

**RESOLUTION NO. 2020-008
PILES GROVE TOWNSHIP PLANNING BOARD
RESOLUTION MEMORIALIZING THE GRANT
OF PRELIMINARY AND FINAL MAJOR SUBDIVISION APPROVAL
APPLICATION NO. 2020-006
RAYMOND M. & GERALDINE J. RASTELLI
(BLOCK 30, LOT 11 & 11Q)**

**Approved: May 20, 2020
Memorialized: June 15, 2020**

WHEREAS, an Application was filed by **RAYMOND M. & GERALDINE J. RASTELLI** (Applicant), whose mailing address is 1 Pond View Drive, Apt. J101, Swedesboro, New Jersey 08085, respectively, through their attorney, Catherine M. Ward, Esquire of the Law Firm Stradley Ronon Stevens Young LLP with an address of 457 Haddonfield Road, Suite 100, Cherry Hill, New Jersey 08002, for Preliminary and Final Major Subdivision Approval for property known as Block 30, Lot 11 & 11Q on the Piles Grove Township Tax Map (Property) being located within an RR - Restricted Residential Zoning District. The subdivision being depicted on a certain Preliminary and Final Major Subdivision Plan prepared by Civilier Engineering & Surveying, Inc., dated March 2, 2020, consisting of 10 pages; and

WHEREAS, James H. McKelvie, P.E., CME, the Piles Grove Township Planning Board engineer (Board Engineer), having reviewed the Application rendered a completeness review letter thereon dated March 17, 2020 (Completeness Engineer's Letter) and a technical review letter thereon dated May 15, 2020 (Technical Review Letter); and,

WHEREAS, Kevin D. Rijs, P.P., AICP, the Piles Grove Township Planning Board planner (Board Planner), having reviewed the Application rendered a technical review letter thereon dated May 11, 2020 (Planner Review Letter); and

WHEREAS, the Application was deemed complete by the Board on May 20, 2020 at the regular scheduled meeting of the Piles Grove Township Planning Board; and

WHEREAS, notice to the public was required in accordance with the Township Ordinance and the Municipal Land Use Law (MLUL); and

WHEREAS, there is currently a pandemic caused by the novel virus COVID-19 which has caused the Governor of the State of New Jersey to issue various quarantine executive orders; and

WHEREAS, a result of these orders public gatherings is not permitted at the time this meeting was held, as such the Planning Board meeting was required to be conducted virtually.

WHEREAS, the Planning Board through the excellent work of the Secretary coordinated a virtual meeting through the program ZOOM; and

WHEREAS, the Planning Board issued its own notice to the public prior to the meeting that the meeting would be held virtually with the instructions of how to call into the meeting; and

WHEREAS, the Applicant provided notice in accordance with applicable MLUL and Township Ordinance, in which it was indicated that the Planning Board meeting would be held virtually, providing all required call-in information for the public's use; and

WHEREAS, additionally the Application was posted on the Township Website for review and use by interested public; and

WHEREAS, the Board determined that it had jurisdiction to hear the Application and proceeded with a Public Hearing on the Application on the regular meeting of the Pilesgrove Township Planning Board convened on May 20, 2020; and,

WHEREAS, the Board heard testimony from Applicant's Engineer, Gary R. Civilier, PE, PLS, PP, the Applicant, Raymond Rastelli and representation from Catherine M. Ward, Esquire, the Applicant's Attorney; and,

WHEREAS, after hearing the above testimony, representations and public comment, the Board made the following findings of fact:

1. The property is in an RR – Restricted Residential Zoning District as designated on the Township Zoning Map.
2. The Property currently consisted of as existing single family dwelling with associated improvements.
3. The Property is approximately 95.21 acres.

4. The Applicant is proposing to subdivide the Property into five (5) lots in accordance with the Country Estates Development Option of the RR Zoning District.
5. As proposed the subdivision includes the remainder of the mother lot which contains the current single-family dwelling and shall consist of approximately 45.8 acres and four (4) lots ranging in size from 6 to 7 acres.
6. All lots shall be utilized as single-family dwelling lots, with farming to continue on the mother lot.
7. All proposed lots comply with the Country Estates Development zoning requirements.
8. All lots shall comply with all bulk standards.
9. All off-street parking requirements shall be met.
10. All lots shall have street access from a single private lane that will be maintained by the owner of the mother lot.
11. All stormwater management maintenance and repair shall be the responsibility of the mother lot.
12. All lots shall have their own septic and well systems
13. It is the intent of the Applicant for the lots to be utilized for single-family residences for his family and not to be sold on the open market.
14. There was one (1) member of the public that spoke on the Application who wanted to inform the Applicant of the speeding issue on Marlton Road and wanted to know if the Planning Board could address this issue. It was discussed and determined that such an issue is out of the jurisdiction of the Planning Board and the issue should be addressed to the County of Salem governing body.
15. There was significant discussion involving the name of the private lane providing access to all the lots. It was determined that the name shall be approved by the Board Engineer in conjunction with the Applicant, in the sole discretion of the Board Engineer.
16. The Board next reviewed the Technical Review Letter and Planner Review Letter. The Applicant agreed to comply with all comments and requirements contained in the Letters subject to the Engineer's and Planner's approval.

BE IT THEREFORE RESOLVED on this _____ day of _____, 2020 by the Pilesgrove Township Planning Board, the Preliminary and Final Major Subdivision and waivers requested as further depicted on the Major Subdivision Plan submitted is granted, and is subject to the following conditions:

1. The subdivision shall be filed by deeds in the Office of the Clerk of Salem County. The deeds shall be approved by the Board solicitor and shall contain legal descriptions that have been approved by the Board Engineer. The deeds shall be recorded not later than 190 days from the date of the adoption of the within resolution.

2. The subdivision deeds shall include "Right to Farm" language to be reviewed and approved by the Board Solicitor.

3. Applicant shall comply with all comments and requirements detailed on the Board Engineer and Planner review letters.

4. Payment of any and all required fees which are due or may become due to the Township within seven (7) day notice thereof, including but not limited to, settlement of any outstanding review escrow accounts.

5. Obtaining any and all other approvals for the proposed revisions that may be required by any governmental/regulatory body including, but not limited to, the New Jersey Department of Environmental Protection pursuant to the Freshwater Wetlands Act, the Salem County Planning Board and/or the Salem County Soil Conservation District, New Jersey Department of Transportation, etc. Applicant's engineer shall certify that said approvals have been received.

BE IT FURTHER RESOLVED, that in the event the above conditions are not satisfied within two (2) years from the date of the grant of approval, the relief granted herein shall be denied retroactively to said approval date.

BE IT FINALLY RESOLVED that the Applicant is hereby placed on notice that:

1. If he or his successors intend or desire to engage in a regulated activity upon the property as defined in N.J.S.A. 13:9B-3; and, if required, a Freshwater Wetlands Permit or exemption therefrom must be obtained.

2. Applicant shall comply with all representations made during the course of the hearing and in all filed documents.

3. Applicant shall indemnify and hold the Board harmless from any claim of any kind which may be made as a result of any deficiency in the Application, including any challenges to the notice requirements of the MLUL and Township Ordinance.

PILESGROVE TOWNSHIP PLANNING BOARD

BY: _____

JEFFREY STRING, Chairperson

ATTEST:

RITA SHADE, Secretary

ACKNOWLEDGMENT

I, Raymond M. Rastelli, hereby certify I reviewed the within Resolution, and realize the Board has relied upon my representations as an essential element in granting this approval. I acknowledge I have the absolute right to request the rescission of this approval within 45 days of the adoption of the Resolution, subject to payment of any and all fees associated therewith. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Dated: _____

X:\My Documents\CLIENT FILES - PILESGROVE PLANNING BOARD\Rastelli\Resolution - Rastelli.docq