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May 30, 2023

VIA HAND DELIVERY

Ms. Lori Taglairino
Planning Board Secretary
Township of Harding
21 Blue Mill Road
New Vernon, NJ 07976

**Re: Hurstmont Urban Renewal Entity, LLC (“Applicant”)
Preliminary and Final Site Plan and Minor Subdivision Application
Block 27, Lot 2 (“Property”)**

Dear Ms. Taglairino:

This firm represents the Applicant in connection with its application for Preliminary and Final Major Site Plan and Minor Subdivision related to the proposed senior living development, consisting of a variety of living arrangements for seniors, including townhouses, independent living units, assisted living units and memory care units, at the above referenced Property (the Proposed Development”). The Proposed Development was determined to be consistent with the Glen Alpin/Hurstmont Redevelopment Plan, Ordinance 01-2023, adopted by the Township Committee on February 14, 2023 by Township Committee Resolution #23-115 adopted on May 15, 2023.

Enclosed please find the following materials in support of the application:

1. Three (3) sets of the Township of Harding Land Use Application, including Checklist, Technical Review Escrow Agreement and Landowner Consent Forms;
2. Three (3) copies of the Project Proposal;
3. Three (3) copies of the certified property owner list issued by the Harding Township tax assessor;
4. Three (3) copies of the Tax Certification issued by the Harding Township Tax Collector;

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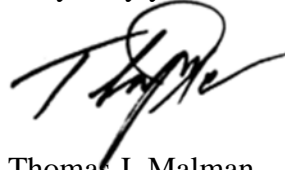
5. Three (3) copies of easements and restrictions impacting the Property;
6. Three (3) sets of Boundary and Topographic Survey prepared by James P. Deady Land Surveying last revised May 16, 2023;
7. Three (3) sets of a Subdivision Plat prepared by Gladstone Design, Inc., dated May 26, 2023;
8. Three (3) sets of Site Plans prepared by Gladstone Design, Inc., dated May 5, 2023, last revised May 26, 2023;
9. Three (3) sets of Architectural Plans for the Cottage Models and Carriage Models, prepared by Luce Architects, dated May 5, 2023;
10. Three (3) sets of Architectural Plans for the Multi-family Independent Living, and Assisted Living, Memory Care Building, prepared by Meyer Architect + Interiors, dated May 5, 2023;
11. Three (3) sets of Landscape and Lighting Plans prepared by Bosenberg Landscape Architecture, dated May 5, 2023, last revised May 26, 2023;
12. Three (3) copies of the Traffic Report, prepared by Dolan & Dean, dated May 5, 2023, last revised May 26, 2023;
13. Three (3) copies of the Stormwater Management Report, Volume I, prepared by Gladstone Design, Inc., dated May 26, 2023;
14. Three (3) copies of the Stormwater Management Report, Volume II, prepared by Gladstone Design, Inc., dated May 26, 2023;
15. Three (3) copies of the Environmental Impact Statement, prepared by EcolScience, dated May 5, 2023, last revised May 26, 2023;
16. Three (3) copies of the County of Morris Planning Board Application Submission;
17. Check in the amount of \$2,500.00 in payment of the application fee;
18. Check in the amount of \$5,000.00 in payment of the escrow deposit; and
19. Applicant's W-9 form.

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Please let me know if you have any questions or if you require additional information.

Very truly yours,



Thomas J. Malman

Enclosures

PROPOSAL

Hurstmont Urban Renewal Entity, LLC (the “Applicant”) is seeking Preliminary and Final Major Site Plan and Minor Subdivision approval to construct a senior living development, consisting of a variety of living arrangements for seniors, including townhouses, independent living units, assisted living units and memory care units, as described below, at property located at 679 Mount Kemble Avenue (State Route 202), designated as Block 27, Lot 2 on the official tax map of the Township of Harding (the “Property”).

The Property is located within the Senior Living District of the Glen Alpin / Hurstmont Redevelopment Plan. The Property is approximately 19.7 acres and is commonly referred to as the “Hurstmont Property.” The Property was previously developed with a 17,000-square-foot residence, a carriage house, barn, “playhouse” and other related site improvements, most of which have been demolished. The Property is accessed from Mount Kemble Avenue.

The Applicant is proposing to develop the subject property with a four-story senior living facility, containing 210 total units, and a townhouse development, containing 40 units (28 carriage homes and 12 cottages, which are “stacked flats”). The senior living facility will consist of a mix of independent living units, assisted living units, and memory care units. Of the 210 units, 40 will be affordable units. The senior living facility includes amenities including, but not limited to, fitness centers, beauty salons, theater, library, pool area, café space, dining areas, bar, market, pickleball courts, and open courtyards. The senior living facility will contain 151 underground parking spaces and 31 surface parking spaces. Each townhouse will have a two-car garage and associated driveway. Included in the proposed parking are “Make-Ready” electric vehicle charging stations.

The Applicant is proposing to subdivide the Property into two lots: (1) proposed lot 2.01 consisting of approximately 10.97 acres will contain the senior living facility, twelve (12) cottages and associated improvements, and (2) remaining lot 2 consisting of approximately 8.73 acres will contain twenty-eight (28) carriage homes, a wastewater treatment facility and associated improvements.



**TOWNSHIP OF HARDING
LAND USE APPLICATION**

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext. 723

Appendix 1A

APPLICANT Hurstmont Urban Renewal Entity, LLC

BLOCK: 27 **LOT:** 2

APPLICATION FOR DEVELOPMENT

☒ Planning Board Date of First Submission: _____
☐ Board of Adjustment Adequate Application Date: _____
Application Number: _____ Completeness Date: _____

1. NATURE OF THE APPLICATION (Check all applicable items)

<input type="checkbox"/> Conceptual subdivision plan	<input type="checkbox"/> Amendment to approved site plan
<input checked="" type="checkbox"/> Minor subdivision	<input type="checkbox"/> Conditional use
<input type="checkbox"/> Lot line adjustment	<input type="checkbox"/> Variance, residential, fence, patio or deck
<input type="checkbox"/> Major subdivision, preliminary	<input type="checkbox"/> Variance, other residential
<input type="checkbox"/> Major subdivision, final	<input type="checkbox"/> Use or other (d) variance
<input type="checkbox"/> Amendment to approved plat	<input type="checkbox"/> Variance, other non-residential
<input type="checkbox"/> Conceptual site plan	<input type="checkbox"/> Appeal from administrative decision
<input checked="" type="checkbox"/> Site plan approval, preliminary	<input type="checkbox"/> Interpretation of zoning ordinance
<input checked="" type="checkbox"/> Site plan approval, final	<input type="checkbox"/> Special flood hazard development permit
<input type="checkbox"/> Other _____	

2. PROPERTY INFORMATION

Property location: 679 Mt Kemble Avenue
Block: 27 Lot: 2 Zone: Hurstmont/Glen Alpin Redevelopment Plan
Existing use: vacant
Proposed use: senior living development (townhouses and multifamily residential)

Has there been any previous application involving these premises by the applicant or any other prior owner of the property? ☒ Yes ☐ No ☐ Unknown If yes, nature of application, date and determination: 2012-2013
Board of Adjustment for an increase in density and subdivision approval to create 4 lots

Does the applicant own adjacent property? ☐ Yes ☒ No If yes, address of adjacent property: _____

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
☒ Yes [attach copies] ☐ No ☐ Proposed

Is the property included within a Historic District as shown in the Harding Township Master Plan? ☒ Yes ☐ No
If yes, which district? TW - Tempe Wick
If yes, please fill out BOA Appendix 1L and make arrangements with the Historic Preservation Commission.

Were any buildings on the property constructed prior to 1915? ☐ Yes ☒ No
If the property is located in the RR, R-1 or R-2 Zone, were any accessory buildings constructed prior to 1945?
☐ Yes ☐ No If yes, please fill out BOA Appendix 1L and make arrangements with the Historic Preservation Commission.

3. APPLICANT INFORMATION

Name of Applicant: Hurstmont Urban Renewal Entity, LLC
Mailing Address: 14 Doty Road, Unit B
City/State/Zip/: Haskell, NJ 07420
Phone #: 973-966-8179 Email: c/o attorney tmalman@daypitney.com
Applicant's Interest in the Property: Designated redeveloper
Applicant is a(n): ☐ Individual ☐ Partnership ☐ Corporation ☐ Limited Liability Company

4. CONTACT FOR APPLICANT

Name: Thomas J. Malman, Esq.

Address: Day Pitney, LLP, One Jefferson Road

City/State/Zip: Parsippany, NJ 07054

Phone #: 973-966-8179

Email: tmalman@daypitney.com

5. APPLICANT OWNER DISCLOSURE (if applicable)

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons or entities possessing a 10% or greater interest in an applicant that is a corporation, partnership or other entity must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 this disclosure requirement applies to all person or entities possessing a 10% or greater interest in any such entity followed up in the chain of ownership until the names and addresses of all persons or entities possessing a 10% or greater interest have been disclosed. (Attach pages as necessary to comply).

Name: <u>Michael Nestico</u>	Address: <u>14 Doty Road, Unit B, Haskell NJ</u>	Interest: _____
Name: <u>Peter Monaghan</u>	Address: <u>175 Strafford Ave, Ste 1, #903, Wayne, PA 19087</u>	Interest: _____
Name: <u>Keith Mirchandani</u>	Address: <u>492 U.S. 46, Fairfield, NJ 07004</u>	Interest: _____
Name: _____	Address: _____	Interest: _____

6. APPLICANT'S ATTORNEY (Entities must be represented by an attorney)

Name: Thomas J. Malman, Esq.

Address: Day Pitney, LLP, One Jefferson Road, Parsippany, NJ 07054

Phone #: 973-966-8179

Email: tmalman@daypitney.com

7. APPLICANT'S ENGINEER

Name: Ronald Kennedy, PE

Address: Gladstone Design, Inc., 265 Main Street, PO Box 400, Gladstone, NJ 07934

Phone #: 908-234-0309

Email: rkennedy@gladstonedesign.com

8. APPLICANT'S PLANNER

Name: _____

Address: _____

Phone #: _____ Email: _____

9. APPLICANT'S ARCHITECT

Name: Christopher Luce (Luce Architects) and Mark Kuberski (Meyer Design Inc.)

Address: 5502 Easton Rd, Doylestown, PA 18902 / 227 E Lancaster Ave, Ardmore, PA 19003

Phone #: 215-674-5950 / 610-649-8500

Email: cjl@lucearchitects.com / mkuberski@meyerdesigninc.com

10. BRIEF DESCRIPTION OF PROJECT:

Indicate type of improvement, alteration, structure, or use proposed and describes all structures, improvements, and uses now on the property. For any non-residential, business, or commercial use provides hours of operation, number of employees, number of parking spaces, and other information important for consideration: See Proposal
townhouses, multi-family residential building consisting of independent living, assisted living and memory care units

11. REQUESTED ZONING VARIANCES:

Identify each deviation and the Township Code section and variance requested and state principal points on which the variance request is made. Use a separate sheet if necessary. Attach any letter or document from the Zoning Officer or any other Township representative which has been issued to you regarding this proposal.

None


_____	_____	_____
_____	_____	_____
_____	_____	_____

12. LIST ANY OTHER LICENSES, PERMITS OR OTHER APPROVALS REQUIRED BY MUNICIPAL, COUNTY, STATE OR FEDERAL LAW AND THE STATUS OF EACH.

Morris County Planning Board; NJDOT; Morris County Soil Conservation District

13. APPLICANT CERTIFICATION

I hereby affirm that all of the statements above and contained in the papers submitted herewith are true.

Signature of the Applicant: 

Date: 5/30/2023

14. OWNER INFORMATION (If not the Applicant)

Name: Harding Holdings PM, LLC

Address: 14 Doty Road, Unit B, Haskell NJ

Phone #: 973-966-8179

Email: c/o attorney tmalman@daypitney.com

15. OWNER'S CONSENT TO APPLICATION

I certify that I am the owner of the property that is the subject of this application, that I have authorized the applicant to make this application, and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Owner See attached owner consent form.

Sworn to and subscribed before me this

_____ day of _____, 20____

Notary Public of the State of New Jersey

PERMISSION BY OWNER FOR ACCESS TO THE PROPERTY

The undersigned Owner, having made or consented to an application for development to the Harding Township Planning Board or Board of Adjustment, understands that Board members and others must have an opportunity upon reasonable advance notice to go onto the property and examine the same in order to be able to fully understand and evaluate the application.

We therefore grant permission to members of the Board and others to go onto our property during daylight hours upon reasonable advance notice to make a thorough examination of the same for the purpose of more effectively deciding the application.

Date: _____

Owner: See attached.

Date: _____

Owner: _____

LANDOWNER'S CONSENT CERTIFICATION

Property: Block 27, Lot 2
679 Mt. Kemble Avenue
Township of Harding
Morris County, New Jersey

Applicant: Hurstmont Urban Renewal Entity, LLC

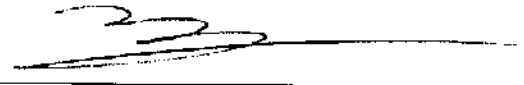
Owner: Harding Holdings PM, LLC

Proposed Development: Senior living development (townhouses and multi-family)

The undersigned hereby certifies as follows:

Harding Holdings PM, LLC is the only owner of the above referenced Property and hereby consents and agrees to the filing by the Applicant of any and all applications for governmental approvals necessary for the Proposed Development described above including, but, not limited to, applications to the Township of Harding Committee, Planning Board and/or the Board of Adjustment of the Township of Harding, the Morris County Planning Board, the Morris Soil Conservation District, the New Jersey Department of Transportation, and the New Jersey Department of Environmental Protection and agrees to be bound by said applications, the representations made and the decision in the same manner as if it were the Applicant.

Harding Holdings PM, LLC

By: 
Name: Michael Nestico
Title: Managing Member

PERMISSION BY OWNER FOR ACCESS TO PROPERTY

Property:

Block 27, Lot 2
679 Mt. Kemble Avenue
Township of Harding
Morris County, New Jersey

Applicant:

Hurstmont Urban Renewal Entity, LLC

Owner:

Harding Holdings PM, LLC

Proposed Development:

Senior living development (townhouses and multi-family)

The undersigned Owner, having consented to an application for development to the Harding Township Planning Board, understands that Board members and others must have an opportunity upon reasonable advance notice to go onto the property and examine the same in order to be able to fully understand and evaluate the application.

We therefore grant permission to members of the Board and others to go onto our property during daylight hours upon reasonable advance notice to make a thorough examination of the same for the purpose of more effectively deciding the application.

Harding Holdings PM, LLC

By: 

Name: Michael Nestico

Title: Managing Member



**TOWNSHIP OF HARDING
PLANNING BOARD/BOARD OF ADJUSTMENT
TECHNICAL REVIEW ESCROW AGREEMENT**

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext. 723

BOA Appendix 1H

This agreement made and entered on this 30 day of May, 2023 by and between the Township of Harding and Hurstmont Urban Renewal Entity, LLC, is made upon the following terms and conditions:

Project Name: The Estates at Hurstmont

Project Location: 679 Mt Kemble Avenue

Block: 27 Lot (s): 2

Applicant Name: Hurstmont Urban Renewal Entity, LLC

Applicant Mailing Address: 14 Doty Road, Unit B, Haskell NJ

I understand that the sum of \$ 5,000.00 has been deposited in an escrow account in the applicant's name. In accordance with Ordinance 171-23 of the Harding Township Code, I further understand that the escrow is established to cover the cost of certain professional services including engineering, planning and legal and other expenses associated with the review of submitted development application materials and review and preparation of documents. Sums which not utilized for these purposes shall be returned upon request to the individual or business from which checks were submitted upon issuance of a certificate of occupancy or withdrawal, abandonment, denial or other termination of the application. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fourteen (14) days. If additional funds are not received I understand that no further action will be taken on my development application until the escrow account has been replenished.

5/30/2023

Date

Signature of Applicant or Attorney

Thomas J. Malman, Esq.

Print Name



TOWNSHIP OF HARDING PLANNING BOARD SUBDIVISION AND SITE PLAN CHECKLIST

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext. 723

This checklist applies to all applications for subdivision and site plan approval EXCEPT:

1. Applications to the Board of Adjustment for variances not involving a subdivision or site plan; appeals of decisions of the Zoning Officer; and requests for interpretation or for the direction of issuance of building permits (use Checklist B).
2. Applications to the Planning Board involving only an application for a special flood hazard development permit (use Checklist C).

Check off each item submitted and any waivers requested in connection with checklist requirements. In the case of an application for final site plan approval, the applicant shall submit all items required for preliminary site plan approval in final form.

SUBMISSION REQUIREMENTS • A "dot" in the column to the right of each item indicates •	Minor Subd.	Minor Site Plan	Prel. Major Subd.	Prel. Site Plan	Final Major Subd.	Final Site Plan	Submitted	Waiver Request
A. DOCUMENT SUBMISSION								
1. <u>Application Forms</u> : 20 completed copies of all required application form(s) and checklist(s). Indicate "n/a" for any item that is not applicable. If a subdivision or site plan application involves a variance, the applicant shall also file an <i>application form</i> for a variance.	•	•	•	•	•	•	✓	
2. <u>Application and Technical Review Fees</u> : Application and technical review fees in accordance with Chapter 171 of the Harding Township Code.	•	•	•	•	•	•	✓	
3. <u>Board of Health Approval</u> : 20 copies of the written approval by the Township Board of Health of the adequacy of any existing individual sewage disposal system or of plans for sewage disposal, or its acceptance of soil log and percolation test data indicating suitability for an individual sewage disposal system(s).	•	•	•	•	•	•		✓
4. <u>NJDEP Letter of Interpretation (LOI)</u> : If wetlands are present or one or more wetland indicators are present (pursuant to NJAC 7:7A-1 et seq.) on the site, submit 20 copies of the Letter of Interpretation from the NJDEP indicating the presence or absence, approved delineation, classification and transition area of such wetlands.	•	•	•	•				✓
5. <u>Morris County Planning Board</u> : A fully completed application to the Morris County Planning Board.	•	•	•	•	•	•	✓	
6. <u>Applicant Ownership List</u> : If the applicant is a corporation or partnership, a list of the names and addresses of all stockholders or individual partners owning at least 10% of any class of its stock or at least 10% of the partnership interest.	•	•	•	•	•	•	✓	
7. <u>Surrounding Owners List</u> : A list, certified by the Township Tax Assessor, of the names and address of all property owners, municipalities (other than the township), counties (other than Morris County), and township-registered cable television and utility companies within 200' of the property.	•	•	•	•	•	•	✓	
8. <u>Tax Certification</u> : A certification from the Tax Collector that all property taxes and assessments currently due have been paid, or provision for payment of such taxes and assessments.	•	•	•	•	•	•	✓	
9. <u>Environmental Impact Statement (EIS)</u> : 20 copies of the EIS in accordance with Article XII of Chapter 105 of the Harding Township Code.			•	•			✓	
10. <u>Stormwater Management Report and Computations</u> : Submit 20 copies of the stormwater management report and/or calculations (see items 45 and 46 in section B below).			•	•			✓	
11. <u>Township Engineer's Certification of Improvements Completed</u> : If a subdivision and some or all improvements have been completed, submit 20 copies of a certification by the Township Engineer that all improvements that have been installed are in accordance with the approved preliminary plans.					•		N/A	

12. <u>Previous Applications</u> : If there has been a previous application to the Planning Board or Board of Adjustment involving the subject property within the last three years, submit 20 copies of an explanation as to the nature, date, and disposition of such application (please attach to application form).	•	•	•	•			N/A	
13. <u>Conservation Easements - Baseline Documentation</u> : Submit a report in accordance with this Chapter documenting the current condition of land encompassed within proposed easements including, but not limited to photographs, surveys of buildings, structures, vegetation, trails, and water bodies, and any proposed restrictions.	•	•	•	•			N/A	
14. <u>Soil Erosion and Sediment Control Plan Certification</u> : Submit 3 copies of application for projects that are subject to Article XVII (Soil Erosion and Sediment Control) of the Township Code.	•	•	•	•			✓	
15. <u>Aerial Photos</u> : 20 paper copies and one digital copy (on CD-ROM or other acceptable electronic storage media in a projectable format) of aerial photos of subject tract on a single 11" x 17" sheet with the following information added to the air photos: a. Existing Tract Boundaries b. Proposed Lot Boundaries and Building Setback Lines c. Proposed Lot Numbers d. Proposed roadways and shared driveways e. Existing wetlands and associated transition areas f. Existing waterways, water bodies, and associated riparian buffers g. Flood hazard areas, floodways, and stream encroachment lines	•	•	•	•			✓	
16. <u>Digital Copies of Plans</u> : Two digital copies of the submitted plans on CD-ROM or other acceptable electronic storage media in Autocadd format. For applications requiring Morris County Planning Board approval, digital submittals shall be prepared according to standards used by the Morris County Planning Board as described in Appendix G, Digital Mapping Submission Standards of the Land Development Standards of the County of Morris, New Jersey, as may be modified or amended in the future.	•	•			•	•	✓	

B. PLAN SUBMISSION

1. 20 paper copies and 2 digital copies of any required site plan, subdivision plat, map, survey, sketch or drawing which shall comply with and/or contain the following:	•	•	•	•	•	•	✓	
2. The plat or plan clearly and legibly drawn or reproduced on a sheet size either 15 x 21, 24 x 36 or 30 x 42 inches, showing the entire tract on 1 sheet, at a scale: • If a subdivision (minor or major), not smaller than 1"=100' • If a minor site plan, not smaller than 1"= 100' and not larger than 1"= 10' • If a major site plan, not smaller than 1"= 50' and not larger than 1"= 10' • Digital copies must be submitted on CD-ROM or other acceptable electronic storage media in Adobe format. Each plan sheet shall be a separate file, shall be digitized at a density of 300 dpi, and shall be suitable for posting on the Township website.	•	•	•	•	•	•	✓	
3. The plat or plan and other maps prepared, signed and sealed by a NJ licensed land surveyor, engineer, professional planner, registered architect, or registered landscape architect, subject to the restrictions of such license or registration.	•	•	•	•	•	•	✓	
4. On each plan sheet, the title block containing the name of the property owner or development name, if any, existing lot and block numbers, the name, address and telephone number of the plan preparer, the date prepared, the date and purpose of the last revision.	•	•	•	•	•	•	✓	
5. The scale of the map, both written and graphic.	•	•	•	•	•	•	✓	
6. North arrow giving the reference meridian on all plan views.	•	•	•	•	•	•	✓	
7. A space for the signatures of the Chairman and Secretary of the Board.	•	•	•	•	•	•	✓	

8. A space for the signature of the Township Engineer.		•		•	•	•	✓	
9. The names, addresses and telephone numbers of all applicants and owners.	•	•	•	•	•	•	✓	
10. A list of the names and address of all property owners, municipalities (other than the township), counties (other than Morris County), and all township-registered utility and cable television companies within 200' of the property.	•	•	•	•	•	•	✓	
11. A key map at a scale of not smaller than 1" = 1,000' showing location of the tract (with any proposed lot lines) in relation to the surrounding area within 2,000' including the location of all zoning district boundaries and historic districts designated in the Harding Township Master Plan and/or listed on the State and/or National Register.	•	•	•	•	•	•	✓	
12. Zone district and zone boundaries of the subject property and adjoining property and all zone requirements and limitations pertinent to the subject property, indicated on the plans both in tabular form and graphically. If existing structures are to remain, include the total square footage and the building area of each structure in the zoning data table.	•	•	•	•	•	•	✓	
13. Indicate whether the site is within (or partially within) a historic district designated in the Harding Township Master Plan, and whether the site, building(s), or district is listed on the State or National Historic Register.	•	•	•	•	•	•	✓	
14. The location, bearings and distances of all existing and proposed lot lines to the nearest hundredth of a foot.	•	•	•	•	•	•	✓	
15. The block and lot numbers of adjoining lots and, if a subdivision, proposed block and lot numbers approved by the Township Tax Assessor.	•	•	•	•	•	•	✓	
16. Lot frontage of each existing and proposed lot measured in feet, accurate to the nearest hundredth of a foot.	•	•	•	•	•	•	✓	
17. The total area, and the area of each existing and proposed lot, private road, or land in public right-of-way and any commonly owned contiguous property, in acres if 1 acre or over and in acres and square feet if under 1 acre, in each case accurate to nearest 0.0001 of an acre.	•	•	•	•	•	•	✓	
18. The location of all setback lines, the building envelope, and in the R-1 and RR Zone, a 100' by 100' square located within the building envelope displaying topographic elevations based upon a field survey at each corner of the square.	•	•	•	•	•	•	✓	
19. The location on the property and the use of all existing and proposed buildings and structures or proposed additions thereto, with distances to the nearest existing and proposed lot lines measured in feet, accurate to the nearest hundredth of a foot.	•	•	•	•	•	•	✓	
20. An indication of any structures to be removed, demolished or relocated on the site and the proposed location of any structure to be relocated on the site.	•	•	•	•	•	•	✓	
21. The location of existing catch basins, bridges, culverts, storm drains, waterlines, sanitary sewer lines, wells, gas lines, telephone lines, utility easements, sewage disposal systems, bridle paths, drainage easements and conservation easements (specifying land benefited and burdened by each easement) within the site and, if a preliminary major subdivision or site plan, within 200' of the tract.	•	•	•	•	•	•	✓	
22. The location, names (if any) and dimensions of any existing or proposed public and private roads, road rights-of-way, and access easements on the property and, if a preliminary major subdivision or site plan, within 200' of the tract, specifying the ownership of each such road and the land to be benefited and burdened by each such access easement.	•	•	•	•	•	•	✓	
23. The location of all existing driveways, shoulders, curbing, walkways, fences, walls, parking spaces, loading areas, on the site and whether any of the foregoing are to be removed.	•	•	•	•	•	•	✓	
24. Natural features such as watercourses and rock formations on the site and within 200' thereof, except that if a minor site plan only within the proposed area of soil disturbance.	•	•	•	•	•	•	✓	

25. Soil boundary lines and types within the property as shown by the current Morris County Soil Survey Maps.	•	•	•	•	•	•	✓	
26. The delineation of flood hazard areas, including floodways and flood fringe areas, 100-year flood elevations, stream encroachment lines, riparian buffers, wetlands and wetland transition areas, as approved in a LOI issued by NJDEP.	•	•	•	•	•	•	N/A	
27. If a minor subdivision, contour lines at intervals of 10' within the site and within 200' thereof.	•						✓	
28. If a minor site plan, elevation contours and spot elevations within the area of soil disturbance.		•					N/A	
29. If a major subdivision, contour lines at intervals of not more than 5' where the slope is 20% or greater, and at intervals of not more than 2' where the slope is less than 20%, within the site and within 100' thereof.			•				N/A	
30. If a site plan, contour lines at intervals of 2' where the slope is greater than 4% and at intervals of 1' where the slope is 4% or less, within the site and within 50' thereof.				•		•	✓	
31. If in the R-1 or RR Zone and slopes of 8% or greater are present on the property, the topographic information and other requirements contained in section 105-105.	•	•	•	•		•	N/A	
32. In the R-1 and RR zones, a landscape plan for revegetating disturbed areas after construction if land disturbance is proposed in connection with driveway or utility improvements in slope areas of 25% or greater.	•	•	•	•		•	N/A	
33. The location of wooded areas within the tract and within 200' thereof, and <u>isolated</u> trees 8" or more in diameter, measured 4.5' above ground level, designating species of each isolated tree shown within the tract, except that, if a minor site plan, only within the proposed area of soil disturbance. If a major subdivision, the location of all trees 8" or more in diameter, measured 4.5' above ground level, and other specimen trees or vegetation which may be affected by the construction of proposed roads or drainage improvements.	•	•	•	•		•	✓	
34. The location of the Tree Conservation Area along all perimeter lot lines of existing and proposed lots located in the RR, R-1, R-2, R-3 and R-4 Zones.	•	•	•	•	•	•	✓	
35. The location of any required or proposed buffers or landscaped areas.	•	•	•	•		•	✓	
36. A Landscape Plan including an indication of existing vegetated areas and tree preservation measures and details, and specifications for the types, quantity, size and location of all proposed vegetation specifying the scientific and common names of vegetation.	•		•	•		•	✓	
37. A detailed grading plan showing spot elevations along building lines, at building corners, low points and high points and along curblines.						•	✓	
38. Soil erosion and sediment control plan, if required by §105-103A.	•	•	•	•	•	•	✓	
39. If the property is to be served by one or more new individual sewage disposal systems, the location of all soil test pits, disposal area(s) required by the Board of Health, and a certification by the NJ licensed engineer who performed the tests as to accuracy of test results and whether a septic system can be designed as may be needed for each lot in compliance with local and state requirements.	•	•	•	•	•	•	N/A	
40. Detailed plans and design of any proposed individual sewage disposal system.						•	N/A	
41. Where applicable, plans, profiles and construction details for sanitary sewer lines, showing feasible connections to existing or proposed sanitary sewer system, and all other information required by the NJDEP and any other governmental entity for sewerage facilities.			•	•		•	✓	
42. Where applicable, plans for connections to water lines, gas, electric, cable and telephone, showing feasible connections to existing or proposed utility systems.			•	•		•	✓	

43. Plans, profiles and cross sections of proposed roads including typical pavement sections.			•				✓	
44. If a site plan, plans, profiles and cross sections of proposed circulation drives, parking areas and spaces and loading areas, including typical pavement sections.				•		•	✓	
45. Plans for the control of surface drainage including profiles and cross sections of drainage lines and facilities showing feasible connections to existing or proposed drainage systems, drainage computations, and a topographic map showing drainage area boundaries and soil boundaries thereof and land use boundaries.			•	•		•	✓	
46. Plans, profiles, cross sections, structural drawings and design calculations for proposed stormwater detention facilities showing compliance with appropriate runoff requirements.			•	•		•	✓	
47. The elevation of all catch basins and manhole inverts and grates or rims.						•	✓	
48. If a site plan, preliminary architectural plans for all proposed buildings and structures (including a description of the combustible nature of construction materials) showing building dimensions, floor elevations, entrance locations, rooftop mechanical equipment and preliminary finished grade contours of all proposed buildings and structures and the proposed floor areas, floor area ratio, lot coverage, and the calculations of such floor areas, floor area ratio and lot coverage, where applicable.		•		•		•	✓	
49. Proposed features such as outdoor storage areas, outdoor mechanical equipment, solid waste and recycling areas, service areas, utility buildings and structures, and fences or walls, including all building or structure dimensions.	•	•	•	•		•	✓	
50. If a site plan, a detailed plan for proposed exterior lighting and lighting visible from the exterior.				•		•	✓	
51. Any sign(s) proposed to be installed on the property including details as to location, size, design, color, texture, illumination, installation and/or mounting details.		•		•		•	✓	
52. Provisions for fire prevention and protection. This requirement shall be applicable to minor subdivisions that include one or more proposed flag lots.	•		•	•		•	✓	
53. <u>3 sets of Construction Plans</u> for major subdivisions including all improvements and plan details approved as part of the preliminary subdivision plans and including the following: a. Locations and elevations of at least 2 elevation benchmarks within the property. b. Final plans, profiles and construction details for any water lines and/or sanitary sewer and all other information required by NJDEP for any sewerage facilities. c. Final plans, profiles and construction details for the drainage system and structural details for all detention facilities. d. Final plans, profiles and cross sections of proposed road and all other proposed or required improvements, in accordance with Township Ordinances, showing proposed and existing grade lines, quantities of earthwork and typical section of roadway pavement. e. Final landscape plans.					•		N/A	
54. Bearing or deflection angles and radii, arcs and central angles of all curves in roads, driveways and property lines.					•	•	✓	
55. If a subdivision, the location and description of existing and proposed monuments and distances between them.					•		N/A	
56. If a subdivision, a final plat drawn to the requirements of the Map Filing Law with spaces for appropriate signatures by the owner, land surveyor and required township officials.					•		N/A	
57. Detailed plans, including location and elevation of all utilities.						•	✓	
58. A statement as to any existing protective covenants, deed restrictions, easements and rights-of-way affecting the use of the property.	•	•	•	•	•	•	✓	

59. The size, shape, location and purpose of any required conservation easement (including the proposed location and design of required boundary markers) and of any other proposed easement or area to be used for bridle paths, common recreation facilities, conservation or to be dedicated to public use, and the nature of any use other than residential.	•	•	•	•	•	•	✓	
60. A statement on the plat or plan providing for the sharing of the responsibility of lot owners or users for perpetual maintenance of any shared privately owned roads, driveways, parking and/or loading areas, recreation facilities, open space, sewage disposal facilities, water lines, and stormwater facilities.	•	•	•	•	•	•	✓	
61. If a planned development: a. Gross site area, net residential site area (total and per lot), floor area ratio of gross and net residential site areas and residential density. b. Common open space for active recreation and maximum diameter of circle inscribed in open space area. c. Net habitable floor area, total floor area, number of bedrooms and bedroom sizes for each dwelling unit. d. Length of each building or other straight façade. e. The shortest building setback from the property line where a single-family dwelling exists on the adjoining lot. f. The setback of the structure from a nearby stream, if necessary to show compliance with a minimum of 50'. g. The window area and floor area of each living and sleeping room.				•		•	N/A	

NOTE: The Board may require the submission of a traffic engineering study prepared by a qualified traffic engineer for major subdivisions and site plans.

Prepared by:
Susan C. Kimball, PP

Adopted: 9/4/02 (Ord. 11-02)
Amended: 3/19/03 (Ord. 5-03)
Amended: 6/4/03 (Ord. 12-03)
Amended: 11/3/04 (Ord. 22-04)
Amended: 4/16/08 (Ord. 5-08)
Amended: 10/21/09 (Ord. 12-09)
Amended: 12/16/09 (Ord. 14-09)
Amended: 3/29/11 (Ord. 4-11)

Checklist A Rev 4-1-11

GLADSTONE DESIGN, Inc.

Consulting Engineers
Land Surveyors
Landscape Architects
Land Planners

265 Main Street, P.O. Box 400
Gladstone, New Jersey 07934
T: (908) 234-0309
F: (908) 719-3320
www.gladstonedesign.com

Ronald A. Kennedy, P.E.; P.P.; CME; LEED AP
Kurt T. Hanie, P.L.S.
Robert C. Morris
Robert C. Moschello, P.E.

May 25, 2023
1047-01

Re: Estates at Hurstmont – Checklist Waivers
Mount Kimble Ave
Block 27, Lot 2
Harding Township, Morris County, New Jersey

The following is a list of Checklist waivers for completeness purposes that are being requested with regard to this application:

1. A completeness waiver is being requested from checklist requirement A.3 for providing Board of Health Approval. The project proposes an on-site wastewater treatment facility that will be permitted by NJDEP. The adopted Redevelopment Plan exempts the project from the Townships Sewer and Water Ordinance.
2. A completeness waiver is being requested from checklist requirement A.4 for providing a NJDEP Letter of Interpretation (LOI). The applicant has submitted for a NJDEP Type 1 LOI (Absence) Determination for the property on April 6, 2023. No wetlands were found present on or adjoining to the property.

**APPLICANT: Day Pitney LLP
One Jefferson Road
Parsippany, NJ 07054-2891**

DATE: March 16, 2023

Re: Block 27 Lot 2

**HARDING TOWNSHIP
MORRIS COUNTY, NEW JERSEY**

PLANNING BOARD * BOARD OF ADJUSTMENT**

200 FOOT PROPERTY OWNER LIST

The following is a summary of the Notice requirements for applicants. See section 105-20 of the Harding Township Code for the complete text of Notice requirements. All Notice must be given by personal service or certified mail at least ten (10) days prior to the date of the hearing. An Affidavit of Proof of Service shall be filed with the Board holding the hearing.

1. List of all property owners within 200 feet in all directions (whether located within Harding or adjacent municipalities) of B 27 L 2 Township of Harding as shown on the current tax duplicate. See section 105-20A (2) of the Harding Code regarding Notice requirements for condominiums, partnerships, and corporations.
2. Applicants are advised that if the property is within 200 feet of the municipal boundary, the applicant must obtain the names and addresses of property owners located within the adjoining municipality from the **Tax Assessor** of the adjoining town.
3. If the property is within 200 feet of the municipal boundary or is adjacent to an existing county road or proposed road shown on the Official County Map or on the County Master Plan or adjoins other county land, the "Notice to Property Owners" must be served on the **County Planning Board**.
4. If the property is situated within 200 feet of a municipal boundary, the "Notice to Property Owners" must be served on the **Clerk** of such municipality.
5. If the property is adjacent to a State highway, the "Notice to Property Owners" must be served on the **Commissioner of Transportation**.
6. If the property exceeds 150 acres or 500 dwelling units, the "Notice to Property Owners" must be served on the **Director of the State Planning Commission**. Such notice shall include a copy of any maps or documents required to be on file.

7. Notice shall be given, in the case of a public utility, cable television company or local utility which possesses a right-of-way of easement within the township, and which has registered with the Township Tax Assessor, by serving a copy of the "Notice to Property Owners" on the person whose name appears on the registration form on behalf of the company or utility.

NJ American Water Company / Northern Division
Mr. D L Conyers, Division Manager
167 JFK Parkway
Short Hills, NJ 07078

The Southeast Morris Cty Municipal Util Authority
Harry G. Gerken, Executive Director
19 Saddle Road
Cedar Knolls, NJ 07927

Texas Eastern Transmission Corp
Manage, Property Tax
PO Box 1642
Houston, TX 77251-1642

Public Service Electric and Gas Co
Manager, Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

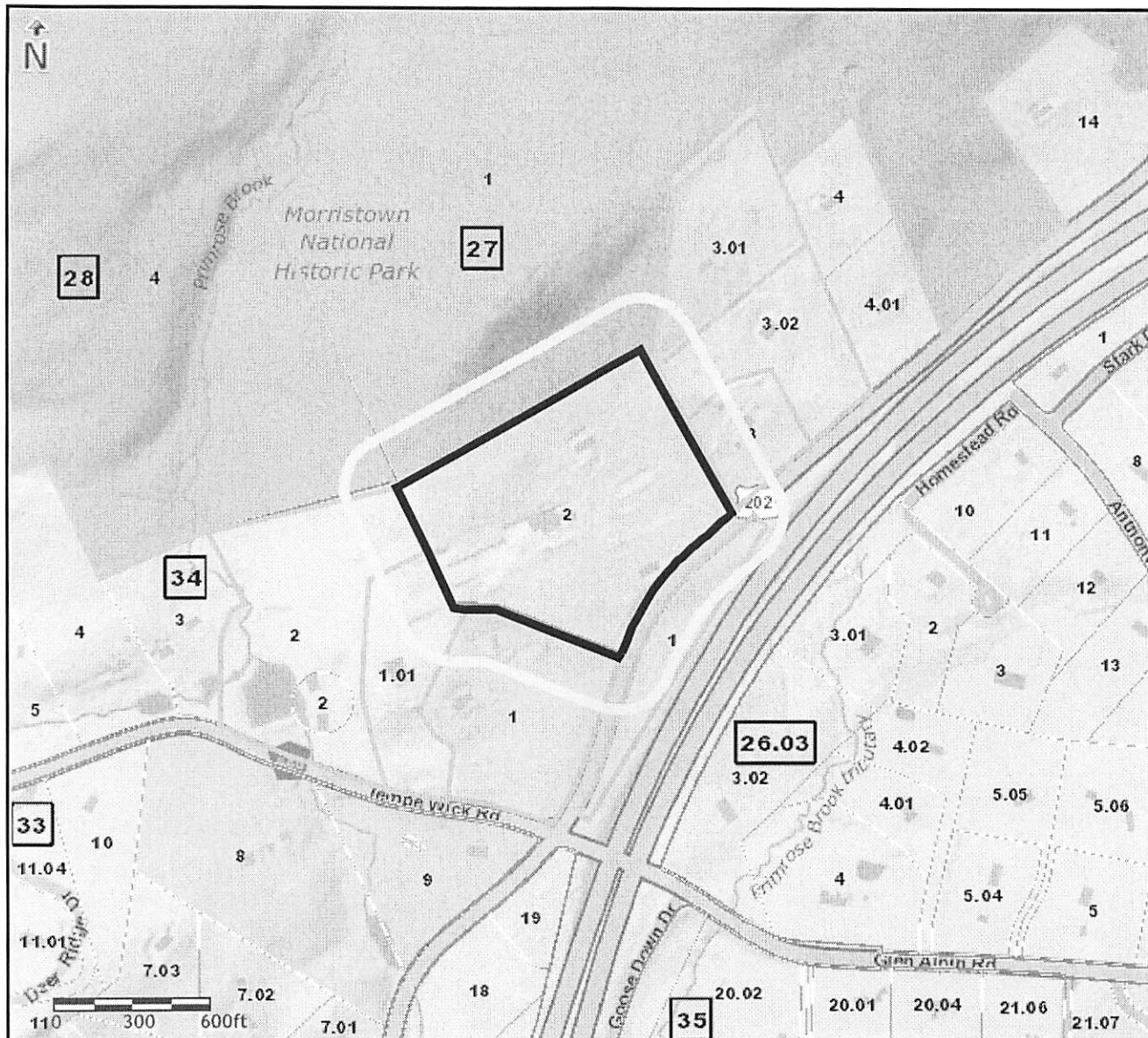
COMCAST Corporation
100 Randolph Road
Somerset, NJ 08873

Morris County Planning Board
Court House, CN900
Morristown, NJ 07960-0900

Certified by:



Anthony DiRado
Tax Assessor
Harding Township



Morris County Board of Taxation
 COUNTY OF MORRIS, NEW JERSEY
 P.O. Box 900, Morristown NJ, 07963-0900
 *Maximum of 500 records available on report

Projection: State Plane (FIPS 2900)
 Datum: NAD83
 Units: Feet



Morris County GIS Services, NJ, USA - © 2011-2016

The maps and data available for access at this website is provided "as-is" without warranty or any representation of accuracy, timeliness, or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for, or the appropriateness for use, rests solely on the user accessing this information. The County of Morris makes no warranties, express or implied, as to the use of the maps and the data available for access at this website. There are no implied warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts all inherent limitations of the maps and data, including the fact that the maps and data are dynamic and in a constant state of maintenance, correction, and revision. The maps and associated data at this website do not represent a survey. In no event shall the County of Morris or its officers or employees assume any liability for the accuracy of the data delineated on any map. In no event shall the County of Morris or its officers or employees be liable for any damages arising in any way out of the use of this information.

TARGETED PROPERTIES:

PAMS_PIN	Acres	Property Location	Owners Name	Mailing Address
1413_27_2	19.8700	679 MT KEMBLE AVE	HARDING HOLDINGS PM,LLC %M.NESTICO	105 MAPLE AVE MORRISTOWN, NJ 07960

PARCELS WITHIN RANGE OF TARGETED PROPERTIES:

PAMS_PIN	Acres	Property Location	Owners Name	Mailing Address
1413_26.02_1	4.5070	678 MT KEMBLE AVE	STATE OF NEW JERSEY	1035 PARKWAY AVE, CN229 TRENTON, NJ 08625
1413_27_1	272.9100	541 MT KEMBLE AVE	MORRISTOWN NAT'L HIST. PARK	WASHINGTON PL MORRISTOWN, NJ 07960
1413_27_2	19.8700	679 MT KEMBLE AVE	HARDING HOLDINGS PM,LLC M.NESTICO	105 MAPLE AVE MORRISTOWN, NJ 07960
1413_27_3	3.1200	667 MT KEMBLE AVE	BUZZIO, MARC L/STACEY H	667 MT. KEMBLE AVE MORRISTOWN, NJ 07960
1413_27_3.01	7.2000	663 MT KEMBLE AVE	TOWNSHIP OF HARDING	PO BOX 666 NEW VERNON, NJ 07976
1413_27_3.02	6.7000	665 MT KEMBLE AVE	SARACENO, LIBERO/ROSA	665 MT. KEMBLE AVE MORRISTOWN, NJ 07960
1413_28_4	330.6000	586 TEMPE WICK RD	MORRISTOWN NATL HISTORICAL PARK	WASHINGTON PL MORRISTOWN, NJ 07960
1413_34_1	9.5700	685 MT KEMBLE AVE	TOWNSHIP OF HARDING/HARDING LAND TR	BLUE MILL RD BOX 666 NEW VERNON, NJ 07976
1413_34_1.01	6.0200	508 TEMPE WICK RD	HARDING TEMPE WICK LLC	508 TEMPE WICK RD MORRISTOWN, NJ 07960
1413_34_2_QFARM	12.3700	514 TEMPE WICK RD	LEIGH, WILLIAM C THIRD	514 TEMPE WICK RD MORRISTOWN, NJ 07960

hand and affixed the seal of said Court, at Treu-
ton, this twenty eighth day of November A.D. eighteen
hundred and ninety two.

Allan M'Dermott, Clerk.

Received and Recorded, Nov. 29, 1892.

E. B. Mott, Clerk.

✓ David H. McAlpin } This Indenture, made the
For } sixteenth day of November
Frances Adelaide Pyle } in the year of our Lord
One Thousand Eight Hun-
dred and Ninety-two: Between David H. McAlpin
of the City of New York in the County of New York
and State of New York of the first part: And Frances
Adelaide Pyle wife of James F. Pyle of the Township
of Passaic in the County of Morris and State of New
Jersey of the second part: Witnesseth, that the said
party of the first part, for and in consideration of One
Dollar lawful money of the United States of America, to
him in hand well and truly paid by the said party
of the second part, at or before the sealing and delivery
of these presents, the receipt whereof is hereby acknowl-
edged, and the said party of the first part therewith
fully satisfied, contented and paid, hath given, grant-
ed, bargained, sold, aliened, released, enfeoffed, conveyed
and confirmed, and by these presents doth give, grant,
bargain, sell, alien, release, enfeoff, convey and confirm
to the said party of the second part and to her heirs
and assigns forever. All that certain tract or parcel
of land and premises, hereinafter particularly describ-
ed, situate, lying and being in the Township of Pas-
saic in the County of Morris and State of New Jersey.

W13-201

Agreement between TAX

LOTS 1+2 BL 27

Being part of the first and second tracts described in a deed from Henry S. Hoyt and wife to the said David H. McAlpin, dated April 4, 1885 and recorded in the Morris County Clerk's Office in Book 211 of Deeds, page 341 &c. Beginning in the middle of the road from Morristown to Basking Ridge in the Easterly line of the old "Kimball" tract being also the beginning corner of the above mentioned first tract; and thence running (1) along the middle of said road North fifty six degrees and thirty one minutes East four hundred and eighty feet to a corner of lands now owned or occupied by William W. McAlpin; thence (2) along said William W. McAlpin's land North twenty one degrees and forty minutes West six hundred and fifty seven feet and eight tenths of a foot to a stake and heap of stones for a corner (this line passes through a black walnut tree about thirty three feet Easterly from the Easterly pillar at the main entrance to the residence of said Pyle) thence (3) at right angles to the second line hereof South sixty eight degrees and twenty minutes West ten hundred and eighty four feet to a stake and heap of stones for a corner; thence (4) South seventeen degrees and five minutes East four hundred and fourteen feet and seven tenths of a foot to a stake standing six feet Northerly of a cherry tree; thence (5) South eighty degrees and thirty five minutes East one hundred and sixty five feet to a stake standing twenty feet Northerly from the middle of a reservoir supplying the residence of said David H. McAlpin; thence (6) South sixty two degrees and twelve minutes East five hundred and thirty one feet to the middle of the aforesaid road; thence (7) along the middle of said road North twenty six degrees and five minutes East two hundred and twenty four feet and three quarters of a foot to the beginning. Containing seventeen acres and sixty one hundredths of an acre be the same more or less. Reserving, however, the unrestricted right to the party of the first part his heirs and assigns

of bringing water across the herein conveyed premises
 from a certain spring situated near the line of Ab-
 raham Bockover, by the route as at present defined
 by the water pipe from said spring and also the
 right of free access to any and all points along
 said route for the purpose of repairing or renewing
 said water pipe. And it is furthermore understood
 and agreed by the parties hereto that the aliena-
 tion of the herein conveyed land and premises is
 hereby restricted to the extent that if at any time here-
 after, party of the second part shall wish to dispose
 of the herein conveyed land and premises, party
 of the first part or his legal representatives, shall, if he
 or they shall so elect, have the first privilege of pur-
 chase, otherwise the right to convey said land and
 premises by party of the second part shall be free
 and unrestricted. Together with all and singular,
 the houses, buildings, trees, ways, waters, profits,
 privileges and advantages, with the appurtenances
 to the same belonging or in anywise appertaining.
 Also, all the estate, right, title, interest, property, claim
 and demand whatsoever, of the said party of the
 first part, of, in and to the same, and of, in and to
 every part and parcel thereof, To Have and To Hold,
 all and singular the above described land and
 premises, with the appurtenances, unto the said
 party of the second part, her heirs and assigns, to
 the only proper use, benefit and behoof of the said
 party of the second part her heirs and assigns
 forever; and the said David H. McAlpin doth for
 himself, his heirs, executors and administrators
 covenant and grant to and with the said party
 of the second part her heirs and assigns, that he
 the said David H. McAlpin is the true, lawful and
 right owner of all and singular the above described
 land and premises, and of every part and parcel
 thereof, with the appurtenances therunto belonging
 and that the said land and premises, or any
 part thereof, at the time of the sealing and delivery
 of these presents, are not encumbered by any mort-
 gage, judgment or limitation or by any encum-

Easement

The undersigned, Harding Holdings PM LLC whose address is 109 Washington St Morristown, NJ 07960 (the "Grantor"), is the owner of certain lands located in the Township of Harding, County of Morris State of NJ, known and designated as Block, 27 Lot 2, and recorded in The Office of The Clerk of Morris County, on 03/11/2011, in Deed Book 21756, page 1956, referred to as the property.

Grantor, hereby grants and conveys to Grantee Jersey Central Power & Light Company, a FirstEnergy Company and Verizon of New Jersey Inc., both New Jersey Corporations, (the "Grantee") for valuable consideration, the receipt of which is hereby acknowledged, and intending to be legally bound, has requested a permanent easement and uninterrupted right, from time to time, to construct, reconstruct, operate, inspect, renew, replace, improve, maintain, redesign, alter, relocate, extend and remove overhead, underground and ground level facilities described below (the "Facilities") as may be deemed necessary or convenient by Grantee for electric, CATV and communication purposes for the use and benefit of the Land and/or adjacent lands on, over, under and across along and beyond the property, the course of said facilities to run as follows:

Generally in a Southwesterly direction from Existing Pole BT1048HD Located Along the Northerly Side Line of Mount Kemble Road thence entering lands of grantor traveling a distance of 170' ± to new Pole 203922A70019 together with the necessary anchors & guys for the support of said pole line.

The Facilities may include, without limitation, poles (with or without crossarms), guy wires, guy stubs, anchors, street lights and standards, transformers, transformer pads, switching compartments, conduits, conductors, ducts, wires, cables, fibers, pedestals, terminal boxes, manholes, hand-holes and other related equipment and apparatus from time to time deemed necessary or convenient by Grantee to accomplish the above purpose.

Grantor further grants and conveys to Grantee the right, from time to time, to trim, cut and/or remove such trees, tree branches, shrubs, roots, vegetation, structures and/or other objects or obstructions which in the sole judgment of the Grantee interfere with the installation of, or in the safe, proper or convenient use, maintenance, operation of, or access to, the Facilities including, without limitation, the removal of such trees, and/or tree branches which overhang or endanger any of the Facilities. Further, Grantee shall have the right to make such excavations to accomplish the above purposes and to enter upon the land of Grantor, without notice, for all the purposes hereof.

Grantor covenants not to construct, place, maintain or use structures of any kind, or plant shrubs or trees within eight feet of either side of the center line of the underground Facilities, if any, as installed, raise or lower the ground elevation of the land above or beneath the Facilities; grow beneath overhead Facilities any vegetation or trees, except farm crops or other compatible species identified by Grantee; or obstruct access to, remove structural support from, divert or impound water to or on, or otherwise interfere with, the Facilities.

It is understood and agreed by all parties that the equipment installed by Grantor remains the property of Grantor. All maintenance associated with such equipment is the responsibility of Grantor.

The rights and obligations hereunder shall be binding upon and inure to the benefit of the Grantor and Grantee and their heirs, executors, administrators, successors and assigns, Licensees and Lessees, as the case may be.

Harding Holdings PM LLC



Managing Member-Peter Dorne

STATE OF NEW JERSEY, COUNTY OF MORRIS

I certify that on SEPTEMBER 14, 2011, Peter Dorne personally appeared before me and acknowledged to my satisfaction that he:

- (a) He is the Managing Member of the Limited Liability Company named in the attached instrument;
- (b) He executed the instrument as His voluntary act and deed;
- (c) He was authorized to execute the instrument on behalf of the Limited Liability Company; and
- (d) He executed the instrument as the act of the Limited Liability Company as its Managing Member.

Linda Adams-Boswell
Notary Public of New Jersey

My commission expires 4/25/2015

LINDA ADAMS-BOSWELL
Notary Public, State of New Jersey
No. 2176808
Commission Expires April 25, 2015

County: Morris

Dated: SEPTEMBER 14, 2011

Order# 13098914

W/R# 54192988

RECORD AND RETURN TO:
JERSEY CENTRAL POWER AND LIGHT COMPANY
RIGHT OF WAY DEPARTMENT
P.O. Box 1911
MORRISTOWN, N.J. 07962-1911

Right of Way Agreement

35

IN CONSIDERATION of One Dollar (\$1.00), and other valuable considerations, paid by Jersey Central Power & Light Company, body corporate of the State of New Jersey, or New Jersey Bell Telephone Company, the receipt of which

is hereby acknowledged, Y2 the undersigned do hereby grant and convey unto said Jersey Central Power & Light Company, its successors and assigns, and New Jersey Bell Telephone Company, its associated and allied companies,

their successors and assigns, the right to enter upon our premises situate

On the northwesterly side of State Highway Route #32

in the Township of Harding

County of Morris and State of New Jersey, and to erect, maintain, renew, relocate, repair and remove poles, guys, anchors, guy stubs, crossarms, wires, cables, and appurtenances in perpetuity for the transmission and distribution of electricity, the operation of communication systems, and in addition thereto to erect and maintain such other wires or appurtenances on said poles and crossarms as said Companies may deem necessary and proper to be attached thereto upon, over, across, along and beyond said property, the course of said pole line to run as follows:

Spatharily from present pole #10568 for about 340' more or less; together with the necessary anchors and guys where necessary for the support of said pole line.

It is agreed that the Companies may renew said poles from time to time so that the same shall be kept in proper condition and shall have the right to trim and keep trimmed, or cut and remove such trees or tree branches as may be required to maintain service at all times; the work shall be done with care and the sidewalk, street and premises disturbed thereby shall be restored to its proper condition by and at the expense of said companies.

Date September, 1949

Gladys G. Wagner
(I.S.)

Forward

Subscribing Witness

(over)

STATE OF NEW JERSEY } ss.
COUNTY OF Morris

Be it remembered that on this 9th day of September, 1949 before me, the subscriber, a Notary Public of New Jersey, personally appeared Gladys G. Wagner and Gladys G. Wagner, his wife, who I am satisfied are the grantor(s) in the within instrument named, and I having first made known to them the contents thereof, they acknowledged that they signed, sealed and delivered the same as their voluntary act and deed, for the uses and purposes therein expressed.

Charles Benjamin
Charles Benjamin
Notary Public, New Jersey
My Commission Expires March 7, 1952

File No.

Right of Way

14-1171 ELECTRIC

Property of GERHARD WAGNER and
GLADYS G. WAGNER, h/w

Address off H/W #32

City or Township of Harding

County of Morris

State of New Jersey

Dated September 9, 1949

RECEIVED in the Clerk's office of
the County of Morris, New Jersey on the
day of
September 1949 at 10:10 o'clock
A.M. and RECORDED in Book 6-47 of
said County on pages 35

E. Matsum Notary
Clark

OK-RETURN TO
JERSEY CENTRAL POWER & LIGHT CO. BY
SERVING ALLENBURG, N.J.
ATT: R. C. HENRICKSON
190

E47-35

6415

not attached

Sara McAlpin Pyle Smart & Hus. & Al To Jersey Central Power & Light Company EASEMENT GRANT IN CONSIDERATION of One Dollar (\$1.00), and other valuable considerations, paid by Jersey Central Power & Light Company, body corporate of the State of New Jersey, the receipt of which is hereby acknowledged, we, the undersigned, do hereby grant and convey unto said Jersey Central Power & Light Company, its successors and assigns, the right to enter upon our premises situate on Mt. Kemble Avenue (New Jersey State Highway Route #32), on Glen Alpin Road and on the streets or roads extending from said road and highway as shown and outlined on the drawing hereinafter referred to, embraced within the descriptions contained in Deeds O-35 page 488 recorded December 31, 1938; A-30 page 239 recorded May 22, 1926; B-36 page 357 recorded April 2, 1940; X-34 page 308 recorded June 19, 1937; B-36, page 353 recorded April 2, 1940, and W-34 page 412 recorded May 7, 1937, in the Township of Harding, County of Morris and State of New Jersey, and to erect, maintain, renew, relocate and repair poles, guys, guy stubs, crossarms, wires and appurtenances in perpetuity for the transmission and distribution of electricity, and in addition thereto to erect and maintain such other wires or appurtenances on said poles and crossarms as the Company may deem necessary and proper to be attached thereto upon and beyond said property, the course of said pole lines to run as follows: Within and outside the beds of the above mentioned road and highway and the streets or roads extending therefrom, including present poles 40237; 40562 and the present electric line extending northerly to the same from present pole JCP-320, with the guy and anchor north of pole 40562; 40321, 40322 and the poles 40563 to 40581, both inclusive, with the various guys and anchors and tree guys now attached to said poles or some of them; present pole JCP-5300 extending southerly from pole 40573, with the four additional poles extending southerly from said pole JCP-5300; present pole JCP-343 north of present pole 40567; present pole JCP-7089 north of present pole 40580; present poles JCP-7070 to JCP-7088 with the guys and anchors extending southerly from poles JCP-7076 and JCP-7078 and the similar guy and anchor extending west from pole JCP-7088; also present poles JCP-304 to JCP-309, both inclusive, with the guys and anchors extending southerly from JCP-305, westerly from JCP-306 and westerly and northerly from JCP-309; also present pole 40650 extending from and a short distance east of JCP-309, with the guy and anchor extending easterly from said present pole 40650. It is agreed that the Company may renew said poles from time to time so that the same shall be kept in proper condition and shall have the right to trim and keep trimmed or cut, and remove such trees or tree branches as may be required to maintain service at all times; the work shall be done with care and the sidewalk, street and/or premises disturbed thereby shall be restored to the proper condition by and at the expense of said Company. This instrument is executed upon the express condition that Jersey Central Power & Light Company, or its successors or assigns, will relocate any pole or poles in the event that same in the future interfere with the use of or construction upon the various properties affected by the same. The courses of the above described pole lines are as shown and outlined on Jersey Central Power & Light Company sketch or drawing number D-6748-N, consisting of two sheets, prints of which drawing have been delivered to and retained by the parties to this instrument, and which drawing has been referred to herein for identification purposes only. IN WITNESS WHEREOF, the corporate parties to this instrument have caused these presents to be signed by their respective Presidents, attested by their respective Secretaries, or other officers by law authorized to execute the same, and their respective corporate seals to be hereto affixed, and the individual parties to this instrument have hereunto set their hands and seals all as and of the 21st day of October, 1940.

H. C. S.
H. C. S.

30. In
int.
Stamps
called

632 299

Signed, sealed and delivered
in the presence of:-
Dorothy C. Mackenzie
Dorothy C. Mackenzie
Dorothy C. Mackenzie
Dorothy C. Mackenzie
Robert C. Scherzer
ROBERT C. SCHERZER
Robert C. Scherzer
ROBERT C. SCHERZER
Robert C. Scherzer
ROBERT C. SCHERZER
Signed, sealed and delivered
in presence of:
Dorothy C. Mackenzie
Dorothy C. Mackenzie

Sara McAlpin Pyle Smart (L.S.)
Sara McAlpin Pyle Smart
Paul H. Smart (L.S.)
Paul H. Smart
(Doris Mercer) Princess Farid (L.S.)
(Doris Mercer)
(Princess Farid-es-Sultaneh)
(L.S.)
Robert M. Kremenetz (L.S.)
Robert M. Kremenetz
Christiana S. Kremenetz (L.S.)
Christiana S. Kremenetz
(L.S.)
(L.S.)
Estate of Charles W. McAlpin
By Paul H. Smart, Executors (L.S.)
Executors-Est of Charles W. McAlpin

Received and Recorded March 4, 1925, at 9:51 o'clock A. M.

E. Bertram Mott, Clerk. No. 5527

Charles W. McAlpin & Wf.
To
Adelaide McAlpin Pyle

AGREEMENT made this 1st day of May, 1925, between CHARLES W. MCALPIN and SARA PYLE MCALPIN, his wife of Morristown, New Jersey, Parties of the First Part and ADELAIDE MCALPIN PYLE, of Morristown, New Jersey, Party of the Second

Part. WITNESSETH WHEREAS, said CHARLES W. MCALPIN and ADELAIDE MCALPIN PYLE are the joint owners of a tract of land lying in the Township of Harding, Morris County, New Jersey, and situated on the North side of Mt. Kemble Avenue, about four miles from Morristown, being the land conveyed to them by the Executors of the Last Will and Testament of their father, David H. McAlpin, by deed dated April 12th, 1904 and recorded in the office of the Clerk of Morris County, New Jersey on May 31, 1904 in Book Q 17 of Deeds at pages 361, etc., and WHEREAS, the party of the second part has heretofore erected and maintained a dam, filtration plant, pumping station, water pipes and a reservoir on the aforementioned land, and has dammed Primrose brook which runs through the said land and has pumped the water from the said brook to the said reservoir and has conducted it from the said reservoir to her residence situated on the northerly side of Mt. Kemble Avenue. NOW THIS AGREEMENT WITNESSETH: That in consideration of (one Dollar (\$1.00) paid by the party of the second part to the parties of the first part, receipt whereof is hereby acknowledged, the said CHARLES W. MCALPIN and SARA PYLE MCALPIN, his wife, hereby grant to the said ADELAIDE MCALPIN PYLE, her heirs and assigns, the right to maintain a dam, filtration plant, pumping station, water pipes, and a reservoir as at present located, and the right to dam Primrose brook and to pump water from the said Primrose brook and to bring it across the herein described premises by route as at present defined by a water pipe from said brook, and also the right of free access to any and all points along said route for the purpose of repairing or renewing said dam, filtration plant, pumping station, water pipes and reservoir. TO hold the said easement unto said Adelaide McAlpin Pyle, her heirs and assigns forever,

Witness:
Paul H. Smart

Charles W. McAlpin (Seal)
Sara Pyle McAlpin (Seal)

STATE OF NEW YORK
COUNTY OF NEW YORK

SS: BE IT REMEMBERED that on the 1st day of May 1925, before me, PAUL H. SMART, personally appeared CHARLES W. MCALPIN and SARA PYLE MCALPIN, who I am satisfied are two of the persons in the within instrument named, and I having first made known to them the contents thereof they did to me acknowledge that they signed, sealed and delivered the same as their voluntary act and deed, for the uses and purposes therein expressed.



Paul H. Smart
Notary Public
New York County No- 298
New York County Register's No. 6064
My Commission Expires March 30, 1926

STATE OF NEW YORK
COUNTY OF NEW YORK

SS. No. 7317 Series B. I, JAMES A. DONEGAN, Clerk of the County of New York, and also Clerk of the Supreme Court for the said County, the same being a Court of Record having a seal, DO HEREBY CERTIFY, That Paul H. Smart,

H 29 p 384

in favor of P.C.

THOMAS J. MALMAN
Attorney at Law

One Jefferson Road
Parsippany, NJ 07054-2891
T: (973) 966-8179 F: (973) 206-6636
tmalman@daypitney.com

May 30, 2023

VIA OVERNIGHT

Mr. Gregory Perry
Morris County Planning Board
30 Schuyler Place
4th Floor
Morristown, New Jersey 07960

**Re: Hurstmont Urban Renewal Entity, LLC (“Applicant”)
Site Plan and Minor Subdivision Application
Block 27, Lot 2, 679 Mt. Kemble Avenue (“Property”)**

Dear Mr. Perry:

Please be advised that this firm represents the Applicant in connection with its application for site plan and minor subdivision approval related to the proposed senior living development, consisting of a variety of living arrangements for seniors, including townhouses, independent living units, and assisted living units and memory care units, at the above referenced Property.

Enclosed please find the following materials in support of the application:

1. Two (2) sets of the Land Development Application Form;
2. Two (2) sets of Site Plans prepared by Gladstone Design, Inc., dated May 5, 2023, last revised May 26, 2023;
3. Two (2) sets of Architectural Plans for the Cottage Models and Carriage Models, prepared by Luce Architects, dated May 5, 2023;
4. Two (2) sets of Architectural Plans for the Multi-family Independent Living, and Assisted Living, Memory Care Building, prepared by Meyer Architect + Interiors, dated May 5, 2023;

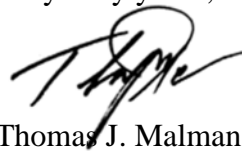
May 30, 2023

Page 2

5. Two (2) copies of the Traffic Report, prepared by Dolan & Dean, dated May 5, 2023, last revised May 26, 2023;
6. Two (2) copies of the Stormwater Management Report, Volumes I and II, prepared by Gladstone Design, Inc., dated May 26, 2023; and
7. Check in the amount of \$3,010.00 in payment of the application fee.

Please contact me if you have any questions.

Very truly yours,



Thomas J. Malman

LAND DEVELOPMENT REVIEW APPLICATION

Mail To:

MORRIS COUNTY PLANNING BOARD
P.O. Box 900
Morristown, NJ 07963-0900



Office Location:

30 Schuyler Place
4th Floor
Morristown, New Jersey

ALL FILINGS TO THE PLANNING BOARD SHOULD BE IN DUPLICATE WITH APPROPRIATE FILING FEE

Section I. Submission Requirements (Two COPIES OF ALL DOCUMENTS SHOULD BE SUBMITTED)

Submission: ☒ New ☒ Planning Board ☒ Review fee enclosed
☐ Revised ☐ Board of Adjustment ☐ No review fee

Section II. Project Information

Project Name: Estates at Hurstmont Block(s) 27 Lot(s) 2
Municipality: Township of Harding Road Frontage Name: Mt. Kemble Avenue (NJSH 202)
Applicant's Name: Hurstmont Urban Renewal Entity, LLC Telephone: 973-966-8179 Fax: 973-206-6636
Mailing Address: 14 Doty Road, Unit B, Haskell NJ

Section III. Site Data

What is being proposed? senior living facility (210 units) and 40 townhouses (28 carriage homes and 12 stacked flats)
Zone District(s) in which property is located: Hurstmont/Glen Alpin Redevelopment Area
Present Use(s) vacant Proposed Use(s) senior living facility and townhosues
Proposed Water Source: public (SMCMUA) Sewage Disposal on-site

☒ Subdivision:
Gross Area of Subdivision Tract 20.103 acres ▪ Net Lot Area 19.73 acres ▪ Number of Lots 2
☒ Site Plan: Lot Area 19.73 Acres
If Residential: # of Dwelling Units 40 *If Non-Residential*
New Floor Area see arch plans Total Floor Area see arch plans
New Parking Spaces 182 Total Parking Spaces 182
New Impervious Surface 303,426 sf Total Impervious Surface 357,065 sf

Section IV: Review Fees (not required for revised submissions)

Applicant hereby applies for: (check one)

Municipal Classification	Rate	Fees
<input type="checkbox"/> Subdivision: Sketch	no charge	
<input type="checkbox"/> Subdivision: Minor	\$100.00	\$ 100
<input type="checkbox"/> Subdivision: Preliminary	\$500.00 + \$25.00 per lot	\$
<input type="checkbox"/> Subdivision: Final	\$100.00	\$
<input checked="" type="checkbox"/> Site Plan: Multi-Family	\$500.00 + \$25.00 per dwelling unit	\$ 1,500
<input checked="" type="checkbox"/> Site Plan: Non-Residential	\$500.00 + \$5.00 per new parking space	\$ 1,410
Total enclosed (payable to "Treasurer of Morris County").		\$ 3,010

Application completed by: Thomas J. Malman ☐ applicant / ☐ owner / ☒ attorney / ☐ engineer
(please print)

Signature: Dated: 05/30/2023

**MORRIS COUNTY PLANNING BOARD
LAND DEVELOPMENT REVIEW
APPLICATION PROCEDURES**

SUBMISSION REQUIREMENTS:

- Subdivision – All subdivisions must be submitted to the County Planning Board for review.
Major Subdivisions – will be reviewed for County approval
Minor Subdivisions – will be reviewed to determine:
1. If the project fronts along a County road; and/or
 2. If the project will affect any County drainage facilities.
- For those minor subdivisions which meet either one or both of the above criteria, the project will be reviewed for approval. If a minor subdivision does not meet either criteria, an exemption letter will be sent.
- Site Plans – Site Plans will be reviewed to determine:
1. If the project fronts along a County road; and/or
 2. If the project contains an amount of impervious surface equal to or greater than one acre (43,560 sq. ft.)
- For those site plans which meet either one or both of the above criteria, the project will be reviewed for approval. If the site plan does not meet either criteria, an exemption letter is sent.

PROCEDURES:

New applications must be submitted to the County Planning Board by the municipal approving authority or by the applicant and accompanied by the transmittal letter stating that the application has also been made to the municipal approving authority. Development applications revised in response to County Planning Board requirements may be submitted directly to the County Planning Board by the applicant.

Digital copy of final plat and fully signed paper copy of final plat are required prior to filing of final plat at the Morris County Clerk's Office.

REVISIONS:

Subdivision plats and site plans which are revised to comply with the County Planning Board requirements, or would alter a previous County Planning Board approval, must be resubmitted to the County Planning Board for review and approval.

REPORTS:

The County Planning Board has a statutory review period of thirty (30) days from the date of a complete submission. Upon completion of the County Planning Board review, a report will be mailed to the municipal approving authority with copies mailed to the applicant and his/her engineer. For those site plans and minor subdivisions found to be exempt, a notice of exemption will be mailed to the municipal approving authority.

SUBMISSION PACKAGE:

A complete application consists of the following:

- ☑ 1. Two (2) completed copies of the County application form (on the reverse side).
- ☑ 2. Two (2) copies of the subdivision or site plan drawings.
- ☑ 3. Two (2) copies of the drainage study (if required by the County Land Development Standards or municipal ordinance).
- ☑ 4. Two (2) copies of the traffic impact study (if required by the County Land Development Standards or municipal ordinance).
- ☑ 5. Payment of the review fee in accordance with the fee schedule on the reverse side of this application. If no fee is included, the applicant will be billed and the project may not be reviewed until payment is received. No fee is required for resubmissions.

Package should be submitted via mail to: Morris County Planning Board
P.O. Box 900
Morristown, NJ 07963-0900

Or via personal delivery or overnight to: Morris County Planning Board
30 Schuyler Place, 4th Floor
Morristown, New Jersey 07960

Questions, please call: (973) 829-8120

(Revised 5/11)