

**HARDING TOWNSHIP  
ORDINANCE #12-2022  
AN ORDINANCE OF THE TOWNSHIP OF HARDING ACCEPTING CONSERVATION  
EASEMENT**

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**WHEREAS**, Willcoop, LLC, having an address at 105 Sand Spring Road, Morristown, New Jersey 07690 (the "Grantor") is the owner in fee of certain real property located at 1 Post House Road and designated as Lot 1, Block 33.03, in the Township of Harding, County of Morris, and State of New Jersey (the "Property"); and

**WHEREAS**, the Property was the subject of a preliminary and final major site plan and waiver application filed on behalf of the Grantor by Environmental Approach, Inc., a related entity of Grantor, which application was approved by Resolution adopted by the Harding Township Planning Board ("Board") on December 20, 2021 ("Approval"); and

**WHEREAS**, the approved site plan is entitled "Environmental Approach Preliminary & Final Site Plan, Retail Garden Center, 1 Post House Road & Mt. Kemble Ave. (State Hwy 202), Lot 1, Block 33.03, Township of Harding, Morris County, New Jersey" prepared by Yannaccone, Villa and Aldrich, LLC ("YVA") dated September 15, 2021, and last revised February 28, 2022 ("Site Plan"); and

**WHEREAS**, in connection with such Approval, Grantor was required to and agreed to subject a portion of the Property to a Conservation Easement in favor of the Township of Harding and in recognition of environmental values and consistent with the requirements and purposes of the Harding Township Land Use and Development Ordinance and the New Jersey Conservation Restriction and Historic Preservation Restriction Act, N.J.S.A. 13:8B-1 et seq.; and

**WHEREAS**, the Township Committee has determined that in furtherance of the conditions of the Approval, and in accordance with the Township's Land Use and Development Ordinance, to accept the conveyance of the Conservation Easement for the Property, in the form attached hereto, upon final execution and recording in the Office of the County Clerk, Morris County, New Jersey.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey, that it does hereby accept conveyance of a Conservation Easement from Willcoop, LLC, in the form attached hereto, upon final execution and recording in the Office of the County Clerk, Morris County, New Jersey.

**SECTION 2.** At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

**SECTION 3.** This ordinance shall take effect upon final passage and publication according to law.

**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a

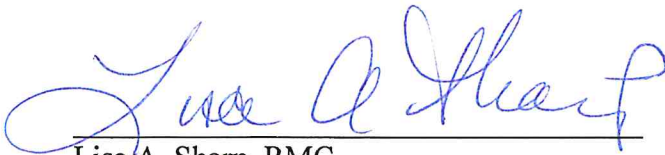
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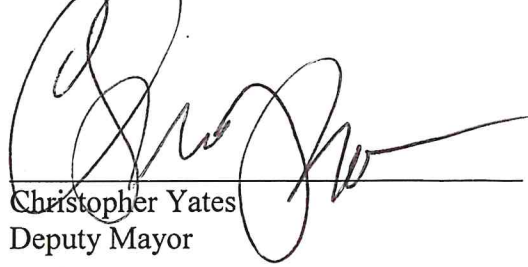
separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

**ATTEST**

**TOWNSHIP OF HARDING**



Lisa A. Sharp, RMC  
Township Clerk



Christopher Yates  
Deputy Mayor

**INTRODUCED:** June 20, 2022

**ADVERTISED:** June 23, 2022

**PUBLIC HEARING:**

**ADOPTED:**

**ADVERTISED:**

**Vote on Introduction:**

	<b>MOTION</b>	<b>FOR APPROVAL</b>	<b>AGAINST APPROVAL</b>	<b>ABSTAIN</b>
Ms. Chipperson	<i>2nd 1st</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Platt		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>