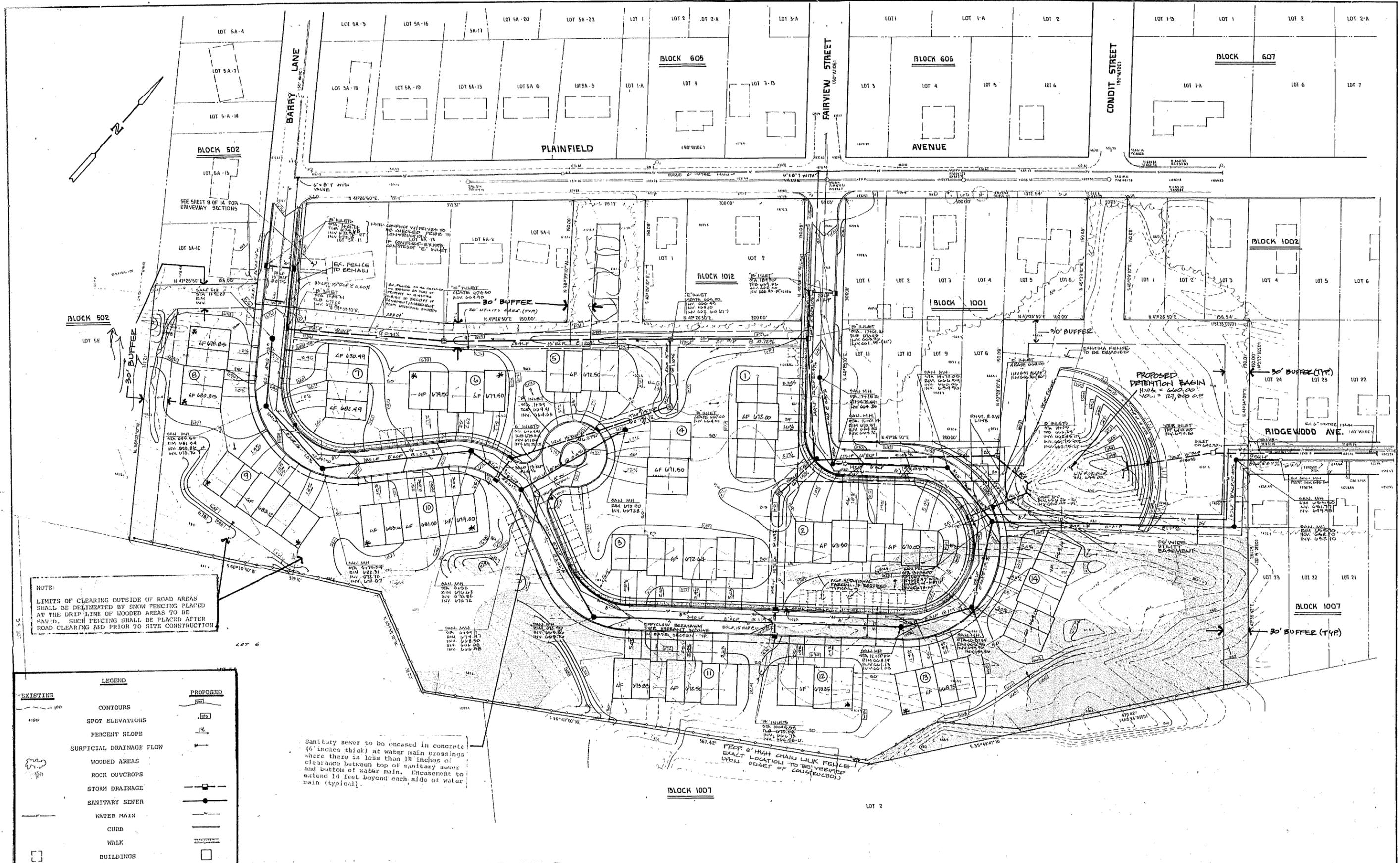
THEODORE D. CASSERA  
 PROFESSIONAL ENGINEER  
*Theo D Cassera*  
 THEODORE D. CASSERA, P.E., LIC. NO. 22944

ANTHONY C. CANGER  
 LICENSED LAND SURVEYOR  
*Anthony C. Canger*  
 ANTHONY C. CANGER, L.S., LIC. NO. 15099

DATE	REVISIONS
5/25/80	SHOW 30' BUFFER AREAS AND ADDED PLANT MATERIAL
6/18/80	REV. BARRY LANE ROAD
7/8/80	REV. AS PER COMMENTS AT JUNE 23/80 Mtg.
11/28/80	CHANGE TITLE FROM RESIDENTS TO NEWTON COMMONS
6/25/84	REV. AS PER PLANNING BOARD COMMENTS

**canger, schoor & cassera inc.**  
 Consulting Engineers • Planners • Land Surveyors  
 1359 Littleton Road, P.O. Box 120, Parsippany, Troy Hills, N.J. 07054  
 (201) 267-2600  
 SCALE: 1" = 50'  
 DATE: 4/21/80  
 DRAWN BY: TD, TZ, JAS/TS  
 FILE NO: FIELD 84

TOWN OF NEWTON  
 SUFFER COUNTY, NEW JERSEY  
**LANDSCAPE PLAN**  
 FOR  
**NEWTON COMMONS**



NOTE:  
 LIMITS OF CLEARING OUTSIDE OF ROAD AREAS SHALL BE DELINEATED BY SNOW FENCING PLACED AT THE DRIP LINE OF WOODED AREAS TO BE SAVED. SUCH FENCING SHALL BE PLACED AFTER ROAD CLEARING AND PRIOR TO SITE CONSTRUCTION.

**LEGEND**

<b>EXISTING</b>	<b>PROPOSED</b>
CONTOURS	CONTOURS
SPOT ELEVATIONS	SPOT ELEVATIONS
PERCENT SLOPE	PERCENT SLOPE
SURFICIAL DRAINAGE FLOW	SURFICIAL DRAINAGE FLOW
WOODED AREAS	WOODED AREAS
ROCK OUTCROPS	ROCK OUTCROPS
STORM DRAINAGE	STORM DRAINAGE
SANITARY SEWER	SANITARY SEWER
WATER MAIN	WATER MAIN
CURB	CURB
WALK	WALK
BUILDINGS	BUILDINGS
PARKING SPACE IF REQUIRED	PARKING SPACE IF REQUIRED

\* WIDE UNIT OPTION

Sanitary sewer to be encased in concrete (6 inches thick) at water main crossings where there is less than 18 inches of clearance between top of sanitary sewer and bottom of water main. Encasement to extend 10 feet beyond each side of water main (typical).

DATE	REVISIONS	DATE	REVISIONS
JUL 2, 1984	REV SAN & WATER MAIN TO ALLOW BETTER WORK CONSTRUCTION	NOV 12, 1983	REV DETENTION BASIN & SAN. SEWER
		JAN 10, 1985	ADDED TYPED FROM REPLY TO INQUIRY COMMENTS
		DEC 21, 1983	REV ASPHALT, SAND, & GRAVEL
		JAN 10, 1984	REV. PIPING, VALVES, & INCREASING PER. FROM 1% TO 2%
		JUNE 29, 1984	REV. ASPHALT, SAND, GRAVEL, & INCREASING PER. FROM 1% TO 2%

**THEODORE D. CASSERA**  
 PROFESSIONAL ENGINEER  
*Theodore D. Cassera*  
 THEODORE D. CASSERA, P.E., Lic No 22894

**ANTHONY C. CANGER**  
 LICENSED LAND SURVEYOR  
*Anthony C. Canger*  
 ANTHONY C. CANGER, L.S., Lic No 15089

DATE	REVISIONS
5/20/80	REV. DRIVEWAY & ASPHALT DRIVEWAY
6/15/80	REV. DRIVEWAY & ASPHALT DRIVEWAY
6/15/80	ADD 8" WATER MAIN (HYDRANT) 15' - 0" DIAMETER
7/1/80	REV. AS PER RE COMMENTS AT JUNE 21/80 MTC
12/1/80	REV. SAN. SEWER AS PER COMMENTS AT JUNE 21/80 MTC

**canger, schoor & cassera inc.**  
 Consulting Engineers • Planners • Land Surveyors  
 1359 Littleton Road, PO Box 120, Parsippany - Troy Hills, N.J. 07054  
 (201) 281-2000  
 SCALE 1" = 50'  
 DATE 4/21/80  
 DRAWN BY CHD/D BY FILE NO. FIELD BK  
 TD TC 14576

TOWN OF NEWTON  
 SUSSEX COUNTY, NEW JERSEY  
**SITE PLAN**  
 FOR  
**NEWTON COMMONS**  
 SHEET 2 OF 14