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August 24, 2020

VIA HAND DELIVERY

Frances Boardman
Administrative Official
Planning Board
Borough of Madison
50 Kings Road
Madison, NJ 07940

Re: *Park Valley Madison, LLC - Preliminary and Final Major Site Plan*
4 Community Place
Block 1501, Lot 4

Dear Ms. Boardman:

As you are aware, this firm represents Park Valley Madison LLC (“Applicant”) in connection with its application for preliminary and final major site plan for development of the above-referenced property (the “Property”). Accordingly, please find enclosed the following:

- One (1) original and sixteen (16) copies of the Site Plan and Variance Application, together with the Technical Review Escrow Agreement and applicable checklists;
- Seventeen (17) copies of the Addendum to the Site Plan and Variance Application;
- One (1) original and sixteen (16) copies of the Landowner’s Consent Certification and Permission to Enter Premises;
- Seventeen (17) copies of the Preliminary Environmental Checklist;
- Seventeen (17) copies of the Waiver Request form;
- Seventeen (17) copies of the draft Notice of Public Hearing;
- Seventeen (17) copies of existing photographs of the Property;
- Seventeen (17) copies of the Vesting Deed for the Property;

Fran Boardman
August 24, 2020
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- Seventeen (17) copies of an Environmental Summary Statement, prepared by AEI Consultants;
- Four (4) copies of the Traffic Impact Statement, prepared by Dynamic Traffic, dated May 15, 2020;
- Four (4) copies of the Stormwater Management Report, prepared by Suburban Consulting Engineers, Inc., dated May 2020;
- Seventeen (17) signed and sealed sets of Architectural Plans prepared by Blackbird Group Architects LLC, last revised August 18, 2020;
- Seventeen (17) copies of the Boundary and Topographic Survey, prepared by Suburban Consulting Engineers, Inc., dated March 24, 2020;
- Seventeen (17) signed and sealed sets of Preliminary and Final Site Plan prepared by Suburban Consulting Engineers, Inc., last revised August 21, 2020;
- Seventeen (17) copies of the certification of paid taxes;
- Seventeen (17) copies of the report from the Utilities Department;
- Seventeen (17) copies of the certified list of property owners within 200' of the planned development; and
- Seventeen (17) copies of the response to my Open Public Records Act request, confirming no prior approvals for the Property.

The Applicant looks forward to a public hearing on this application on September 15, 2020. Of course, if you should have any questions or require that further information be provided, please do not hesitate to contact me.

Very truly yours,



Luke S. Pontier

LSP
Enclosures

BOROUGH OF MADISON

Borough of Madison, 50 Kings Road, Madison, New Jersey 07940

APPLICATION FOR DEVELOPMENT

Planning Board
 Board of Adjustment
App. Number: P20-003

Date of First Submission: May 19, 2020
Valid Application Date: June 15, 2020
Completeness Date: _____

I. PROPERTY INFORMATION

Address: 4 Community Place Zone: CBD-2
Tax Map Number: 15 Block: 1501 Lot(s): 4
Present Use: 2 family duplex, with vacant lot used for car parking

Has there been any previous application involving these premises by the applicant or any prior owner of the property? Yes No Unknown ; if unknown, provide copy of OPRA Request to Borough

If yes, nature of application, date and determination: _____

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

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies] No Proposed

2. APPLICANT INFORMATION

Name: Park Valley Madison, LLC
Address: 10 Dundar Road, Suite 210
City/State/Zip: Springfield, NJ 07081
Phone #: _____ Fax: _____ Email: _____
Applicant is a(n): Individual Partnership Corporation (limited liability company)

CONTACT FOR APPLICATION

Name: Thomas J. Malman, Esq.
Address: c/o Day Pitney LLP, 1 Jefferson Road
City/State/Zip: Parsippany, NJ 07054
Phone #: 973-966-8179 Fax: _____ Email: tmalman@daypitney.com

3. DISCLOSURE STATEMENT

Pursuant to end. N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership application must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 that disclosure agreement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up in the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to comply).

Name: <u>Gerard L. Burdi Dynasty Trust</u>	Address: <u>37 Pacer Court, Basking Ridge, NJ 07920</u>	Interest: <u>25%</u>
Name: <u>Nicholas M. Burdi Dynasty Trust</u>	Address: <u>228 Apple Tree Lane, Mountainside, NJ 07092</u>	Interest: <u>25%</u>
Name: <u>John R. Mango Dynasty Trust</u>	Address: <u>8 Lauri Drive, Florham Park, NJ 07932</u>	Interest: <u>25%</u>
Name: _____	Address: _____	Interest: _____
Name: _____	Address: _____	Interest: _____

4. OWNER'S INFORMATION

If the Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name: Buddy, Timmy, and Brian, LLC

Address: 5007 Clydesdale Court, Murraysville, PA 15668 Telephone Number: _____

OWNER MUST SIGN ATTACHED AUTHORIZATION

5. APPLICANT'S ATTORNEY (Corporations must be represented by an attorney)

Name: Thomas J. Malman, Esq.

Address: c/o Day Pitney LLP, 1 Jefferson Road, Parsippany, NJ 07054

Phone #: 973-966-8179 Fax: _____ Email: tmalman@daypitney.com

6. APPLICANT'S ENGINEER

Name: Charles Stewart, PE

Address: c/o Suburban Consulting Engineers, 96 US Highway 206, Suite 101, Flanders, NJ 07836

Phone #: 973-398-1776 Fax: _____ Email: cstewart@suburbanconsulting.com

7. APPLICANT'S ARCHITECT

Name: Avelino Martinez, RA

Address: c/o Blackbird Group Architects LLC, PO Box 5943, Newark, NJ 07105

Phone #: 908-964-5180 Fax: _____ Email: am@blackbirdarchitects.com

8. NATURE OF THE APPLICATION (Check applicable items)

Preliminary and Final Major Site Plan with "c" variances

- | | |
|---|---|
| <input type="checkbox"/> Concept review | <input type="checkbox"/> Conditional use approval |
| <input type="checkbox"/> Minor subdivision | <input type="checkbox"/> Zone change |
| <input type="checkbox"/> Major subdivision, preliminary | <input checked="" type="checkbox"/> Site plan approval, preliminary residential |
| <input type="checkbox"/> Major subdivision, final | <input checked="" type="checkbox"/> Site plan approval, preliminary non-residential |
| <input type="checkbox"/> Use variance | <input type="checkbox"/> Site plan approval, final |
| <input type="checkbox"/> Variance, residential fence or deck | <input type="checkbox"/> Amendments to approved site plans |
| <input type="checkbox"/> Variance, other residential | <input type="checkbox"/> Change of permitted use with waiver of site plan |
| <input checked="" type="checkbox"/> Variance, other non-residential | <input type="checkbox"/> Appeal from administrative decision |
| | <input type="checkbox"/> Interpretation of zoning ordinance |

9. BRIEF DESCRIPTION OF PROJECT: Indicate type of improvement, alteration, structure, or use proposed; describe all structures, improvements, and uses now on the property. For any non-residential, business, or commercial use provide hours of operation, number of employees, number of parking spaces, intention to sell or rent, and any other information important for consideration:

Please see attached Project Description.

10. DOES THE APPLICATION COMPLY WITH ALL REQUIREMENTS OF THE ZONE: If not, state violation, article, section and variance requested and state principle points on which the variance request is made. Use a separate sheet if necessary. Attach any letter or document from the Zoning Official of the Borough of Madison which has been issued to you regarding this property.

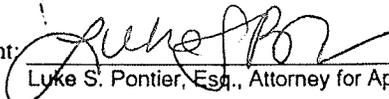
Chapter 195-29.3, where a minimum rear setback of 25 feet is required, and approximately 23 feet is proposed.
Chapter 195-29.3, where a minimum lot depth of 100 feet is required, and approximately 97.38 feet is existing.

11. 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

Morris County Soil Conservation District

I hereby affirm that all of the above and statements contained in the papers submitted here with our true.

Signature of the Applicant:  Date: 8/21/2020
Luke S. Pontier, Esq., Attorney for Applicant

IF THIS APPLICATION IS SUBMITTED BY ANYONE OTHER THAN THE OWNER, THE OWNER MUST EXECUTE THE CONSENT WHICH IS ATTACHED TO THIS APPLICATION.

Please see attached Landowner Consent form.

Zoning Requirements & Identification of Variances

INSTRUCTIONS: Complete all open spaces below by inserting data for the zoning district in which the property is situated. If more space is needed, attach additional copies of this table.

Zoning District (Please insert name of district) CBD-2				
ZONING REQUIREMENT	REQUIRED or PERMITTED	EXISTING	PROPOSED	Check if VARIANCE Requested
Minimum lot size	10,000 SF	17,555 SF	17,555 SF	
Minimum lot width	100 feet	125.0 feet	125.0 feet	
Minimum lot depth	100 feet	97.38 feet	97.38 feet	EXISTING
Principal Building:				
Minimum front yard setback	Prevailing (0 feet)	10.2 feet	2.78' (CP), 4.5' (CA)	
Minimum side yard (r) setback	0 feet	9.3 feet	5.7 feet	
Minimum side yard (l) setback	--	--	--	
Minimum rear yard setback	25 feet	51.2 feet	23.0 feet	X
Maximum building height	45 feet	--	45 feet	
Maximum building stories	3 stories	2 stories	3 stories	
Maximum Principal building coverage		2,001 SF	10,585.6 SF	
Max. proposed building coverage ratio	-- %	11.4 %	60.30 %	
Accessory Structure:				
Minimum side setback				
Minimum rear setback				
Maximum floor area				
Maximum building height				
Impervious lot coverage (list all additional impervious surfaces, including any area not listed below)				
1. Principal building coverage (insert SF from above)		2,001 SF	10,585.6 SF	
2. Garage		SF	SF	
3. Shed		SF	SF	
4. Driveway		SF	SF	
5. Front walk/stoop		SF	SF	
6. Rear walks/patio		SF	SF	
7.		SF	SF	
8.		SF	SF	
9.		SF	SF	
Total impervious lot coverage		SF	14,430.2 SF	
Max. impervious lot coverage ratio	85%	26.60 %	82.20 %	
Other Requirements (if applicable)				

Please see submitted site plans for more details on bulk standards.

NOTE: The zoning requirements are in Chapter 195 of the Borough of Madison Code, which is available online at www.rosenet.org/gov

**BOROUGH OF MADISON
TECHNICAL REVIEW ESCROW AGREEMENT**

The undersigned applicant hereby agrees that if the escrow amount submitted with this application is not sufficient to cover professional fees, he/she will provide additional funds as deemed necessary in accordance with Section 195-12 "Fees" of the Land Use Ordinance of the Borough of Madison.

In the event it is determined that additional funds are required, the Board Secretary shall notify the applicant. The applicant agrees to pay the additional fees within fourteen (14) days of said notice.

The applicant further agrees that if the additional fees are not paid within the time specified, all processing of the application will be terminated until the payment is made in full. In any event, no Certificate of Occupancy will be issued by the Construction Code Official until the applicant has paid sufficient escrow monies to cover all professional fees.

Upon completion of the project, any unused escrow fees plus any accrued interest due the applicant in accordance with MLUL 40:55-53.1 will be returned to the applicant.

I, the applicant, have read and understand the above agreement and hereby agree to the conditions.

August 21, 2020

Date

Park Valley Madison, LLC

Applicant

84-3283195

Tax ID#

**BOROUGH OF MADISON, NEW JERSEY LAND DEVELOPMENT CHECKLIST
AS AUTHORIZED UNDER N.J.S.A. 40:55d-10.3**

**CHECKLIST A: GENERAL REQUIREMENTS
FOR ALL APPLICATIONS FOR DEVELOPMENT**

This Checklist shall **not** be applicable to Requests for Interpretation, Appeals of a Decision of a Borough Official or Request for Waiver of Site Plan Details. Checklists E and F and required for these applications.

<u>CHECKLIST A</u>		Submitted	For Borough Use
FOR ALL ITEMS ON CHECKLIST, SEVENTEEN COPIES (17) OF EACH ITEM MUST BE SUBMITTED UNLESS OTHERWISE SPECIFIED BY A *, WHERE ONLY FOUR COPIES (4) MUST BE SUBMITTED. ALL APPLICATION MATERIALS MUST BE COLLATED.			
1	Completed and signed Application for Development Form, including Owner's Consent to Application and: a) Permission to Enter Applicant's Property b) Technical Review Escrow Agreement c) Payments of Required application and escrow fees	✓	
2	Required Checklists in Addition to this Checklist and: a) Written requests for Waivers of Submission Requirements from Checklists B, C and/or D, along with justifications for each requested waiver	✓	
3	Plans, elevations and architectural details per Checklist B, C, and/or D	✓	
4	Property survey signed and sealed by land surveyor or engineer, which must be dated within six (6) months (or a completed certification in lieu of oath for older surveys) from the date of the application and which must show all current improvements and conditions on the property	✓	
5*	Signed Report from the Borough Tax Collector that taxes for the property have been paid current	✓	
6*	Letter from Borough Water and Sewer Department that all Borough fees and charges are paid current	✓	
7*	Certified list of all property owners within 200 feet of the property from Borough Tax Assessor's office and neighboring municipalities, as relevant	✓	
8	Photographs of the property from the front, back and both sides	✓	
9*	Copies of any prior resolutions of approval for this property from either the Planning Board or the Zoning Board of Adjustment (if not applicable, proof of OPRA filed with Borough response)	✓	
10*	Copies of any letters or notices received from any Borough official, office, Board or agency	✓	

11*	Name, address, and phone number of any witness or expert who will be presenting testimony or reports regarding this application - attach hereto copies of all such reports	✓	
12*	Copies of any and all approvals received from any other governmental agency and, if any permits have been issued, attach complete copies of any and all such submissions, notices, documents, approvals or permits	✓	
13	Copies of any deed restrictions or easements that affect the property	✓	
14	Draft Public Notice/Publication	✓	
15	Statement of reasons why the application is necessary and facts and information that would support an approval	✓	

Prepared by:	<u>Luke S. Pontier, Esq.</u>
Date:	<u>August 21, 2020</u>

**BOROUGH OF MADISON, NEW JERSEY LAND DEVELOPMENT CHECKLIST
AS AUTHORIZED UNDER N.J.S.A. 40:55d-10.3**

**CHECKLIST C:
REQUIREMENTS FOR ALL APPLICATIONS FOR DEVELOPMENT FOR
PRELIMINARY SITE PLAN OR SUBDIVISION APPROVAL
AND ALL VARIANCES (NOT COVERED IN CHECKLIST B)**

This Checklist shall not be applicable to:

1. "C" Variance Relief only for Decks and Fences for Single-Family and Two-Family Residences (Use Checklist B)
2. Change of Permitted Use with Request for Waiver of Site Plan (Use Checklist E)
3. Requests for interpretation, Appeals of a Decision of a Borough Official (Use Checklist F)

NOTE: SHADED ITEMS REPRESENT REQUIREMENTS FOR MINOR SUBDIVISIONS WITHOUT VARIANCES

CHECKLIST C		Submitted	Borough Use
FOR ALL ITEMS ON CHECKLIST, SEVENTEEN COPIES (17) OF EACH ITEM MUST BE SUBMITTED UNLESS OTHERWISE SPECIFIED BY A *, WHERE ONLY FOUR COPIES (4) MUST BE SUBMITTED. ALL APPLICATION MATERIALS MUST BE COLLATED.			
General Requirements			
1	Zoning requirements, including identification of necessary variance and/or waiver relief	✓	
2	Architectural drawings, including: a) Building facades (elevations) for all sides of the building or structure with building height measurements based on Borough Code definitions and spot elevations (at building corners) included b) Floor plans for each floor of the building or structure with clearly displayed dimensions and uses of all rooms	✓	
3	For variances from 40:55D-70(d)(1), a Licensed Professional Planner's Report documenting the rationale addressing the required proofs for granting the requested use variance		N/A
4	Plans drawn & sealed by a P.E., L.S., P.P., or R.A. as permitted by law and based on a current survey, with consecutive numbering and descriptive titles, collated and folded	✓	
For Subdivision and Preliminary Site Plan Plan Details Required			
5	Proper scale: 1" = 30' or as approved by Borough Engineer	✓	
6	Current survey upon which plat or plan is based	✓	
7	A grading plan showing, at 2' contour intervals, existing & proposed contours & elevations	✓	
8	Standard sheet sizes: 8-1/2" x 13" 15" x 21" 24" x 36"	✓	
9	Title block and basic information: a) Title b) Name, address, & license number of preparer, with dates of preparation & revision c) North arrow and reference meridian (and on each following page) d) Ratio and graphic scale e) Tax map block, lot numbers & zone f) Name and address of owner of record and applicant, if different from the owner	✓	

10	<p>The first sheet of a series of plats or plans submitted for preliminary approval shall contain, in addition to the above, the following:</p> <ul style="list-style-type: none"> a) Key Map, at a scale of 1" = 500' or less showing zone boundaries b) Certified 200' list of all property owners, including adjoining municipalities, with names, addresses, lot and block numbers from Borough Tax Assessor c) Signature block with necessary signatures for the Board Chairman, Board Secretary and Borough Engineer d) Zoning analysis showing required, existing, and proposed zoning conditions, variances, and design waivers identified 	✓	
11	Location of Zoning District and Municipal boundaries within 200 feet of development	✓	
12	All dimensions (width, depth, height) in feet and inches, area values in square feet, and ratios in percent to two decimal places	✓	
13	Bearing and dimensions of boundary lines and angle between intersecting lines, in degrees, minutes, and seconds	✓	
14	Existing and proposed dimensions and values for lot area, lot frontage, lot width, lot depth, front and rear yard setback, second story overhanging setbacks, total lot coverage, lot coverage ratio, total building coverage, building coverage ratio, and floor area	✓	
15	Existing and proposed additional floor area for each floor, basement, attic, porch area and accessory structures	✓	
16	Location, size, materials, method of attachment, method of illumination, colors/details of any signs in accordance with the Master Signage Plan requirements of 195-34	✓	
17	Location, size, and details of all exterior lighting, with illuminance levels, isolux patterns and all requirements in 195-25.6	✓	
18	Location, size and description of all existing and proposed utilities, including provision for storage and disposal of solid wastes	✓	
19	Plans of proposed potable water & sanitary sewer utility systems showing feasible connections to existing or any proposed system. If a public water supply or sanitary sewer system is available, the owner shall show appropriate connections thereto on the plat or plan. When a public sewage disposal system is not available, the developer shall pave percolation tests made & shall submit the results, approved by the Borough Board of Health, with the preliminary plat or plan	✓	
20	Proposed location and size (including heights) and setbacks of all, mechanicals, including rooftop mechanicals	✓	
21	Percentage of lot occupied by buildings and impervious coverage, including locations of any reference corners, location dimensions and kind of each permanent property monument	✓	
22	Location of all existing and proposed buildings, with building setbacks, side and rear yard distances	✓	
23	A circulation plan showing proposed vehicle, bicycle & pedestrian circulation systems including directions of travel. The plan shall include the locations, typical cross-sections, centerline profiles & type of paving for all new streets & paths, including any required bicycle parking (195-20G)	✓	
24	Details and location of any proposed off-street parking areas with dimensions showing parking layout plan and spaces, loading docks & access drives, curbing, and sidewalks	✓	
25	All proposed buffers, landscaping, fences, walls, hedges or similar facilities. The Landscaping plan shall show in detail the location, size and type of all plant material, including ground cover, to be used on the site. Common names of all landscaping materials shall be indicated	✓	

26	The location of existing watercourses, including wetlands, waterbodies and floodplain, soil types and delineations based on the Morris County Soil Conservation District maps, and any other natural features, such as wooded areas and rock formations on the site and within 50 feet, including the location and species of all trees or groups of trees having a diameter in excess of six 6 inches (DBH).	✓	
27	A soil erosion & sediment control plan prepared in conjunction with Article VII and a stormwater management plan meeting the requirements of Article VI and showing the location, type & size of any existing and proposed bridges, culverts, drainpipes, catch basins & other storm drainage facilities	✓	
28	A copy of any protective covenants or deed restrictions applying to the land being subdivided or developed & a notation on the plat or plan of any easements required by the Board, such as but not limited to sight triangle easements. Said easements may also include utility lines, public improvements and ingress and egress for emergency vehicles	✓	
29	A copy of such guarantees, covenants, master deed or other documents which shall satisfy the requirements of the Board for the construction & maintenance of any proposed common areas, landscaping, recreational areas, public improvements & buildings		N/A
30	Completed Borough of Madison Preliminary Environmental Checklist	✓	
31	Where appropriate, the plat or plan shall indicate provisions for energy conservation	✓	
32	A list of all licenses, permits or other approvals required by law, including proof of service	✓	
Other Requirements			
33*	Written Environmental Impact Assessment including all documentation (195-20F)		WAIVER
34*	Stormwater management addressed in accordance with Article VI of Chapter 195	✓	
35	Traffic/transportation impact study, including all required documentation (195-20G)	✓	
36	Documentation showing compliance with Wellhead Protection Areas (195-30.7), Steep slopes (195-41.2), Flood control and Riparian Buffer (195-37.10)	✓	
37	Written identification of any items in this Checklist requested to be waived with a written rationale for any waivers	✓	

Prepared by:	Luke S. Pontier, Esq.
Date:	08/21/2020

**BOROUGH OF MADISON, NEW JERSEY LAND DEVELOPMENT CHECKLIST
AS AUTHORIZED UNDER N.J.S.A. 40:55d-10.3**

**CHECKLIST D:
REQUIREMENTS FOR FINAL SITE PLAN
AND/OR FINAL MINOR OR MAJOR SUBDIVISION**

Item	<p align="center"><u>CHECKLIST D</u></p> <p align="center">FOR ALL ITEMS ON CHECKLIST, SEVENTEEN COPIES (17) OF EACH ITEM MUST BE SUBMITTED UNLESS OTHERWISE SPECIFIED BY A *, WHERE ONLY FOUR COPIES (4) MUST BE SUBMITTED. ALL APPLICATION MATERIALS MUST BE COLLATED.</p>	Submitted	Borough Use
1	Completed and signed application form and Checklist D	✓	
2*	List of all Application filing fees and escrows with receipt showing payment	✓	
3*	Certification that taxes are current from the Tax Collector and proof that water and sewer charges are current	✓	
4*	All prior resolution and approvals regarding the subject property	✓	
5*	List of all government approvals and copies of all permits, approvals, and exemptions from government unit	✓	
6	Statement from Borough Engineer that installation of utilities, drainage, and all improvements have been installed in compliance with all applicable laws and any executed developer's agreement. If the required improvements have been installed, the application for final approval shall be accompanied by a statement from the Borough Clerk that a satisfactory maintenance bond has been posted.		WAIVER REQUEST
7	Applicant's written certification regarding any unfinished or incomplete improvements, proof of payment and satisfaction of all bonding/performance guaranty requirements as required by the Borough Engineer and Ordinances.		WAIVER REQUEST
8	<p>Engineering plans, architectural details and drawings in compliance with preliminary approval, showing all details required in Checklist C, including:</p> <ul style="list-style-type: none"> a) Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines and other site lines, with accurate dimensions, bearings or deflection angles, radii arcs and central angles of all curves. b) The purpose of any easement or land reserved or dedicated to public use and the proposed use of sites other than residential. c) The front, side and rear building setback lines. d) Improvement plans in accordance with the Borough standards for roads and water and sewer improvements. e) Plans and profiles of storm and sanitary sewers and water mains. <p>NOTE: The final floor plans and building elevation drawings submitted to the Construction Code Official for issuance of a building permit shall conform with the preliminary plans and drawings approved by the Board.</p>	✓	
10	Any document, plan, or other item as required by the Board at the time of preliminary approval	✓	

Prepared by: Luke S. Pontier, Esq.
Date: 08/21/2020

Park Valley Madison, LLC
Block 1501, Lot 4
Application Addendum – Project Proposal

Park Valley Madison, LLC (“Applicant”) is the contract purchaser of property located at 4 Community Place, also identified on the Borough Tax Map as Block 1501, Lot 4 (the “Property”). The Property is approximately 0.403 acres and located in the CBD-2 Commercial Business District Zone. The Applicant is seeking preliminary and final major site plan and bulk variance approval, as described below.

Currently, the Property contains a two-story residential dwelling and garage. The Applicant seeks preliminary and final site plan approval to demolish the existing structures and construct a multi-family residential apartment building with ground-floor office space and parking, containing approximately sixteen (16) multi-family units together with associated common and amenity space, thirty-five (35) parking spaces, approximately 811 net square feet of office space, and related site improvements. Of the sixteen multi-family units proposed, two (2) are affordable units.

To assist with the parking requirement, the Applicant proposes to partner with a ride sharing service, which will enable residents to secure a ride to various transportation hubs around the Borough and Morris County.

In connection with this application, the Applicant is requesting the following bulk variances from the Borough of Madison Land Development Ordinance:

- Section 195-29.3, which requires a rear yard setback of 25 feet, where approximately 23 feet is proposed.
- Section 195-29.3, which requires a minimum lot depth of 100 feet, and a lot depth of 97.38 feet is existing and proposed.

LANDOWNER'S CONSENT CERTIFICATION

Property: Block 1501, Lot 4
4 Community Place
Borough of Madison
Morris County, New Jersey

Applicant: Park Valley Madison, LLC
11 Dundar Road
Springfield, NJ 07081

Owner: Buddy, Timmy, and Brian, LLC
5007 Clydesdale Court
Murraysville, PA 15668

Proposed Development: Construction of a multi-family residential apartment building with ground-floor retail and parking, containing approximately eighteen (18) multi-family units together with associated common and amenity space, approximately thirty-six (36) parking spaces, 890 square feet of retail or office space, and related site improvements.

The undersigned hereby certifies as follows:

Buddy, Timmy, and Brian, LLC is the only owner of the above referenced Property. Buddy, Timmy, and Brian, LLC hereby consents to the filing by the above Applicant of any and all applications for governmental approvals necessary for the Proposed Development described above including, but, not limited to, applications to the Planning Board and/or the Board of Adjustment of the Borough of Madison, the Morris County Planning Board, the Morris County Soil Conservation District, the New Jersey Department of Transportation, and the New Jersey Department of Environmental Protection. Buddy, Timmy, and Brian, LLC hereby gives permission to the Members of the Planning Board and/or Board of Adjustment of the Borough of Madison, and its authorized representatives, consultants and other Borough Officials, to enter onto the Property for the purpose of evaluation of the application for development pending before that Board.

Buddy, Timmy, and Brian, LLC

Date: 5/11/2020

By:  _____

Signed and sworn before me
this 11th day of May, 2020.


Notary Public

KAREN JACOT
NOTARY PUBLIC OF NEW JERSEY
I.D. # 2396392
My Commission Expires 5/11/2020

BOROUGH OF MADISON
CHECKLIST C

APPLICATION FOR DEVELOPMENT
PRELIMINARY ENVIRONMENTAL CHECKLIST

PURPOSE OF CHECKLIST

The purpose of this checklist is to collect information about a proposed development project in order to:

- Understand and consider the environmental impacts of a proposal before the Borough makes important land use decisions.
- Verify environmental conditions using the Madison Borough Environmental Resources Inventory (ERI), to make site-specific land use decisions with the knowledge of existing environmental conditions, and which are in the interest of the Borough's long-term sustainability.
- Adequately review the design of a proposed development and where practical, and determine ways to reduce, mitigate or avoid environmental impacts from a project.
- Determine whether the environmental impacts from a proposal are significant, requiring the preparation of an Environmental Impact Statement (EIS).
- Use the information collected to regularly update the Borough's ERI.

IMPACT AREAS

In reviewing applications, Madison's Planning and Zoning Boards are required to consider environmental features to minimize any adverse impact on the environment (§195-24.3.A.), including the:

- Prevention of soil erosion
- Protection of significant vistas or views

- Preservation of trees
- Protection of watercourses, resources, topography, soil and animal life
- Protection of air quality [Recommended]

EIS DETERMINATION

The Borough's Technical Coordinating Committee (TCC), with recommendation from the Madison Environmental Commission (MEC), is the agency responsible for determining whether an Environmental Impact Statement (EIS) is required for a project.

An EIS must be prepared [~~for applications involving a major subdivision, as part of preliminary approval~~] [Recommended: for all site plan and subdivision proposals that could result in a probable adverse impact on the quality of the environment or are in a critical area]. The submission requirements for an EIS are provided in Ordinance §195-20.F.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist requires that applicant's describe basic information about their proposals or projects. If a question does not apply to your proposal, write "does not apply."

The checklist questions apply to all parts of a proposal, even if they will take place over a period of time or on different parcels of land. The intended components of the full project must be understood at the earliest stage of the project.

Attach any additional information that will help describe your proposal or its environmental effects.

**MADISON BOROUGH
PRELIMINARY ENVIRONMENTAL CHECKLIST**

Applicant's Name: Park Valley Madison, LLC

Applicant's Address: 11 Dunder Road, Suite 210 Springfield NJ 07081

Phone (Day / Evening): 908-232-4100 ext 208

Contact Email Address: info@parkvalleydev.com

Project Name: _____

Project Location: 4 Community Place

Type of Project: Minor Sub. Prelim. Major Sub. Final Major Sub Prelim. Site Plan Final Site Plan

Provide a brief description of proposed project: 18 residential units over ground floor parking and 883 SF of ground floor office space

Please indicate the site Zoning District(s): CBD-2 Please indicate Master Plan Land Use designation: CBD-2

	Environmental Feature	Yes	No	Please Describe / Comments
PROJECT BACKGROUND				
1	Is the property currently being used? If so, please describe current use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2 family duplex, with vacant lot used for car parking
2	Will any structures on the site be demolished as part of the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3	Will the project be built in phases? If so please describe phasing schedule.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4	Do you have plans for future additions, expansions or further activity related to or connected with this proposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Land Resources				
5	Are there slopes over 1.2%? If so, provide the percentage.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6	Will the project involve changes in relief or drainage patterns?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7	Could erosion occur as a result of clearing, construction or use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No additional clearing is anticipated
8	Does the project propose measures to reduce or control erosion?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	see soil erosion plan
9	Does the project propose filling or grading? If so indicate approximate quantities.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10	Does the site contain any Prime Aquifer Recharge Soils?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Identified as Urban Land
11	Does the project increase the amount of impervious surfaces? If so, indicate before and after percentages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Existing: 26.6%, Proposed: 81.5%

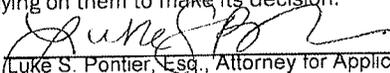
	Does the project increase the amount of open space or hardscaped public space on the site?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Air Resources			
	Would the proposal result in emissions (i.e., dust, odors, smoke) during construction or after completion?	<input checked="" type="checkbox"/> <input type="checkbox"/>	
	Are there any off-site emissions or odors that may affect your proposal?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose measures to reduce or control emissions or other impacts to the air, if any?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose measures to reduce or control indoor air pollutants (i.e., dust from renovations, paints, molds/mildew, etc.)	<input checked="" type="checkbox"/> <input type="checkbox"/>	
Water Resources			
	Will the project require work within 200 feet of a surface water body (i.e., year-round and intermittent streams, lakes, ponds, wetlands)? Please describe.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the proposal lie within a 100-year floodplain?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Will fill and dredge material be placed in surface water or wetlands	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Will fill and dredge material be removed from surface water or wetlands	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Will surface water or ground water be withdrawn or require a diversion?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Will there be discharge to ground water?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose a method of surface runoff collection? Explain.	<input checked="" type="checkbox"/> <input type="checkbox"/>	
	Will runoff water flow into other waters?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose measures to reduce or control surface water runoff impacts or impacts to ground water?	<input checked="" type="checkbox"/> <input type="checkbox"/>	
	Is the project located within a Well Head Protection Area (WHPA)?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Vegetation Resources			
	Will any trees (deciduous or evergreen) be removed or altered as a result of the project? Provide types and amount.	<input checked="" type="checkbox"/> <input type="checkbox"/>	See Existing Conditions and Demolition Plan
	Will any shrubs, plants, vine or grass areas be removed or altered?	<input checked="" type="checkbox"/> <input type="checkbox"/>	
	Are there any threatened or endangered plant species known to be on or near the site? Please list.	<input type="checkbox"/> <input checked="" type="checkbox"/>	

	Does the project propose landscaping, use of native plants, or other measures to preserve or enhance vegetation?	<input checked="" type="checkbox"/> <input type="checkbox"/>	
	Does the project propose any invasive, non-native or exotic plant species?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose any new street trees?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose Integrated Pest Management as part of its landscaping management plan?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Will the landscaping management of trees, plants, lawns or gardens on the site require fertilizer or chemical pesticide use?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Wildlife Resources			
	Have any bird species (i.e., hawk, heron, eagle, duck, geese, songbirds) been observed on or near the site?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Have any animals (i.e., deer, bear, rabbit, possum, etc.) been observed on or near the site?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Are there any threatened or endangered species known to be on or near the site?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose measures to preserve or enhance wildlife?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Recycling, Energy and Natural Resources			
	Does the project incorporate a recycling plan? If so, please describe.	<input checked="" type="checkbox"/> <input type="checkbox"/>	Split garbage collection for paper, bottles & plastic.
	Does the project propose the use of any alternative means of energy use (i.e., solar, wind, geothermal, etc.)?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Would your project affect the potential use of solar energy by adjacent properties?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose any energy conservation features to reduce or control energy impacts? List types.	<input checked="" type="checkbox"/> <input type="checkbox"/>	The project proposes to use Energy Star appliances to lessen electrical usage.
Environmental Health			
	Are there any existing areas of contamination on site? If so, please describe.	<input type="checkbox"/> <input checked="" type="checkbox"/>	The site has undergone a Phase 1 ESA, and limited Phase 2 subsurface testing. Both reports yielded no environmental contamination on the site.
	Are there any environmental health hazards (i.e., exposure to toxic chemicals, risk of fire or explosion, hazardous waste, etc.) that could occur as a result of this project?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Will the project result in high levels of noise (i.e., traffic, construction, operation, music, etc.)? If so, indicate anticipated hours of noise.	<input checked="" type="checkbox"/> <input type="checkbox"/>	Construction operations will be conducted during hours that are consistent with those allowable under borough ordinance 75-15

	Does the project propose measures to reduce or control environmental health hazards or noise impacts, if any?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Light and Glare			
	Would the proposal result in any light pollution or glare? What time of day?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Could light or glare from the finished project interfere with views?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	What existing off-site sources of light or glare may affect your proposal?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose any measures to reduce or control light and glare impacts, if any?	<input type="checkbox"/> <input checked="" type="checkbox"/>	N/A
Historic, Cultural and Recreation Preservation			
	Are there any places or objects listed on, or proposed for, national, state, or local historic preservation registers known to be on or next to the site?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Are there any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Are there any designated or informal recreational opportunities in the immediate vicinity of the site? Please list.	<input checked="" type="checkbox"/> <input type="checkbox"/>	James Park is located 2 blocks away. Dodge field is approximately 1/4 mile away.
	Would the proposed project displace any existing recreational uses? If so, describe.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose any measures to reduce or control impacts on historic resources and recreation uses within the vicinity, if any?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Transportation			
	Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?	<input checked="" type="checkbox"/> <input type="checkbox"/>	Madison Station is located approximately 1/4 away from the site. Bus service is provided through service at the Rt 124 @ Central stop, 1,000 feet from site, and the Rt 124 @ Drew, approximately 1/3 mile from site.
	Is the site currently served by sidewalks? Please indicate the condition of the sidewalks.	<input checked="" type="checkbox"/> <input type="checkbox"/>	Sidewalks are in good condition, but all or portions of sidewalk around property will be replaced during construction.
	Is the site currently served by designated bike lanes or "Share the Road" lanes?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose any bicycle parking spaces?	<input checked="" type="checkbox"/> <input type="checkbox"/>	yes, 20 bicycle spaces are planned, while 18 are required under code.
	Does the project require a variance for the number of vehicle parking spaces being provided?	<input checked="" type="checkbox"/> <input type="checkbox"/>	Under Borough code, 2 space deficiency; however, this does not take into account any shared parking concepts, or ride share arrangements. Both allowable under code, with the latter providing up to a 10% reduction in required parking. If these are utilized there is potentially no parking variance.

	Does the parking area design include elements for Low Impact Development (LID) stormwater management (i.e., bioswales, porous pavement, tree plantings, etc.)	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose any pedestrian or bicycle use improvements?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project propose measure to reduce or control transportation impacts?	<input checked="" type="checkbox"/> <input type="checkbox"/>	Based on the provision of bicycle parking, and through potential exclusive ride share arrangements, the project will encourage alternate means of transportation, reducing the impacts on the surrounding areas.
Public Services and Utilities			
	Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, describe.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
	Does the project proposed measures to reduce or control direct impacts on public services, if any?	<input checked="" type="checkbox"/> <input type="checkbox"/>	The project will be services through private garbage collection
	Does the project propose the installation or connection of new utilities (electric, gas, water, telephone, sewer, other)?	<input checked="" type="checkbox"/> <input type="checkbox"/>	
	Does the project proposed measures to reduce or control direct impacts on public utilities, if any?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Planning & Approvals			
Please indicate if the proposed project is compatible with the existing surrounding land uses (and projected land uses, if any). Describe any proposed measures to ensure compatibility:			
The property is zoned CBD-2 and borders the CBD-1 zone to the west. The proposed project adheres to the allowed use in the zone, and with the surrounding land uses, which is predominantly mixed-use apartments over commercial.			
List any additional governmental or agency approvals required for this project:			
Morris County Planning Board Morris County Soil Conservation District			
Additional comments:			

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature 
 Luke S. Pontier, Esq., Attorney for Applicant

Applicant: Park Valley Madison, LLC Date: 05 / 19 / 2020

**Waiver Request
4 Community Place
Preliminary and Final Site Plan and Variance Application
Park Valley Madison, LLC**

The Applicant requests various waivers from the Borough of Madison checklists. Specifically, the Applicant requests a waiver from:

CHECKLIST C

- Item 33: Written Environmental Impact Assessment
 - The Applicant is not proposing any construction on natural areas, as stipulated to in the Preliminary Environmental Checklist. The Applicant has also submitted a letter that summarizes the environmental work performed on the property. The proposed building will be in the footprint of the existing building.

CHECKLIST D

- Item 6: Statement from Borough Engineer re: installation of utilities
 - The Applicant requests a temporary waiver from this requirement, as the Applicant is requesting preliminary and final site plan approval as part of the same application.
- Item 7: Applicant certification re: unfinished improvements and proof of payment of guarantees
 - The Applicant requests a temporary waiver from this requirement, as the Applicant is requesting preliminary and final site plan approval as part of the same application.

**PLANNING BOARD
BOROUGH OF MADISON
NOTICE OF HEARING**

PLEASE TAKE NOTICE that on September 15, 2020 at 7:30 p.m., Park Valley Madison, LLC (the "Applicant") will appear before the Planning Board of the Borough of Madison at the Borough of Madison Hartley Dodge Memorial Building, 50 Kings Road, Court Room, 1st Floor, Madison, New Jersey, for a public hearing concerning its application for preliminary and final site plan and variance approval as more particularly described below, on property located at 4 Community Place, designated on the Borough of Madison Tax Map as Block 1501, Lot 4 (the "Property"). The Property is in the CBD-2 Central Business Zone.

The Applicant seeks preliminary and final site plan approval to demolish the existing structures and construct a multi-family residential apartment building with ground-floor retail and parking, containing approximately sixteen (16) multi-family units together with associated common and amenity space, thirty-five (35) parking spaces, approximately 811 net square feet of retail space, and related site improvements.

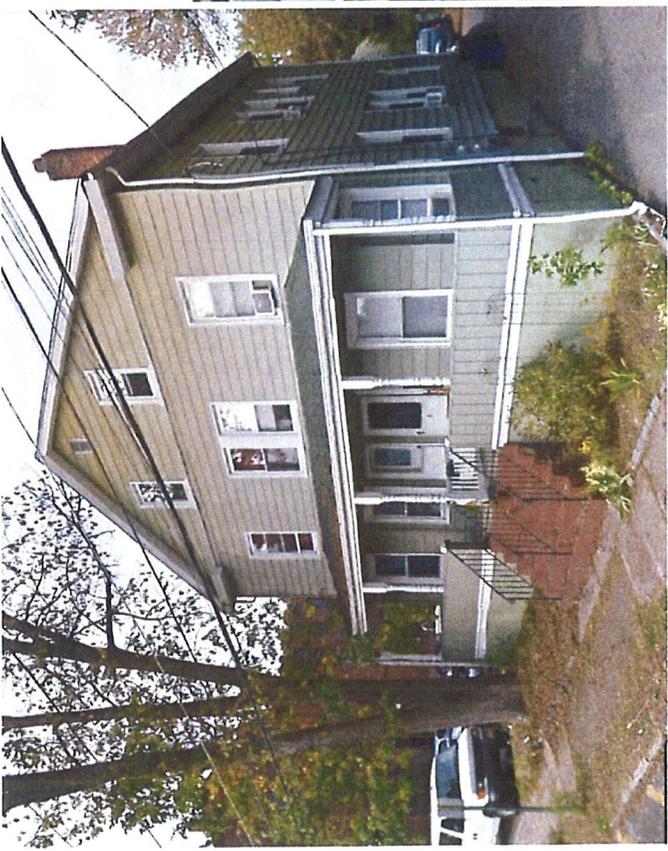
The Applicant is requesting the following bulk variances from the Borough of Madison Land Development Ordinance:

- Ordinance Section 195-29.3, which requires a rear yard setback of 25 feet, where approximately 23 feet is proposed.
- Section 195-29.3, which requires a minimum lot depth of 100 feet, and a lot depth of 97.38 feet is existing and proposed.

The Applicant will also seek such variances, exceptions and/or design waivers that may be required upon an analysis of the plans and the testimony at the public hearing.

The application, papers and plans for which approval is being sought are available for public inspection with the Board Administrative Secretary in the Hartley Dodge Memorial Building, 50 Kings Road, 2nd Floor, Madison, New Jersey, during regular business hours Monday through Friday, except holidays. All interested persons may attend and be heard at the aforesaid hearing.

**DAY PITNEY LLP
Attorneys for Applicant**



MORRIS COUNTY, NJ
JOAN BRAMHALL, COUNTY CLERK
DEED-OR BOOK 21993 PG 0576
RECORDED 03/12/2012 15:37:42
FILE NUMBER 2012018981
RCPT #: 7229597 RECD BY: Jessica
RECORDING FEES 70.00
MARGINAL NOTATION 0.00

2

DEED

This Deed is made on January 25, 2012

BETWEEN

Brian DeBiasse, Executor and Trustee under the will of Anthony E. DeBiasse

whose post office address is

310 River Road, Chatham, New Jersey

referred to as the Grantor;

AND

Buddy, Timmy and Brian, LLC,

whose post office address is 310 River Road, Chatham, New Jersey

referred to as the Grantee.

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

1. Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of ONE DOLLAR and NO/100 (\$1.00.)

The Grantor acknowledges receipt of this money.

2. Tax Map Reference. (N.J.S.A. 46:15-1.1) Municipality of the Borough of Madison
Block No. 1501 Lot No. 4 Account No.

No property tax identification number is available on the date of this Deed. (check box is applicable.)

3. Property. The Property consists of the land and all the buildings and structures on the land in the Borough of Madison, County of Morris and State of New Jersey. The legal description is:

BEGINNING at a point formed by the intersection of the northerly line of Oak Street with the westerly line of Cook Avenue and running thence along the northerly side of Oak Street (1) South seventy-nine degrees forty-five minutes east one hundred and sixty-five feet and forty-six one-hundredths of a foot to a point; thence (2) North ten degrees fifteen minutes west ninety-seven feet and thirty-eight one-hundredths of a foot to a point; thence (3) North seventy-six degrees twenty minutes thirty seconds east thirty-two feet and seventy-eight one-hundredths of a foot to a point; thence (4) North seven degrees eleven minutes thirty seconds west eight feet and forty-five one-hundredths of a foot to a point; thence (5) North seventy-three degrees fifteen minutes east fourteen feet and fifty-seven one-hundredths of a foot to a point; thence (6) North seventy-three degrees fifty minutes twenty seconds east one hundred and three feet and seventy-five one-hundredths of a foot to the westerly line of cook Avenue; thence (7) along the westerly line of Cook Avenue, South seventeen degrees eleven minutes east, one hundred and twenty feet and ninety-seven one-hundredths of a foot to the northerly line of Oak Street and the point and place of beginning.

Being also commonly known as 6-8 Community Place (formerly Oak Street), Madison, New Jersey.

Prepared by:

Carlotta M. Budd, Esq.

4
#123

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

COUNTY MORRIS } SS. County Municipal Code
1417

FOR RECORDER'S USE ONLY	
Consideration	\$ <u>1.00</u>
RTF paid by seller	\$ <u>0</u>
Date	<u>3/25/12</u> By <u>SD</u>

*Use symbol "C" to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (Instructions #3 and #4 on reverse side)

Deponent, BRIAN DEBIASSE, being duly sworn according to law upon his/her oath,
(Name)
deposes and says that he/she is the GRANTOR in a deed dated 1/25/2012 transferring
(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)
real property identified as Block number 1501 Lot number 4 located at
4 COMMUNITY PLACE, MADISON and annexed hereto.
(Street Address, Town)

(2) CONSIDERATION \$ 1.00 (Instructions #1 and #5 on reverse side) no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:
(Instructions #5A and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation

\$ _____ + _____ % = \$ _____

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.
TRANSFER FOR LESS THAN \$100

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) 62 years of age or over. (Instruction #9 on reverse side for A or B)
- B. BLIND PERSON Grantor(s) legally blind or:
- DISABLED PERSON Grantor(s) permanently and totally disabled receiving disability payments not gainfully employed.
- Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
- Owned and occupied by grantor(s) at time of sale. Resident of State of New Jersey.
- One or two-family residential premises. Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

- Affordable according to M.U.D. standards. Reserved for occupancy.
- Meets income requirements of region. Subject to resale controls.

(6) NEW CONSTRUCTION (Instructions #2, #10, #12 on reverse side)

- Entirely new improvement. Not previously occupied.
- Not previously used for any purpose. "NEW CONSTRUCTION" printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)

- No prior mortgage assumed or to which property is subject at time of sale.
- No contributions to capital by either grantor or grantee legal entity.
- No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me
this 25 day of JANUARY, 20 12

Denise Petrillo

DENISE PETRILLO
A Notary Public of New Jersey
My Commission Expires March 25, 2013

Brian DeBiaasse Signature of Deponent
BRIAN DEBIASSE Grantor Name

310 RIVER RD CHATHAM NJ Deponent Address
310 RIVER RD CHATHAM NJ Grantor Address at Time of Sale

xxx-xxx-430 Last three digits in Grantor's Social Security Number
Carlotta M. Budd, Esq. Name/Company of Settlement Officer

FOR OFFICIAL USE ONLY	
Instrument Number	<u>2012018981</u>
Deed Number	Bank <u>21995</u> Page <u>05576</u>
Deed Dated	<u>1/25/12</u> Date Rec'd <u>3/25/12</u>

County recording officers shall forward one copy of each RTP-1 form when Section 3A is completed to:
STATE OF NEW JERSEY
PO BOX 251
TRENTON, NJ 08695-0251
ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division's website at www.state.nj.us/treasury/taxation/pt/localtax.shtml.

BEING the same premises conveyed to Anthony DeBiasse and Joann DeBiasse, by Deed from Anthony DeBiasse, Jr., Trustee, dated June 30, 1988, and recorded September 20, 1988 in the Morris County Clerk's Office in Deed Book 3038, at Page 0143.

The street address of the Property is: 4 Community Place, Madison, New Jersey

4. Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

Denise Petullo

Brian DeBiasse
Brian DeBiasse, Executor and Trustee

STATE OF NEW JERSEY :
:SS.:
COUNTY OF MORRIS :

I certify that on January 25, 2012

Brian DeBiasse, Executor of the Estate of Anthony DeBiasse personally came before me and stated to my satisfaction that this person (or if more than one, each person):

(a) was the maker of this Deed;
(b) executed this Deed as his or her own act; and
(c) made this Deed for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5).

Denise Petullo

Record and Return to:
Carlotta M. Budd, LLC
300 Madison Avenue,
Suite 200
Madison, NJ 07940

DENISE PETRILLO
A Notary Public of New Jersey
My Commission Expires March 25, 2013



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Name(s)

Brian DeBiasse

Current Resident Address:

Street: 310 River Road

City, Town, Post Office

Chatham

State

NJ

Zip Code

07928

PROPERTY INFORMATION (Brief Property Description)

Block(s)

1501

Lot(s)

4

Qualifier

Street Address:

4 Community Place

City, Town, Post Office

Madison

State

Nj

Zip Code

07940

Seller's Percentage of Ownership

100%

Consideration

\$1.00

Closing Date

1/25/2012

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 8 apply to Residents and Non-residents)

1. I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A. 54A:1-1 et seq.
6. The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale (see instructions).
 No non-like kind property received.
8. Transfer by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this state.

SELLER(S) DECLARATION

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

1/25/2012
Date

[Signature]
Signature
(Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

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



AEI
Consultants

Environmental Summary for 4 Community Place, Madison, New Jersey 07940

AEI Consultants was retained by the Client to complete a Phase I Environmental Site Assessment (ESA). The ESA was performed per the ASTM-13 Standards, and met those requirements. AEI's Phase I ESA identified one Recognized Environmental Condition:

- According to prior reports and interviews with the property owner, the subject property is currently equipped with two out-of-use heating oil USTs located east and west of the residential building. During AEI's site reconnaissance, associated fill ports and vent pipes were observed on both sides of the building. No information regarding the date of installation or use of the USTs was found at the regulatory agencies. According to the property owner, the USTs were formerly utilized to contain heating oil and at least the UST located to the east of the building was filled with concrete when it was permanently closed in the 1990s. According to prior reports, ground-penetrating radar (GPR) surveys confirmed the presence of the USTs remaining in place at the subject property as of May 2019. At that time, the site owner representative indicated the eastern UST was previously abandoned in-place and the western UST appeared to contain approximately 12 inches of liquid. No documentation of the closure activities conducted for the eastern UST were provided for review. Based on the lack of information regarding the eastern UST closure and apparent lack of closure activities for the western UST, it is possible that a release of heating oil from the USTs has resulted in an impact to the subsurface of the subject property. Based on this information, the presence of the out-of-use USTs on the subject property represents a REC. The ESA recommended additional assessment in the form of limited subsurface investigation.
- AEI was then retained to perform an investigation to evaluate if the heating oil USTs have impacted the subsurface of the Site. On November 25, 2019, five soil borings (SB-1 through SB-5) were advanced on the Site. Boring SB-1 was converted to a temporary well point for the collection of a groundwater sample. Each sample was collected from the 8-8.5 foot interval, the estimated invert of the USTs. A groundwater sample was collected at boring SB-1 from a temporary PVC well point inserted into the borehole. The samples were sent to a New Jersey-certified laboratory for analysis. Laboratory analysis of the soil samples consisted of Category 1 Extractable Petroleum Hydrocarbons (EPH) by NJDEP Method (SB-1 and SB-4). Groundwater sample SB-1 was placed on hold. The analytical results are compared to available NJDEP screening levels. Based on the findings identified, EPH was not detected in the soil samples collected at the Site, and therefore it was not warranted to analyze the additional soil and groundwater samples on hold. As such, AEI recommended no further investigation at this time to address a potential release of petroleum product from the onsite UST. AEI did recommend that the USTs be removed from the ground in accordance with the NJDEP Technical Guidance for Investigation of Underground Storage Tank Systems prior to, or during redevelopment of the property.

Sincerely,
AEI Consultants

John F. Copman
Vice President, and Director-Eastern Region

On-line Tax Payment

For questions or assistance: [Contact Us](#)

STEP 2 Review bill, Choose amount to pay (if applicable) and click Continue.

Property Identification:

- Block-Lot: 01501-00004
- Property Location: 4 COMMUNITY PL
- Property Zip:
- Property Owner: BUDDY TIMMY AND BRIAN LLC

Tax Information:

- Original Tax Amount: **3rd Qtr, 2020: \$3,944.34**
4th Qtr, 2020: \$0.00
1st Qtr, 2021: \$0.00
2nd Qtr, 2021: \$0.00

- Current Amount Due: **Current Quarter #: 3**
Current Qtr. Due Date: 08/01/2020

Type	Notes	Amount Due	Status
Real Estate Tax		\$0.00	Paid
Total Due:		\$0.00	



**TAX AND ASSESSMENT PAYMENT REPORT
PLANNING BOARD/ZONING BOARD OF ADJUSTMENT
BOROUGH OF MADISON**

APPLICATION No. _____

Under provisions of New Jersey Statutes, N.J.S.A. 40:55D-39e and N.J.S.A. 40:55D-65h, an applicant for development of land must submit proof that no taxes or assessments for local improvements are due or delinquent on the property, stated below.

Applicant will complete section I of this form and submit it with the application for development. The Administrative Official will forward the form to the Tax Collector for verification that no delinquent taxes or assessments are due.

Developers are cautioned that agreement on payment of taxes for the current year must be reached between the interested parties. Apportionment of taxes is **NOT** the concern of the Tax Office.

Applicant is also cautioned that additional assessments may be levied where a structure is present.

Section I (to be completed by Applicant)

I Park Valley at Madison, LLC of 4 Community Place (address)

am making application to the Planning Board/Zoning Board of Adjustment for the development of Lot 4 Block 1501, in the CBD-2 Zone, located at 4 Community Place, whose owner of record is BUDDY TIMMY AND BRIAN LLC.

This tract was formerly subdivided on _____.

Original Lot(s) No. _____, Block _____.

Section N/A.

I acquired interest in this property on _____.

I request the Tax Collector determine whether there are any delinquent taxes and/or assessments due.

May 8, 2020 _____

Date



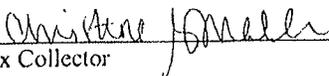
Applicant's Signature

Section II (to be completed by Tax Collector)

I find that: All taxes due have been paid.
 All assessments due have been paid
 The following are delinquent and past due:

5-14-20

Date



Tax Collector

Accounts



File Functions Reports Tabs Help



Account # 06382 ID 00 (Last Name) Occupant DE BIASSE (First Name) TIM (Owner Id) TIM Attachments
 Tenant Occupied Property Owner DE BIASSE TIM Toggle Names View Address on Map

Service Address

Street No/Name/Apt # COMMUNITY PLACE Status Active Class RES
 City/State/Zip MADISON NJ 07940 Changed 5/1/2019 District BORO OF MADISON
 Carrier Route Code None Book 16

Last Payment Date: 7/27/2020

Bill ID	Bill Date	Due Date	Amount	Penalty	Prior Due	Total Bill	Variance	Balance
20-8-17	8/17/2020	9/11/2020	\$4.86	\$0.00	\$0.00	\$4.86	\$0.00	\$4.86
20-7-16	7/16/2020	8/10/2020	\$4.86	\$0.00	\$0.00	\$4.86	\$0.00	\$0.00
20-6-15wA	6/15/2020	7/10/2020	\$25.15	\$0.00	\$0.00	\$25.15	\$0.00	\$0.00
20-5-15A	5/15/2020	6/9/2020	\$4.86	\$0.00	\$0.00	\$4.86	\$0.00	\$0.00
20-4-15A	4/15/2020	5/11/2020	\$5.03	\$0.00	\$0.00	\$5.03	\$0.00	\$0.00
20-3-16w	3/16/2020	4/10/2020	\$25.15	\$0.00	\$0.00	\$25.15	\$0.00	\$0.00
20-2-14A	2/14/2020	3/10/2020	\$4.86	\$0.00	\$0.00	\$4.86	\$0.00	\$0.00
20-1-16	1/16/2020	2/10/2020	\$5.55	\$0.00	\$0.00	\$5.55	\$0.00	\$0.00
19-12-16w	12/16/2019	1/10/2020	\$26.70	\$0.00	\$0.00	\$26.70	\$0.00	\$0.00
19-11-15A	11/15/2019	12/10/2019	\$17.06	\$0.00	\$0.00	\$17.06	\$0.00	\$0.00
19-10-16	10/16/2019	11/11/2019	\$13.96	\$0.00	\$0.00	\$13.96	\$0.00	\$0.00
19-9-16wA	9/16/2019	10/11/2019	\$39.24	\$0.00	\$49.08	\$88.32	\$0.00	\$0.00
19-8-16	8/16/2019	9/10/2019	\$22.39	\$0.00	\$26.51	\$48.90	\$0.00	\$0.00
								\$4.86

Actual Due: \$4.86

General Other Address Meter Services Transaction Billing/Payments A/R Deposits Consumption
 Actions Comments User Defined Fields Messages Settings Alert Codes InvoiceCloud Archived Bills



**BOROUGH OF MADISON
OPEN PUBLIC RECORDS ACT REQUEST FORM**

50 Kings Road
Madison, NJ 07940
Telephone Number: 973-593-3042
Fax Number: 973-593-0125
clerk@rosenet.org
Elizabeth Osborne, Borough Clerk

Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information – Please Print

First Name Luke MI S Last Name Pontier
 E-mail Address lpontier@daypitney.com
 Mailing Address c/o Day Pitney LLP, 1 Jefferson Road
 City Parsippany State NJ Zip 07054
 Telephone 973-966-8714 FAX _____
 Preferred Delivery: Pick Up _____ On-Site _____
 Up _____ US Mail _____ Inspect _____ Fax _____ E-mail
 If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I HAVE / ~~HAVE NOT~~ been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.
 Signature *Luke SB* Date July 20, 2020

Payment Information

Maximum Authorization Cost \$ _____
 Select Payment Method
 Cash _____ Check _____ Money Order _____
 Fees: Letter size pages - \$0.05 per page
 Legal size pages - \$0.07 per page
 Other materials _____
 Actual cost _____
 Delivery: Delivery / postage fees additional depending upon delivery type.
 Extras: Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

Prior resolutions of approval from the planning or zoning board for property located at 8 Community Place, designated as Block 1501, Lot 4 on the Borough tax map.

ADDITIONAL INFORMATION NEEDED WHEN REQUESTING POLICE DEPARTMENT INCIDENT REPORTS: (PLEASE NOTE, FOR ACCIDENT REPORTS GO DIRECTLY TO POLICE DESK, NO NEED TO FILL OUT THIS FORM).

DATE OF INCIDENT: _____ APPROXIMATE TIME: _____
 DATE REPORTED TO POLICE: _____
 NAME OF PERSON ON REPORT _____
 WHAT TYPE OF INCIDENT, OR POLICE REPORT NUMBER _____
 LOCATION OF INCIDENT: _____

AGENCY USE ONLY

Est. Document Cost _____
 Est. Delivery Cost _____
 Est. Extras Cost _____
 Total Est. Cost _____
 Deposit Amount _____
 Estimated Balance _____
 Deposit Date _____

AGENCY USE ONLY

Disposition Notes
 Custodian: If any part of request cannot be delivered in seven business days, detail reasons here.

 In Progress - Open _____
 Denied - Closed _____
 Filled - Closed _____
 Partial - Closed _____

AGENCY USE ONLY

Tracking Information		Final Cost	
Tracking #	_____	Total	_____
Rec'd Date	_____	Deposit	_____
Ready Date	_____	Balance Due	_____
Total Pages	_____	Balance Paid	_____
Records Provided			
Custodian Signature _____		Date _____	

August 19, 2020

Borough of Madison Planning Board

Attn: Susan G. Blickstein, AICP/PP, PhD

Project: **Preliminary & Final Site Plan**
Park Valley Madison, LLC (4 Community Place)
Block 1501, Lot 4 (CBD-2)
P20-003

With respect to the previously submitted application for the proposed project, located at 4 Community Place (Block 1501, Lot 4), please find the enclosed architectural drawings, dated 8/18/20, revised as generally summarized below:

- Depth of main building mass has been reduced by 1.5 feet
- Rear wing of the building along Cook Avenue has been eliminated (thereby reducing length of the building along this façade by 20 feet)
- Total number of dwelling units has been reduced to 16 total units (14 market rate, 2 affordable)
- Additionally, and in response to the comments enumerated in your memorandum of 7/6/20:
 - Horizontal building dimensions were added to the exterior elevations
 - Dimension of projections were further supplemented (*refer to civil drawing for relationship to site boundaries*)

Please do not hesitate in contacting my office for additional clarification.

Respectfully,



Avelino Martinez, RA
NJ Registration No. AI 18292
BlackBird Group Architects, LLC

CC: Michael Netta -Park Valley Madison, LLC – Applicant
T. Malman/L. Pontier – Day Pitney, LLP – Applicant’s Counsel
C. Stewart – Suburban Consulting Engineering, Inc – Civil Engineer
P. Phillips – Phillips Preiss Grygiel Leheny Hughes, LLC– Planning Consultant