

Old Bridge

(1985)

letter
about Final approval for Oakwood at Madison, Inc.
+ resolutions

9 pgs

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February 22, 1985

THOMAS NORMAN
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(609)654-1778

rec'd 3/1

Eric Neisser, Esq.
Rutgers Law School
15 Washington Street
Newark, NJ 08102

Re: Oakwood at Madison

Dear Eric:

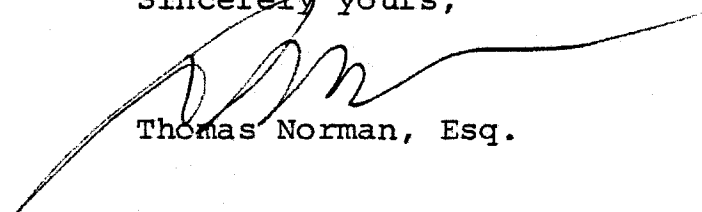
Enclosed is a copy of final approval dated August 23, 1979, and also preliminary approval dated June 30, 1978.

The final approval in paragraph 21 does not grant site plan approval for the Mt. Laurel units.

Paragraph 22 establishes a 10 year period of effectiveness for final approval.

As soon as I can track down the various Court Orders, I will forward them to you.

Sincerely yours,



Thomas Norman, Esq.

TN:mk

Be it Resolved, by the Planning Board of the Township of Old Bridge, County of Middlesex,
New Jersey, that:

WHEREAS, Oakwood at Madison, Inc. (hereinafter applicant) has made Application #6-78P for Final Approval of a Major Subdivision Plan known as Block 13000, 13003, 13264, 21004, on the Tax Map of the Township of Old Bridge, which is to be developed as indicated on a set of drawings and plans identified as follows:

1. Traffic and circulation plans, Abington Ney Associates, Aug. 16, 1979.
2. Architectural plans, 5 sheets, November 19, 1977, with revisions through July 1979, Chester Van Dalen Associates.
3. Final Construction plans and details, 53 sheets, May 1, 1979, with revisions through August 14, 1979. Abington Ney Associates.
4. Landscaping and woodland protection plan, 20 sheets, 1 May 1979, with revisions through 14 August 1979, Abington Ney Associates.
5. Staging plan, August 13, 1979, Abington Ney Associates.
6. Final plans, Feb. 1, 1979, with revisions through 14 Aug. 1979, 28 sheets, Abington Ney Associates.

NOW, THEREFORE, BE IT RESOLVED that the major subdivision plat referred to herein be and the same is hereby granted Final Approval in accordance with the following conditions:

1. That the procedures and requirements of the Subdivision and Site Plan Committee of the Middlesex County Planning Board are satisfied.
2. The construction or reconstruction of streets, curbs or sidewalks shall be in accordance with the provisions of N.J.S.A. 52:32-14 et seq.
3. Approval by the DEP of stream encroachment lines. Any dwelling units located within the stream encroachment line must be removed and redesigned by the applicant with the approval of the Planning Board.
4. Final approval by the Old Bridge Township Municipal Utilities Authority for water connections and the Old Bridge Township Sewerage Authority for sewerage disposal. Approval herein shall not be interpreted as vesting any rights in the applicant with regard to service by the Old Bridge Township Municipal Utilities Authority for water or sewer.
5. The applicant shall furnish a Performance Guarantee in favor of the Township of Old Bridge, in an amount not to exceed 120% of the cost of installation for improvements it may deem necessary or appropriate. The Performance Guarantee for the construction for the bridge required in provision 14 herein shall be submitted and approved prior to commencement of construction of Stage 3.

(SEAL)

I certify the following to be a true and correct abstract of a resolution regularly passed at a meeting of the Planning Board of the Township of Old Bridge

August 23, 1979
and in that respect a true and correct copy of its minutes.

Mary M. Brown
Secretary of Planning Board

Be it Resolved, by the Planning Board of the Township of Old Bridge, County of Middlesex,

New Jersey, that:

Resolution, Page Two.

#6-78P Oakwood at Madison, Inc.

6. Applicant shall deposit a certified check or cash with the Township Clerk in the amount of 5% of the value of the site improvements which are required to be inspected as estimated by the Township Engineer to cover the cost of all inspections required under the Land Development Ordinance.

7. The proposed open space dedication should now be accomplished by forwarding to the Administrative Officer a bargain and sale deed and three survey maps showing the metes and bounds description of the land to be conveyed for approval and acceptance by the Township Council in accordance with provisions of paragraph 5 and a Council Resolution dated May 23, 1977. Said lands shall consist of the following tracts.

Block 11315, Lot 8 - 12.17 acres.

Block 13001, Lot 21A - 2.13 acres.

Block 13003, Lot 26 - 8.55 acres.

Portion of Block 13003, Lots 23A and 24A - 34.61 acres.

Portion of Block 13003, Lots 23B and 24B - 6 acres.

Block 21004, Lot 17 - 18.65 acres.

Block 21004, Lot 18 - 5.26 acres.

8. The proposed right of way dedication along Spring Valley Road should now be accomplished by forwarding to the Administrative Officer a bargain and sale deed and three survey maps showing the metes and bounds description of the land to be conveyed for approval and acceptance by the Township Council in accordance with provisions of paragraph 5 and a Council Resolution dated May 23, 1977.

9. The proposed conservation easements along Burnt Fly Brook and Deep Run should now be accomplished by forwarding to the Administration Officer the standard Township easement agreement and three survey maps showing the metes and bounds description of the land to be conveyed for approval and acceptance by the Township Council, in accordance with provisions of paragraph 5 of the Council Resolution dated May 23, 1977.

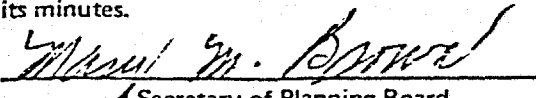
10. All construction equipment vehicles shall be restricted to Point of Woods Road from Spring Valley Road during the time of construction. If said access shall become impossible for use by construction vehicles, the applicant may apply to the Planning Board for relief from this provision for good cause.

(SEAL)

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August 23, 1979

and in that respect a true and correct copy of its minutes.


Secretary of Planning Board

Be it Resolved, by the Planning Board of the Township of Old Bridge, County of Middlesex,
New Jersey, that:

Resolution. Page Three
#6-78P Oakwood at Madison, Inc.

11. Applicant agrees to construct the so called nature or hiking trail also known as Winter Berry Trail, along Burnt Fly Brook, off tract on Township owned land to a point known as the nature center in the general vicinity of the intersection of Prests Mill Road and the Trans Old Bridge, also described on a map known as Burnt Fly Bog Trail. It is agreed and understood that all of the hiking trails both on tract and off tract, shall be constructed in its entirety as heretofore described prior to the beginning of the construction of Stage 3.

12. Applicant agrees to construct all recreational facilities located within the respective section as the residential units are constructed and in any event, prior to the commencement of construction of the subsequent section.

13. At the end of Stage 2 and prior to the commencement of construction of Stage 3, applicant agrees to construct playfields, according to standards approved by the Director of the Department of Recreation, consisting of a baseball field, softball field, soccer field, in playable condition and/or their equal, on land being dedicated to the Township of Old Bridge, and also known as Block 21004, Lots 17 and 18, subject to the finding of the Township Environmental Commission that said land can be developed for said purpose, without doing environmental damage.

14. Prior to the commencement of construction of Stage 2, a "complete" set of final plans satisfying application requirements of the State DEP and DOT for the Deep Run bridge crossing and the intersection design at the Ferry Road jughandle shall be submitted to the Township Engineering Department, New Jersey Department of Transportation and the New Jersey Environmental Protection for review and approval. In accordance with the provision of Paragraph 2 in the Resolution of Preliminary Approval dated June 30, 1978, applicant agrees to extend the Trans Old Bridge roadway to Route 9, prior to the end of construction of Stage 3.

15. It is agreed and understood that Prests Mill Road and all of the Trans Old Bridge shall be constructed and in place and functioning, from the Route 9 jughandle to the applicant's property line in Section 6, prior to the beginning of the construction of Stage 4.

16. Applicant agrees to desnag, selectively thin and generally clean up Burnt Fly Brook along its entire course through Sections 7, 13, 14, 15, 16, 24, and 25.

(SEAL)

I certify the following to be a true and correct abstract of a resolution regularly passed at a meeting of the Planning Board of the Township of Old Bridge

August 23, 1979

and in that respect a true and correct copy of its minutes.


Secretary of Planning Board

Be it Resolved, by the Planning Board of the Township of Old Bridge, County of Middlesex,

New Jersey, that:

Resolution, Page Four
#6-78P Oakwood at Madison, Inc.

17. The proposed bikeway along the Trans Old Bridge shall be extended along the frontage of the proposed school site to applicant's easternmost property line.

18. It is agreed and understood the Township will accept for dedication only those collector streets, known as Nathan Drive, Oakland Road, Prests Mill Road and Point of Woods Drive and all streets in the single family area meeting Township Standards, and the major arterial known as the Trans Old Bridge. All of the streets, cul-de-sacs and the so called courts serving patio homes, cluster homes and townhouses, will be owned and maintained by the respective homeowners association.

19. The Open Space Organization documents are subject to final review by the Township Planner and the Planning Board Attorney and thereafter, same shall be recorded simultaneously with the recording of the subdivision plat and a copy of same returned to the Administrative Officer with the recording information thereon.

20. Upon submission by the applicant of subsections approved by this Resolution, the Chairman and Secretary of the Planning Board shall sign said subsections of the final plat for recording with the Middlesex County Clerk. This approval is divided into 28 subsections.

21. The approval herein given does not in any way grant site plan approval of any of the commercial sites in Sections 6, 7, 24, and 25 or for 550 dwelling units included in the multi family housing sites located in Sections 22, 23, 26, 17 and 28.

22. The effectiveness of this final approval shall be extended for a 10 year period in order to permit the applicant to reasonably rely upon this approval in light of the size of the project which exceeds 150 acres and the number of units which exceeds the statutory requirements of N.J.S.A. 42:55D-52(b)

23. The applicant agrees to conform to all requirements contained in the memorandum of the Township Engineer dated August 23, 1979, with the exception of regulation #6, which is superceded by the terms contained in Condition #15 of this Resolution.

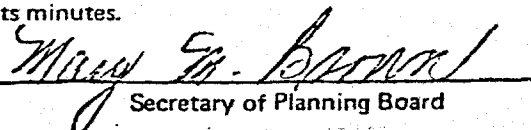
24. Final approval contained herein shall also conform to all of the requirements contained in the Resolution of preliminary approval granted

(SEAL)

I certify the following to be a true and correct abstract of a resolution regularly passed at a meeting of the Planning Board of the Township of Old Bridge

August 23, 1979

and in that respect a true and correct copy of its minutes.


Secretary of Planning Board

Be it Resolved, by the Planning Board of the Township of Old Bridge, County of Middlesex,
New Jersey, that:

Resolution, Page Five.
#6-78P Oakwood at Madison, Inc.

by this Board June 30, 1978, with the exception of any condition of preliminary approval which has been expressly modified by this Resolution of final approval.

Moved by Mr. Stone, seconded by Mr. Mintz, and so moved on the following roll call vote:

AYES: Mr. Fennessy, Mayor Fineberg, Mr. Horowitz, Mr. Stone,
Mr. Mintz, Chairman Olivera.

NAYS: Mr. Donatelli, Mr. Hueston.

ABSTAIN: None.

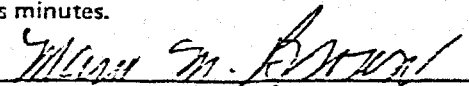
ABSENT: Mr. Messenger.

(SEAL)

I certify the following to be a true and correct abstract of a resolution regularly passed at a meeting of the Planning Board of the Township of Old Bridge

August 23, 1979

and in that respect a true and correct copy of its minutes.


Secretary of Planning Board

WHEREAS, Oakwood and Madison, Inc., has made application #6-78P for preliminary approval of a Major Subdivision Plat and a Site Development Plan known as Block 13000, 13003, 13264, 21004 and all those certain lots therein.

- (1) Environmental Impact Assessment, Jack Mc Cormack and Associates - 3 May 1978.
- (2) Traffic Engineering Investigation, Abbington - Ney Associates - 17 May 1978.
- (3) Preliminary Soil Analysis, Frank H. Lehr Associates 18 May 1977.
- (4) Traffic and Circulation Plan, Abbington-Ney Associates, December 1, 1977.
- (5) Architectural Plans, Sheets A2, A3, A4, A5, A6, A7, A8, A9, L1, L2, L3, L4, L5, Chester & Van Dalen Associates - November 1977.
- (6) Preliminary Plats and Details, Abbington-Ney Associates - 1 December 1977 with revisions through 10 May 1978.
- (7) Tree Disturbance Plan, Chester & Van Dalen Associates 26 June 1978.
- (8) Commercial Landscaping Plan, Chester & Van Dalen 16 June 1978.
- (9) Site Plan, Chester & Van Dalen, 28 April 1978.
- (10) Recreation Plan, Chester & Van Dalen, 19 May 1978 as revised.
- (11) Staging Plan, Chester & Van Dalen, 8 June 1978.

AND WHEREAS, public hearings were held in the Municipal Building of the Township of Old Bridge on May 22, June 9, June 22, and June 30.

NOW, THEREFORE, BE IT RESOLVED that the major subdivision plat and site plan development plans referred to herein be and the same is hereby granted preliminary approval in accordance with the following conditions.

(SEAL)

-1-

I certify the following to be a true and correct abstract of a resolution regularly passed at a meeting of the Planning Board of the Township of Old Bridge

June 30, 1978

and in that respect a true and correct copy of its minutes.

Mary G. Brown
Secretary of Planning Board

New Jersey, that:

1. That the procedures and requirements of the Subdivision and Site Plan Committee of the Middlesex County Planning Board are satisfied.

AND NOW, THEREFORE, BE IT FURTHER RESOLVED that the major subdivision plat, and Site Development Plan referred to herein be and the same is hereby granted preliminary approval according to the following terms:

- (1) Applicant will design, provide plans and specifications and construct the bridge crossing over Deep Run so as to extend the Trans Old Bridge Roadway to Route 9 provided the township takes the administrative steps to acquire the right of way and process all governmental applications to obtain all approvals.
- (2) Prior to the beginning of construction at the end of stage three, the township will provide not less than \$65,000 to the cost of construction which represents the fair share of prospective developers to the east benefiting from said stream crossing and road extension and agrees to remit to applicant all future fair shares; all which are further subject to the following conditions:
 - a. All cul-de-sacs and Eagle Road will have no sidewalks.
 - b. There will be sidewalks on one side of Prest-Mill Road, Sandpiper Road, Oakwood Road and Oakland Road.
 - c. There will be no curbs on Eagle Road.
 - d. All cul-de-sacs will be 27 feet wide.
 - e. Eagle Road will be 26 feet wide.
 - f. Parking areas for the town houses, patio homes, garden apartments and cluster homes will be paved to specifications of 1½ inches FABC on top of 3½ inches BSBC on top of stone if necessary.
 - g. All cul-de-sacs and Cooper Hawk Road except Trans Old Bridge shall be paved with a section 1½ inches FABC on 3½ inches BSBC on top of stone if required.

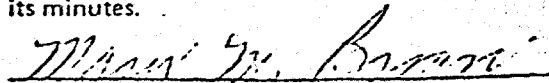
I certify the following to be a true and correct abstract of a resolution regularly passed at a meeting of the Planning Board of the Township of Old Bridge

(SEAL)

-2-

June 30, 1978

and in that respect a true and correct copy of its minutes.


Secretary of Planning Board

New Jersey, that:

- h. Trans Old Bridge Highway shall have a minimum section of 3 inches FABC-2 on top of 6 inches BSBC-2 on a prepared sub base.
 - i. Fees for final subdivisions and Site Plan Approval will be waived.
- (3) The proposed drainage system and detention ponds have not yet been approved pending a complete review by the engineering department.
- (4) The developer must make provisions to insure that any homeowners in the area whose wells are affected by the construction of the Oakwood project will be continuously supplied with an adequate and potable quantity of water.

Moved by Vice Chairman Mintz; seconded by Mr. Stone and so ordered on the following roll call vote:

AYES: Mayor Fineberg, Messrs. Hueston, Messenger, Stone, Vice-Chairman Mintz.

NAYS: None.

ABSENT: Messrs. Donatelli, Fennessey, Horowitz, Chairman Olivera.

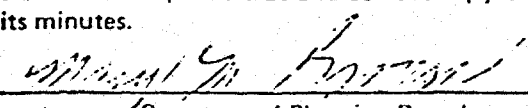
(SEAL)

-3-

I certify the following to be a true and correct abstract of a resolution regularly passed at a meeting of the Planning Board of the Township of Old Bridge

June 30, 1978

and in that respect a true and correct copy of its minutes.


Secretary of Planning Board