

S
& R
SINGLEY,
GINDELE &
RINALDI
ATTORNEYS AT LAW

2020-03

March 3, 2020

Debbie Simone, Secretary
Waterford Township Planning Board
2131 Auburn Avenue
Atco, New Jersey 08004

RE: Jeffery Weaver
2351 Clifford Avenue
Block 1605, Lot 11

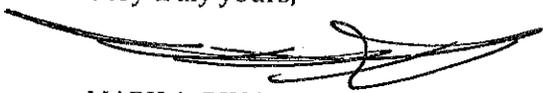
Dear Mrs. Simone:

Referencing the above property, please note I represent the interest of Jeffery Weaver, the Contract Purchase of that property. The property is currently owned by Karen and Robert Johnson. However, again, Mr. Weaver is under Contract to purchase this vacant parcel. I enclose an original and fourteen (14) copies of the bulk variance application pursuant to Waterford Code Section 176-122 whereby the R1 Zone requires minimum road frontage of 125 feet. The parcel in question, however, has 100 foot frontage along Clifford Avenue. The Applicant seeks just this variance allowing for a home to be constructed on the parcel when only 100 feet of frontage is available where 125 is requested.

I enclose my client's checks in the amount of \$135.00 covering the application fee, Notice of Publication and adjoining property owners list fee. I also enclose my client's check in the amount of \$500.00 representing he required escrow.

Once you provide me with confirmation of the hearing date, I will see to it that the appropriate notice to adjoining property owners is made and I will confirm that publication has been made in the Courier Post.

Very truly yours,


MARK A. RINALDI

MAR:nlb
Enclosure

cc: Jeffery Weaver



**SINGLEY,
GINDELE &
RINALDI**
ATTORNEYS AT LAW

March 3, 2020

Debbie Simone, Secretary
Waterford Township Planning Board
2131 Auburn Avenue
Atco, New Jersey 08004

RE: STATEMENT OF APPLICATION
Jeffery Weaver
2351 Clifford Avenue
Block 1605, Lot 11

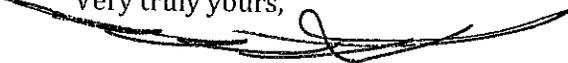
Dear Mrs. Simone:

Please accept this as a brief summary and statement of the Application. I represent the interest of Jeffery S. Weaver, Jr., the Applicant. The property is currently owned by Robert and Karen Johnson, but my client is under contract to purchase this property from them, conditioned upon receiving approval for the subject bulk variance. The Parcel in question is located in the R-1 Zone and requires a minimum road frontage of 125 feet. The parcel in question has road frontage of only 100 feet. Accordingly, the Application is requesting relief from Section 176-122, requiring 125 feet of frontage.

The Applicant intends on constructing his own personal family home, where he and his fiancé, soon to be wife, will make their home. Attached to the application is also a copy of a Sanitary Sewer Easement Agreement between Mr. Weaver and Millicent Johnson, the owner of the property located at Block 1605, Lot 3. If the Application is approved, understandably, it would be approved subject to a construction of a sanitary sewer line through the agreed upon easement with Millicent Johnson.

Other than the variance allowing the home to be built on this property with 100 foot frontage versus the 125 foot frontage that is required, no other variances are being requested. The home that Mr. Weaver intends on building will comply with all other bulk set back requirements.

Very truly yours,



MARK A. RINALDI

MAR:nlb

cc: Jeffery Weaver

Main Office (REPLY TO GIBBSBORO) : 200 Haddonfield Berlin Road | Suite 400 | Gibbsboro, New Jersey 08026 |

Ocean County Office: 675 Route 72 East | Manahawkin, New Jersey 08050 |

Phone: (856) 429-3144 | **Fax:** (856) 429-3188 | www.singleylaw.com



**SINGLEY,
GINDELE &
RINALDI**
ATTORNEYS AT LAW

March 3, 2020

**RE: Jeffery Weaver
Block 1605, Lot 11
Property Location 2351 Clifford Avenue, Waterford Township**

Dear

Please take notice that the undersigned has applied to the Planning Board of Waterford Township for action under Ordinance Number 176-122 for approval to allow construction of a single family home on the above referenced property where the frontage of said property is 100 feet where 125 feet is required by ordinance. In addition, the Applicant may seek other variances and/or waivers, both bulk and/or use, in addition to the variances requested or as may be required.

The public hearing on this application is scheduled for Monday, March 16, 2020 at 7:00 p.m. in the Municipal Building located at 2131 Auburn Avenue, Atco, New Jersey. At which time anyone may either appear in person or by attorney and present any objection to which they may have to the granting of this application. The application, any maps and/or documents for which approval is sought are available for review in the Department of Planning and Zoning Administration at the Waterford Township Municipal Building during regular business hours.

Further, take notice that the Board may, in its discretion adjourn, postpone or continue the said hearing from time to time and you are hereby notified that you should make diligent inquiry of the Board's Secretary concerning such adjournments, postponements or continuations.

Very truly yours,

MARK A. RINALDI

MAR:nlm

PUBLIC NOTICE

Please take notice that the undersigned has applied to the Joint Land Use Board of Waterford Township for action under Municipal Ordinance 176-122 so as to permit the construction of a single family home on the property located at 2351 Clifford Avenue, Block 1605, Lot 1, in the Township of Waterford where the existing lot has 100 feet of frontage along Clifford Avenue, where 125 feet is required. The Applicant will seek the above variance in addition to any and all other variances, use and/or bulk, including any waivers, as may be required to allow a single family home to be built upon the parcel in question.

The public hearing on this application is scheduled for Monday, March 16, 2020 at 7:00 p.m. in the Municipal Building located at 2131 Auburn Avenue, Atco, New Jersey at which time anyone may appear either in person or by attorney and present any objections to which they may have to the granting of the application. The application, any maps and/or documents for which approval is sought are available for review in the Department of Planning and Zoning Administration, at the Waterford Township Municipal Building during regular business hours.

Applicant:

Jeffery Weaver
2401 Atco Avenue
Atco, New Jersey 08004

Attorney:

Mark A. Rinaldi, Esquire
Singley, Gindele & Rinaldi
200 Haddonfield Berlin Road, Suite 400
Gibbsboro, New Jersey 08026



Waterford Township

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LAND USE BOARD CONSENT FORM

Application Number: 2020-03 Date: _____

Applicant Name: JERRY S. WEAVER, JR Received By: _____

Address: 2401 ATZO AVE, ATZO NJ 07004

I (we), as owners(s) of lot(s) 11 in block(s) 16D1 as shown on the Waterford Township tax map, which is the subject of an application for development before the Waterford Township Joint Land Use Board under the referenced application number, do hereby consent to have said premises inspected by members of the Land Use Board, its consultants and other Township Officials pertaining to this application. This shall include the privilege of entering into upon and over the premises.

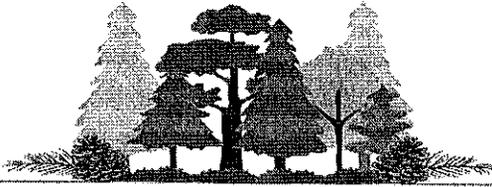
Date: 1.30.2020

Karen Johnson
Owner (print)

Karen Johnson
Owner (Signature)

Robert J Johnson
Owner (print)

Robert J Johnson
Owner (Signature)



Waterford Township

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LAND USE BOARD ESCROW AGREEMENT

Applicant Name: Jeffrey S. Weaver, Jr. Application Number 2000-03

Block: 1605 Lot(s): 11

Address: 2531 Clifford Avenue, Atco, NJ 08009

This Agreement entered into this _____ Day of _____ by _____

Hereinafter referred to as DEVELOPER, is made upon the following terms and conditions:

1. **AGREEMENT TO PAY FEES:** DEVELOPER hereby covenants and agrees to pay all charges and fees imposed by Waterford Township, hereinafter referred to as TOWNSHIP, in connection with the application for development filed contemporaneously herewith. Such fees include, but are not limited to, application fees, attorney's fees, engineer's review fees, planner's review fees, court stenographer fees, copy cost and postage.
2. **ESCROW DEPOSIT:** TOWNSHIP'S receipt of \$ 500.00, is to be deposited in a Township Escrow Account to cover the cost of the aforementioned review fees. Such sum shall be charged periodically as fees and charges accrue and the balance of the escrow sum, if any, after all charges and fees have been paid, shall be returned to DEVELOPER.
3. **ADDITIONAL PAYMENTS:** DEVELOPER agrees to pay any additional sum required for charges and fees not covered by the initial escrow deposit within fifteen (15) days after receipt of a billing by the Director of Community Development. The DEVELOPER understands and agrees to pay such sum notwithstanding and dispute as to the reasonableness of fees and charges. Payment shall not constitute a waiver of the right to challenge the reasonableness of charges and fees as set forth herein.
4. **CONTEST OF REASONABLENESS:** DEVELOPER agrees that the reasonableness of any fee or charge may be challenged by an appropriate legal action brought within forty-five(45) days from the date that the DEVELOPER'S escrow deposit balance is returned or forty-five (45) days from the date the developer receives notice that additional payments are requested to pay charges and fees not covered by the initial escrow deposit. DEVELOPER understands and agrees that the aforesaid procedure shall be the sole and exclusive method of challenging the reasonableness of charges and fees and hereby waives any longer statute of limitations.

**TOWNSHIP OF WATERFORD
JOINT LAND USE BOARD**



APPLICATION PACKAGE

When completely filled out this application meets requirements as set forth in N.J.S.A 40:55D-10.3, the Municipal Land Use Law. The applicant must complete this entire application submission. Applicants should read and thoroughly understand this package of information to assure they prepare and complete applications for the relief they desire.

Responsibility for the completeness and accuracy of applications, compliance with Township ordinances and statutory requirements for notification, advertising, copies, maps, details, etc., *are solely the responsibility of the Applicant.* Township Officials will try to assist Applicants with answers and guidance but this is not a substitute for competent legal counsel which is also the sole responsibility of the Applicant, if deemed necessary.

Please not the following:

A determination of completeness does not relieve the applicant of the obligation to prove in the application process that the Applicant is entitled to approval. Nor does a determination of completeness of this application relieve the applicant to *prove to the Board* that they are entitled to approval.

All applications, notices and initial escrow fees for the Land Use Board **SHALL** be submitted for review prior to being placed on the agenda.

Formal written application must be complete and submitted **at least (30) days** prior to any expected meeting date.

Fourteen (14) copies of the application and supporting documentation must be submitted to the Board Administrator, who will check for paperwork completeness of the application. This completeness, as appropriate includes posting of all escrow fees.

After initial application and supporting documentation is received by the Board Administrator, under no circumstances shall any additional information be given to anyone other than the Board Administrator. The Board Secretary will disseminate any pertinent information to the Board and its professionals.

If the applicant needs to provide follow-up documents or information to the Board Professionals, all correspondence shall be received by the Board Secretary.



Waterford Township
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SECTION I: LAND USE BOARD APPLICATION FORM

(THIS SECTION TO BE COMPLETED BY OFFICE ONLY)

Date Received: 3/6/2020

Application No. : 2020-03

The Zoning Officer of the Township of Waterford refused this request by reason of its being in violation of section(s)

_____ of the Waterford Township Land Use Ordinance.

Forty-Five (45) Day Completeness Date: _____

Application Fees: 135

Escrow Deposit: 500

Review for Completeness: _____

Completeness Review Letter Sent: _____

Supporting Documents Sent: _____

Application Sent To Solicitor: 3/9/2020

Application Sent To Engineer: 3/6/2020

Scheduled Date of Hearing: 3/16/2020

Date Deed/Sub-division is to be filed: _____



Waterford Township

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SECTION II: APPLICANT TO COMPLETE

LOCATION: Street Address: 2351 Clifford Avenue
Block: 1605 Lot(s): 11 Zone: R1

APPLICANT: Designation: Individual Partnership Corporation
Name: Jeffrey S. Weaver, Jr.
Address: 2402 Atco Avenue, Atco, NJ 08004
Telephone: 856-885-1739 Cell# _____
E-Mail: jeffreyweaver15@icloud.com
Date property acquired: Under contract
Current Use of Property: Vacant Land

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

REPRESENTATION: Law Firm: Mark A. Rinaldi, LLC

Address: 155 South White Horse Pike, Suite A, Berlin, NJ 08009
Telephone: 856-767-6656 Cell# 609-458-9813
E-Mail: mr@markrinaldilaw.com Fax#: 856-767-6626
Engineer: NA
Address: _____
Telephone: _____ Cell# _____
E-Mail: _____ Fax#: _____

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Waterford Township

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SECTION III: APPLICANT TO COMPLETE

PROPERTY INFORMATION: Block: 1605 Lot: 11 Tax Sheet: _____

Location: 2351 Clifford Avenue Zone: R1

Lot Dimensions: Frontage: 100.00 Depth: 240.00 Total Area: 24,000 sf

Principal Bldg. Dimensions: First Floor: NA Total Area: NA

Number of Stories: NA Height at peak: NA

Present Use: Vacant Parcel Proposed Use: Single Family Home

Existing Accessory Structures (list use and size of each): NA

Restrictions, Covenants, easements, association by-laws, existing and proposed on the property:

Yes (attach copies) No Proposed (attach copies)

NOTE: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review in order to be approved.

TYPE OF APPLICATION: (*) APPLICATIONS REQUIRE A PUBLIC HEARING WITH NOTICE AND LEGAL ADVERTISEMENT.

Check as many items as apply:

Minor Subdivision * Major Subdivision (preliminary) Major Subdivision (final)

of lots to be created: _____ #of proposed dwelling units _____

Minor Site Plan *Major Site Plan (preliminary) Major Site Plan (final)

Administrative Site Plan Area to be disturbed (square feet) _____

*Amendment to prior approval Informal review Extension of time on approval

- Temporary use permit *Conditional use (N.J.S.A.40:55D-67)
 *Variance (**USE**) (NJSA40:55D-70d) *Variance (**Hardship**)(NJSA40:55D-70c(1))
 *Variance (**Substantial benefit**)(NJSA40:55D-70c(2))

Section(s) of Ordinance from which a variance is requested:

176-122 requires 125' of frontage where applicant is proposing 100' (current frontage) No other variances are requested. The proposed single family home will comply with all other setback requirements,

- Appeal of Administrative Officer's decision [N.J.S.A. 40:55D-70a]
 Zoning Map or Ordinance interpretation of special question [N.J.S.A. 40:55D-70b]
 Direct issuance of permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S.A. 40:55D-34]
 Direct issuance of permit for a lot lacking street frontage [N.J.S.A. 40:55D-35]

Waivers requested for development standards and/or submission requirements on checklist: [put section numbers and descriptions, attach additional sheet if required]

OTHER APPROVALS:	YES	NO	DATE SUBMIT	APPROVED
Pinelands Commission	_____	X	_____	_____
NJ DEP	_____	X	_____	_____
Potable water Const. permit	_____	X	_____	_____
Sewer Ext. Permit	_____	X	_____	_____
Sanitary Sewer Connection Permit	_____	X	_____	_____
Camden County Utilities Dept.	_____	X	_____	_____
Camden County Health Dept.	_____	X	_____	_____
Camden County Planning Board	_____	X	_____	_____
Camden County Soil Conservation	_____	X	_____	_____

	YES	NO	DATE SUBMIT	APPROVED
New Jersey Dept. of Transportation	___	X	_____	_____
Utilities Extension Communication	___	X	_____	_____
Electric	___	X	_____	_____
Gas	___	X	_____	_____
Waterford Township Tax Assessor	X	___	5.3.2020	_____

CERTIFICATIONS

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an officer of the corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner].



 Signature of Applicant

Sworn to and subscribed before me this 30 day of January 2020

NANCY L. BARTON
 A Notary Public of New Jersey
 My Commission Expires July 1, 2020

Nancy L Barton
 Notary, Signature & seal

Commission expires: July 1 2020

I certify that I am the owner of the property which 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.

[If the owner is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner].



 Signature of Owner

Sworn to and subscribed before me this 24 day of October 2019

Nancy L Barton
 Notary, Signature & Seal

NANCY L. BARTON
 A Notary Public of New Jersey
 My Commission Expires July 1, 2020

Commission expires: July 1 2020

5. **NOTICE:** DEVELOPER agrees that all notices or refunds shall be mailed to the following address: _____
6. **COLLECTION:** Should the DEVELOPER fail to pay any sum required to be paid herein when due, TOWNSHIP shall be entitled to pursue all remedies at law or equity. Interest shall accrue at the rate of eighteen (18%) percent per annum simple interest on unpaid amounts after due date. The TOWNSHIP may collect a reasonable attorney's fee which shall not be less than Three Hundred (\$300) Dollars should litigation for the purpose of collecting any sum be commenced.

IN WITNESS WHEREOF, DEVELOPER has set his/her hand and seal the date first above written.

DEVELOPER

BY: Jeffrey [Signature]

Attest: Nancy L. Barton

(Notary or Corporate seal to be affixed)

January 30, 2020

NANCY L. BARTON
A Notary Public of New Jersey
My Commission Expires July 1, 2020



Waterford Township

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REQUEST FOR CERTIFIED LIST OF OWNERS

DATE: 3-3-2020

Waterford Township
Director of Community Development
2131 Auburn Ave.
Atco NJ 08004

To Whom it may concern:

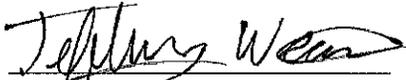
Please provide me with a 200 ft property owner listing surrounding:

Block(s): 1605 Lot(s): 11 within the Township of Waterford.

I have enclosed a check# _____ in the amount of \$10.00. Payable to Waterford Township.

Thank you for your immediate attention,

Sincerely,


Signature

Property Owner: Robert & Karen Johnson

Address: 597 5TH AVE
ATCO NJ 08009

Phone #: _____

E-Mail Address: _____

The completed certified list will be forwarded to the above named applicant within the statutory deadline of seven (7) working days from date requested is received in the Community Development Office.



Waterford Township

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TAX COLLECTOR'S CERTIFICATION

Property Owner: Robert & Karen Johnson

Property Address: 2351 Clifford Avenue, Atco, NJ 08009

Block: 1605

Lot(s): 11

I, Nancy Sherlock Rohlhoff, Tax ^{clerk} Collector of the Township of Waterford do hereby certify and affirm that no taxes or assessments for local improvements are due or delinquent on above referenced block and lot(s) are paid thru 8/3/2020.

Delinquent amount: \$

Year:

Quarters:

Authorized Signature: *Nancy Sherlock Rohlhoff*

Title: Tax Clerk

Date: 8/3/2020

Please return to the Director of Community Development Office

Application # 2020-03



Waterford Township

PROUD PAST, PROMISING FUTURE • NEW JERSEY • EST. 1694

FEE COMPUTATION SHEET

I understand that the sum of \$ 500.00 has been deposited in an escrow account based on the signed escrow agreement attached. I also understand that the sum of

\$ 135.00 is being submitted as a fee and is in no part a portion of the escrow agreement. These amounts will be submitted as two separate checks to the Director of Community Development.

2.3.2020
Date


Signature of Applicant

The fee calculation has been derived from the following fee schedule as adopted by the Waterford Township Committee and the Joint Land Use Board, as contained in the Waterford Township Land Use Ordinance section 176-20 fees:

#	Description	Fee	Escrow	Amount
1	Administrative Review fee	\$15.	\$300.	
2	Publication of Decision	\$25.		<u>25.00</u>
3	Property Owner List	\$10.		<u>10.00</u>
4	Extension of Approval	\$100.	\$150.	
	Review for Interpretation, Clarification			
5	Informal review of <i>Minor Site or Sub Division</i>	\$200.	\$2000	
	If applicant request input from Board Engineer	\$200.	\$500 Eng. \$250. Legal	
6	Informal review for <i>Major Site or Sub Division</i>	\$300.	\$4000.+ \$500 per acre for 1 st 10 acres.\$200 per acre each add.	
	If applicant request input from Board Engineer	\$200.	\$500 engineering \$250 Legal	
7	Interpretation of chapter 176	\$200.	\$500 Eng. \$250 Legal	
8	Appeal of Zoning Officers decision	\$200.	\$500 Eng. \$250 Legal	
9	Certification of Preexisting use	\$200	\$250.	

10	Informal workshop meeting	\$0	\$300 Eng.	
	Variance Application			
11	Residential	\$100.00	\$500. "C" \$1000. "D"	100.00 500.00
12	Nonresidential	\$200.00	\$500. "C" \$1000. "D"	
13	Temporary Use	\$100 res \$200 non residential	\$250.	
	Site Plan / Sub division			
14	Minor site plan	\$200.	\$2000.00	
15	Preliminary Major Site Plan	\$300.	\$4000. Plus \$500 per acre first 10 \$200 per acre ea additional	
16	Final Major Site Plan	\$300	\$2500. Plus \$300 per acre first 10 \$200. per acre each additional	
17	Amended Site Plan	\$200.	\$1000.	
18	Minor Subdivision	\$200.	\$2000.	
19	Preliminary Major Subdivision	\$300	\$2000. First 5 lots \$100 ea add up to 10 \$4000. First 10 \$100 ea additional	
20	Final Major Subdivision	\$300.	\$1000. First 5 lots \$50 ea additional lot \$2500. First 10 lots \$50 ea additional lot	
21	Amended Subdivision	\$200.	\$1000.	
22	Conditional Use Application	\$200.	\$1000.	
23	Copy of Minutes, Transcripts, Decisions	\$	\$1 for first copy of ea page. .25 for each additional copy	
24	Copy of Land Use Book Chapter 176	\$50.00		
25	Copy of the Zoning Map	\$5.00		
26	Forestry Permit	\$25.	\$Admin Fee \$250.	
27	Tax Map Updates		1-3 lots \$150. Per 4-10 lots \$100. Per 11-25 lots \$1250. 26-50 lots \$2500. More than 50 \$3500.	

TOTAL FOR FEES: \$135.00

TOTAL FOR ESCROW: \$500.00

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Sworn to and subscribed
before me this 30 day
of January 2020.

Nancy L. Barton
Notary Public

NANCY L. BARTON
A Notary Public of New Jersey
My Commission Expires July 1, 2020

Jeffrey W. Wesen
Applicant

SANITARY SEWER DEED OF EASEMENT

This Agreement is made and entered into this 9th day of January, 2020, by and between **MILLICENT JOHNSTON** ("Grantor") and **JEFFREY WEAVER** ("Grantee").

WHEREAS, Grantee is under contract to become the record owner of that certain real property in the Township of Waterford, County of Camden, and State of New Jersey as shown on the Township of Waterford's Tax Map as Block 1605, Lot 11, also known as 2351 Clifford Avenue ("Grantee Parcel") more fully described in **Exhibit A**, attached hereto and incorporated herein by reference;

WHEREAS, Grantor is the record owner of that certain real property located in the Township of Waterford, County of Camden, and State of New Jersey as shown on the Township of Waterford's Tax Map as Block 1605, Lot 3 ("Grantor Parcel") described more fully in **Exhibit B** attached hereto and incorporated herein by reference;

WHEREAS, Grantee wishes to construct a subsurface, sanitary sewer line across Grantor's Parcel;

WHEREAS, Grantor represents it has the right to convey an Easement as described herein over that section of Grantor's for the uses to be made of this Easement by Grantee as set forth in this Agreement;

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Grant of Easement. Grantor, having received from Grantee the sum of One (\$1.00) Dollar and for other good and valuable consideration, hereby conveys and grants to Grantee a perpetual easement for the purposes of constructing, reconstructing, maintaining, repairing and otherwise using the sanitary sewer line through, over and upon a certain section of Grantor's Parcel, more particularly described in **Exhibit C**, attached hereto and incorporated herein by reference ("Easement Property").

Section 2. Grantor's Right to Convey and Exceptions. Grantor warrants that Grantor has the right to convey this easement and quiet possession for the uses to be made of the Easement Property by Grantee as set forth in this Agreement, subject to all prior easements or encumbrances of record.

Section 3. Access Rights. Grantee, Grantee's agents, employees, independent contractors and other such parties shall have the right to enter upon the Easement Property for the purposes set forth in this Agreement. This instrument does not grant or convey to Grantee any right or title to the surface of the soil along the route of this easement, except for the purposes of excavating, constructing, reconstructing, maintaining, repairing and using the same for the purposes set forth in this agreement.

Section 4. Notice of Entry. Grantee shall provide reasonable notice of entry to Grantor prior to entering upon the Easement Property for the purposes set forth in this Agreement.

Section 5. Maintenance. Grantee, its heirs, successors and assigns shall maintain and care for the sanitary sewer line, at no cost to the Grantor. Grantee shall also replace or restore to its original condition any landscaping or other improvements on the Easement Property which are damaged, disturbed or destroyed by reason of Grantee's excavation, construction, reconstruction, maintenance or repair of the sanitary sewer line.

Section 6. Indemnification. Grantee, its heirs, successors and assigns agree to indemnify, hold harmless and defend Grantor from any loss, claim or liability to Grantor arising in any manner out of the use of the easement property by Grantee, its agents, employees, independent contractors, and other such parties. Grantee assumes all risk arising out of Grantee's use of the easement property and Grantor shall have no liability to Grantee or others using the Easement Property by or through Grantee.

Section 7. Grantor's Warranty. Grantor, its heirs, successors and assigns, covenants and agrees to and with Grantee, Grantee's heirs, successors and assigns, that Grantor has the right to convey this Easement to Grantee and to quiet possession thereof in Grantee for the purposes stated herein.

Section 8. Consideration. In consideration for Grantor's grant of this easement, Grantee agrees:

A. To remain responsible for maintenance of Grantee's sanitary sewer line, at no cost to Grantor, extending across Grantor's Parcel.

Section 9. Remedies. The parties acknowledge that the uses provided by this Agreement are unique in that money damages alone for breach of this Agreement are inadequate. Any party aggrieved by a breach of the provisions hereof may bring an action at law or a suit in equity to obtain relief, including specific performance, injunctive relief and any other available equitable remedy.

Section 10. Good Faith & Cooperation. The parties hereto covenant, warrant and represent to each other good faith, complete cooperation, due diligence and honesty in fact in the performance of all obligations of the parties pursuant to this Agreement. All promises and covenants are mutual and dependent.

Section 11. Time. TIME IS OF THE ESSENCE OF THIS AGREEMENT.

Section 12. Recording. The fully executed original of this Agreement shall be duly recorded in the Burlington County Clerk's Office.

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

Millicent V. Johnson
MILLICENT JOHNSTON, Grantor

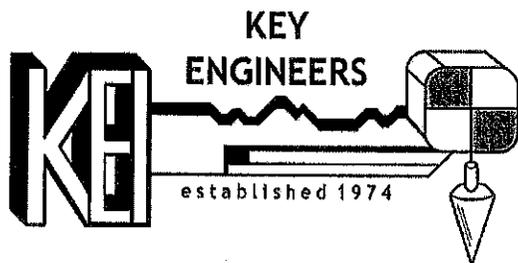
Jeffrey Weaver
JEFFREY WEAVER, Grantee

REBECCA L BABILINO
Notary Public, State of New Jersey
My Commission Expires
January 30, 2024

Rebecca L Babilino
1-9-2020

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March 11, 2020

Township of Waterford Planning Board
2131 Auburn Avenue
Atco, New Jersey 08004

ATTN: Debbie Simone Land Use Administrator

RE: BULK VARIANCE APPLICATION FOR JEFFREY WEAVER

Zoning: R-1
2351 Clifford Avenue
Block 1605, Lot 11
Waterford Township, Camden County, New Jersey
(KEI#41-5WT0320)

Dear Ms. Simone and Planning Board Members,

We are in receipt of a bulk variance application for a vacant lot located at 2351 Clifford Avenue in the Township's Atco section. The applicant ultimately intends to build a single family dwelling on the property pending receipt of the requested variance. We are in receipt of the following in support to the application:

1. Township Variance Application package completed by the applicant's attorney Mark Rinaldi.
2. "Survey of Property" prepared by V&I Associates dated July 11, 2019.
3. Pinelands Commission Application For Development

Upon initial receipt of the application from Mr. Rinaldi, I noticed that the package did not include a Certificate of Filing from the Pinelands Commission. The Certificate of Filing is an authorization to any outside agency or municipal body to perform further review of development proposals within those areas under the jurisdiction of the Pinelands Commission. I contacted the Pinelands Commission and spoke with Keith Carter. Mr. Carter informed me that there was no active application on file for this property but he did see an inactive, incomplete application in their database. I notified Mr. Rinaldi and he then prepared an application to the Pinelands Commission for the construction of a single family home. A copy of that application cited in item 3. above was provided to us on March 9, 2020.



the ability to turn around in his own driveway. However, trash trucks, fire trucks, delivery trucks and emergency vehicles and any other similarly large vehicles would be forced to back out of or into the area for a distance of about 500' to Fifth Street to exit the area. This is the existing situation for the homes currently existing on this section of Clifford. A Google Street View image and (1) of our site visit photos are attached to illustrate this issue.

We recommend that an area be constructed at the physical end of Clifford, within the municipal right-of-way to provide the ability for a vehicle to turn around as is required by the Residential Site Improvement Standards, specifically NJAC 5:21-4.2 m. This section provides criteria for either cul-de-sacs or hammerhead type turn-arounds. Since the road sees very little traffic volume, serving only (4) existing homes, the turn-around area could be surfaced with a dense graded aggregate material. The final cross section and grading could be determined by the applicant's engineer and be subject to review and approval of the Township Engineer. The provision to address this situation should be made a condition of any approval.

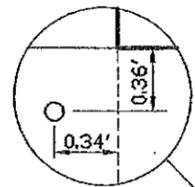
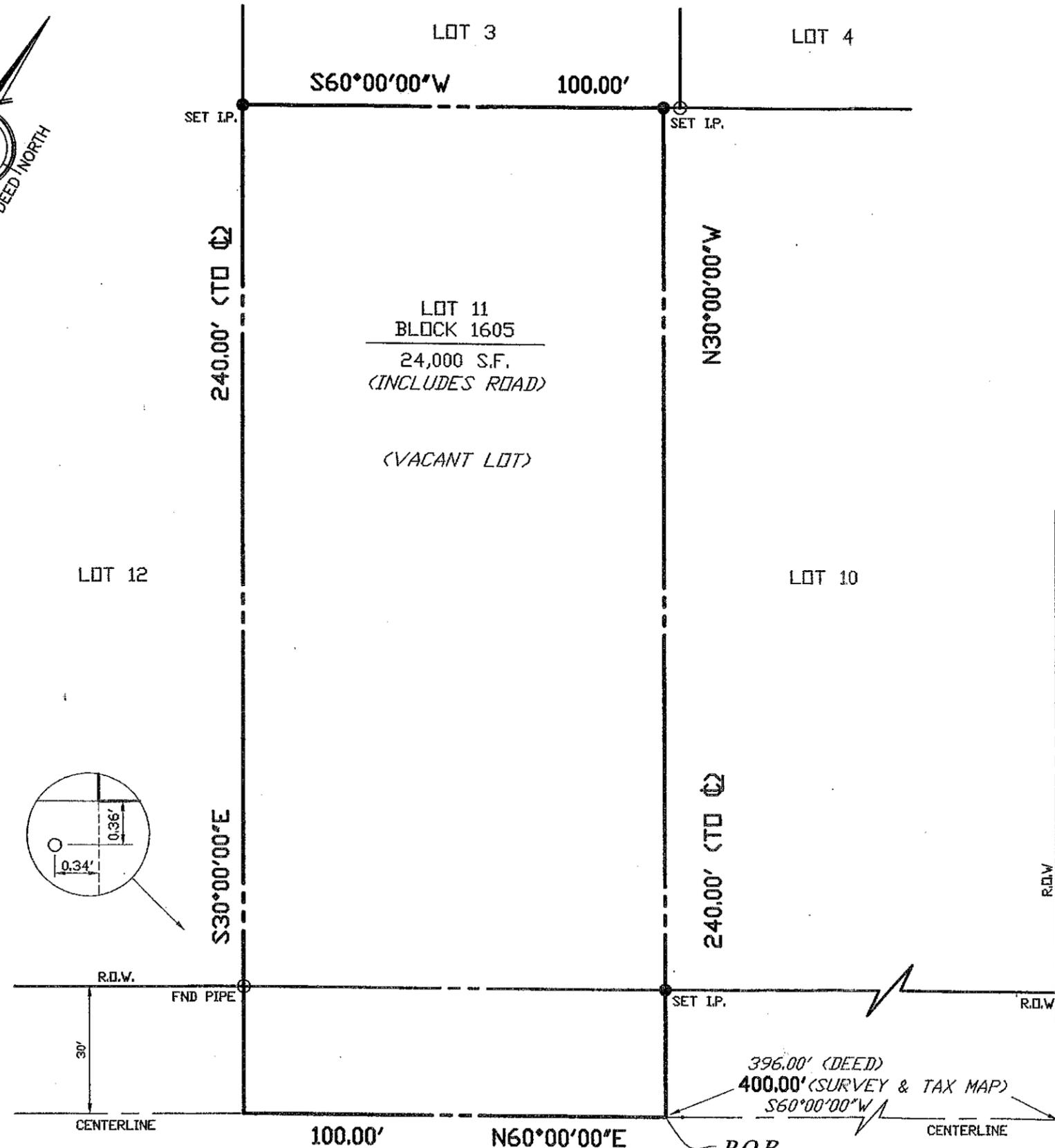
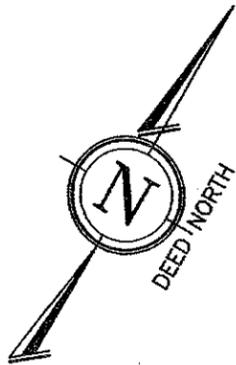
4. I reviewed the New Jersey Geoweb environmental mapping tools and it appears that there may be an area of freshwater wetlands located on Block 1606 Lot 1. These wetlands are mapped starting at the southerly edge of Clifford Avenue. The mapping identifies it as a deciduous wooded wetland. The Geoweb mappings are not a definitive confirmation of the presence of wetlands and a field inspection would still be required. The Pinelands Commission in their review of this application may require this offsite area to be investigated further by the applicant's professionals to determine whether or not the wetlands exist and to determine any there are associated buffers that would possibly impact the subject property.

5. The Township Code at Chapter 155-1 and 2 establishes that development disturbances of more than 1,000 s.f. on lots over 0.25 acres shall require a Grading Plan. We recommend that if the variance is approved, that a Grading Plan for the home be submitted as a condition of the approval. Furthermore, the recommended turn-around area should be incorporated into this Grading Plan.

II OUTSIDE AGENCY AND MUNICIPAL AGENT REVIEW

1. The Pinelands Commission must issue a Certificate of Filing for this applicant before he can make application for any other municipal or other governmental agency permits. The applicant will require at a minimum, a Camden County Municipal Utilities Authority Sewer Connection Permit, Camden County Health Department and NJDEP potable well construction permits, Waterford Township sewer connection permit and Waterford Township construction permits.

A copy of the Certificate of Filing must be submitted to the Township and this office as soon as it is in hand.



CLIFFORD (60' WIDE) AVENUE

FIFTH (60' WIDE) STREET

GENERAL NOTES

1. IN CONSIDERATION OF THE FEE PAID FOR MAKING THIS SURVEY (IF NO FEE IS PAID THIS SURVEY IS INVALID) I HEREBY DECLARE TO ITS ACCURACY BASED ON THE RECORD INFORMATION FURNISHED, EXCEPT SUCH EASEMENTS OR STRUCTURES IF ANY THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS OR ON THE SURFACE OF THE LANDS THAT ARE NOT VISIBLE. THIS SURVEY IS ISSUED SOLELY TO THE HEREIN NAMED PARTIES FOR THE CURRENT MATTER AS OF THE DATE OF THIS SURVEY. THE SURVEY IS NOT VALID AND NO LIABILITY IS ASSUMED BY THE SURVEYOR FOR USE OF THIS SURVEY FOR ANY OTHER PURPOSE, INCLUDING BUT NOT LIMITED TO, USE OF THE SURVEY FOR SURVEY AFFIDAVIT, RESALE OF PROPERTY, PERMIT APPLICATIONS OR ANY OTHER PERSON EITHER DIRECTLY OR INDIRECTLY. COPIES MUST BEAR THE PROFESSIONAL'S EMBOSSED SEAL TO BE CONSIDERED VALID.
2. SURVEY INFORMATION AND/OR TOPOGRAPHY DEPICTED ON THIS PLAN SHALL NOT BE REFERENCED TO OR USED FOR ANY OTHER DESIGN PURPOSES WITHOUT THE WRITTEN CONSENT OF V & I ASSOCIATES AND THE PROFESSIONAL(S) WHO ENDORSED THIS PLAN.
3. I RESERVE THE RIGHT TO REVISE THIS SURVEY UPON RECEIPT OF A TITLE REPORT. SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.
4. IF BUILDINGS ARE ON THIS PLAN, BUILDING OFFSET DISTANCES SHOWN ARE FOR THE PURPOSE OF CHECKING COMPLIANCE WITH ZONING AND DEED RESTRICTIONS ONLY. NO LIABILITY WILL BE ACCEPTED IF THESE DISTANCES ARE USED FOR ANY OTHER PURPOSE.
5. FIELD WORK COMPLETED ON: 7/10/19
6. ISSUED TO:
JEFFREY WEAVER, JR

REVISION	DATE	REVISION DESCRIPTION	DRAWN BY:	CHECKED BY:	APPROVED BY:
<p>SURVEY OF PROPERTY FOR BLOCK: 1605, LOT: 11 TOWNSHIP OF WATERFORD COUNTY OF CAMDEN STATE OF NEW JERSEY</p> <p>V & I Associates <i>LAND SURVEYING & LAND PLANNING</i></p> <p>69 SOUTH WHITE HORSE PIKE, SUITE 101, BERLIN, NEW JERSEY, 08009 TELEPHONE: (856) 767-8162 FAX: (856) 767-6106</p> <p>CERT. OF AUTH.: #24GA28041100</p> <p>FRANK A. INTESSIMONI P.L.S. LICENSE No.: 31656 P.P. LICENSE No.: 3493</p>					
			DATE:	7/11/19	
			SCALE:	1" = 30'	
			DRAWN BY:	CNL	
			CHECKED BY:	FAI	
			SHEET:	1 OF 1	
			DRAWING No.:	20350	

N.J. PROFESSIONAL LAND SURVEYOR
N.J. PROFESSIONAL PLANNER