

LAND USE PROCEDURES

Checklist #4 – Final Major Subdivision

Applicant: BALLANTINE WOODS, LLC
 Block 7 Lot 10.03

File No. A21-5

This checklist is for general reference only. Further information may be required by the reviewing authority. The following designations are to be used when completing the checklist:

√ - provided; NA – not applicable; W – waiver requested.

The applicant shall provide a written statement justifying the waiver request or why a checklist item is not applicable.

Item No.	Application Requirements	Applicant	Board
	Improvements required: installed or bonded per Ordinance §§ 159-9 and 159-13		
1.	Final surface course, street pavement.	√	
2.	Sidewalks.	NA	
3.	Curbs and gutters.	√	
4.	Monuments in accordance with the statute.	√	
5.	Street signs.	√	
6.	Shade trees.	√	
7.	Underground utilities (service and distribution).	√	
8.	Sanitary sewers and sewage disposal.	NA	
9.	Fire protection system.	√	
10.	Items to be covered by performance guarantee with engineer's estimate.	NA ✓	
11.	Township Engineer letter that improvements have been installed.	REQUESTED	
12.	Applicant's engineer certifying that the final plat conforms to preliminary plat.	√	
13.	Letter specifying changes from preliminary to final.	NONE	
14.	Off-tract improvements, developer's agreement.	DONE @ PHASE A	
15.	Performance bond.	TO BE POSTED	
16.	Twelve (12) copies of final subdivision plat in .DWG format to include the following:	√	
17.	Map Sizes: 8 1/2" x 13"		
	15" x 21"		
	24" x 36"	√	
	30" x 42"		
18.	Key Map: showing the subject property and all lands with lot and block numbers within 500 feet thereof with existing streets and zone boundaries.	√	
19.	Scale of not less than one inch equals 50 feet.	√	
20.	The plans should contain the following: A. Name of Development B. Name, address and phone number of Owner C. Date of Preparation D. Name & Address, signature, seal, and license number of person(s) preparing the map E. Graphic and written scale, north arrow and reference meridian F. Revision box & date of each revision	√	

21.	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 with accurate dimensions, bearings or deflection angles of all curves.	✓	
22.	The purpose of any easement or land reserved or dedicated to public use shall be designated, and the proposed use of sites other than residential shall be noted.	✓	
23.	Blocks and lots shall be numbered.	✓	
24.	Minimum building setback line on all lots and other sites.	✓	
25.	Location and description of all monuments.	✓	
26.	Names of owners of adjoining properties.	✓	
27.	Certification by engineer or surveyor as to accuracy of details.	✓	
28.	Certification that the applicant is agent or owner of the land or that the owner has given consent under an option agreement.	✓	
29.	When approval is required by an officer of the Township, county or state, approval shall be certified on the plat.	✓	
30.	As-Built plans and profiles of storm drains, culverts and inlets; plans for sanitary sewers and for water mains, showing the exact location.	✓	
31.	Restrictive covenant regarding underground utilities – see Ordinance § 159-13A(8).	✓	
32.	Organization documents, including:		
	A. Article of Incorporation for any Homeowners Assoc., Condominium Association, or other organization to maintain the common open space or community facilities.	NA	
	B. By-Laws and Membership Rules and Regulations of any such organization, defining its rights.	NA	
	C. A copy of the Master Deed detailing the rights and privileges of individual owners of common property.	NA	
	D. A copy of all materials submitted to the Dept. of Community Affairs as required by the N.J. Planned Real Estate Development Full Disclosure Act. Regulations and evidence of the status of acceptance of and/or approval by the Dept. of Community Affairs.	NA	
	E. Covenants or easements restricting the use of the common open space element.	NA	
	F. Covenants or agreements requiring homeowners or residents to pay the organization for the maintenance of the common open space and/or community facilities. This shall include a proposed schedule of membership fees for at least the first three years of operation.	NA	
33.	Final Map statement included on plat: “I certify that (NAME OF STREET OR STREETS) are approved by the Land Use Board of the Township of Andover. Approval of this map shall not be construed as acceptance of said roadways indicated herein, nor shall such approval obligate jurisdiction on said road or street until such time said road may be accepted by the Township of Andover” Signature _____ Township Clerk	✓	
34.	Certification block to include signature of Land Use Board Chairperson, Secretary and Engineer.	✓	
35.	CD containing electronic copies of plans in CAD format and copies of reports and studies where applicable.	PENDING	
36.	For residential development, compliance with the New Residential Construction Off-Site Conditions Disclosure Act.	IN STATES CONTRACTS	
37.	Evidence of fulfillment of growth share affordable housing obligations pursuant to Ordinance 190-32.1 and 190-100C.	DONE WITH PHASE A	PREVIOUSLY SUBMITTED - See ATTACHED RESOLUTION

38.	Three copies of the appropriate application form(s), completely filled in. If any item is not applicable to the Applicant, it should so be indicated on the application form(s). If completeness waivers are sought, explain why waivers should be granted.	✓	
39.	Evidence of the payment of off-tract/off-site pro rata share contributions.	WORK DONE PHASE A	
40.	Maintenance agreements. If there is to be no Homeowners Association, Condominium Association, open space organization, or similar arrangement for the maintenance of common facilities, the developer shall furnish an agreement under which private roads and other facilities will be maintained, refuse collected and other supplementary services provided.	DNA	
41.	Evidence of payment of mandatory development fees pursuant to Ordinance §190-32.2. <i>See attached.</i>	GROUP HOME FULFILLED OBLIGATION	
42.	Copies of all permits issued by other agencies having jurisdiction.	✓	

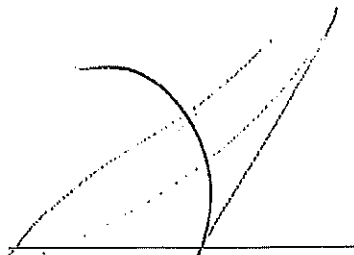
BALLANTINE WOODS, LLC,
ANDOVER TOWNSHIP, SUSSEX COUNTY, NJ
PHASE B

ENGINEERS ESTIMATE
PREPARED BY:
DYKSTRA ASSOCIATES, PC
10/21/2021

ROADWAYS	ITEM	QTY.	RATE	AMOUNT
	PAVEMENT 2" TOPCOAT (TONS)	450	\$80.00	\$36,000
	CONCRETE MONUMENTS	11	\$325.00	\$3,575
	TOTAL ROADWAYS			\$39,575
SUBTOTAL				\$39,575
<u>20% CONTINGENCY</u>				<u>\$7,915</u>
TOTAL PERFORMANCE BOND OR LETTER OF CREDIT				\$47,490

Notes:

1. This estimate is an opinion of probable construction costs, made on the basis of experience and qualifications as a Professional Engineer. This estimate is for bonding purposes only and shall not be construed as an assurance that the actual construction costs will not vary from the amounts above.



OWEN DYKSTRA, PE
NJ LIC #39920 FOR
DYKSTRA ASSOCIATES, INC.

Dykstra Associates, Inc.

MAILING ADDRESS
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NEWTON, NJ 07860
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August 1, 2008

Andover Township Planning Board
134 Newton-Sparta Road
Newton, NJ 07860

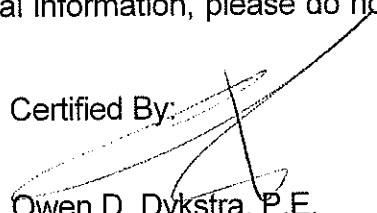
RE: Ballantine Woods
Tax Lots 10, 10.02 & 10.03, Block 7 and Tax Lot 3.02, Block 6
Andover Township, Sussex County, NJ

Dear Board Members,

I hereby certify that there were no changes to the proposed lot layout from the approved Preliminary Plans to the layout shown on the Final Plat with the exception of the removal of the bump out in the right of way for the Fire Tank in front of Tax Lot 3.09. This modification was a result of the relocation of the fire tank across the street as part of the Planning Board Engineer approved field changes to Ballantine Road in accordance with Condition #12 in the resolution of approval dated April 4, 2005 and approved by the Planning Board Engineer.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Certified By:



Owen D. Dykstra, P.E.
NJ Lic. # 39920

Cc: Philip Deacon

RESOLUTION #R2010-119

**RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO
REVISE SECTION 12: CONTRIBUTIONS ON COAH FOR
BALLANTINE WOODS, LLC MAJOR SUBDIVISION FOR
BLOCK 7/ LOTS 10, 10.02, 10.03, AND BLOCK 6/ LOT 3.02**

WHEREAS, Ballantine Woods, LLC, a New Jersey Limited Partnership is the owner of a 77.298 acre site in Andover Township designated as Block 7/Lots 10, 10.02, 10.03 and Block 6/Lot 3.02 on the Township's Map; and

WHEREAS, the Property received preliminary major subdivision approval from the Township Planning Board on March 14, 2005, which was memorialized in a Resolution adopted April 4, 2005; and final subdivision approval of Phase A from the Township Planning Board on September 2, 2008, which was memorialized on October 7, 2008.

WHEREAS, in connection with the proposed subdivision, the Developer and the Township entered into a Developer's Agreement dated September 29, 2005. Section 12 provided:

"12. Contributions on Council on Affordable Housing (COAH). Developer shall contribute 1 percent (1%) of the equalized assessed value of the lots and homes to the Township Housing Fund, payable as follows:

- 1) \$5,000.00 upon issuance of each building permit; and
- 2) Balance to equal 1 percent (1%) of assessed value of lots and homes upon issuance of Certificate of Occupancy."

WHEREAS, Section 12 of the Developer's Agreement is hereby amended as follows:

In lieu of all the aforesaid contributions, the construction of one Group Home on Lot 10.02 Block 7 for four (4) developmentally disabled individuals will fulfill the Developer's obligation. Cash contributions will not be required for the said Group Home or remaining 23 lots/homes.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex, State of New Jersey to hereby revise Section 12 of Developer's Agreement for Ballantine Woods, LLC. Major Subdivision for Block 7/Lots 10, 10.02, 10.03 and Block 6/Lots 3.02 subject to planning and legal review; and,

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Andover Township Planning Board, the Township Engineer, the Township Attorney, the Township administrator and the Chief Financial Officer for their records.

CERTIFICATION

I, Vita Thompson, Clerk of the Township of Andover, in the County of Sussex in the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Andover Township Committee at its meeting on June 14, 2010.



Vita Thompson, R.M.C.
Clerk/Administrator

BANISCH ASSOCIATES, INC.

111 Main St., Flemington, NJ 08822
Tel. 908-782-0835; Fax 908-782-7636
chuckmcgroarty@banisch.com

Memorandum

To: Vita Thompson, Township Administrator/Clerk

From: Chuck McGroarty, PP, AICP

Date: June 22, 2010

Re: Ballentine Woods LLC Developers Agreement

Vita:

I have reviewed Township Council Resolution #R2010 per the Township Committee's request and Mr. Semrau's recommendation in regard to the proposal by the developer of Ballantine Woods LLC to provide one group home in place of paying a fee to the Township's Housing Trust Fund. In my opinion, this is a suitable alternative in that it will generate actual units (in the form of bedrooms) in contrast to collecting fees over an extended period of time dependent upon the construction schedule of the subdivision in question. The proposed four bedroom facility, now known as "supportive and special needs" housing under COAH's third round rules, fits very well within the parameters of Andover Township's *Housing Element and Fair Share Plan (HE/FSP)* which secured substantive certification on October 26, 2009.

According to the Planning Board Resolution memorialized on April 4, 2005 granting preliminary major subdivision approval for Ballantine Woods, LLC, the Applicant offered to contribute a developer's fee to the Housing Trust Fund rather than construct affordable units within the development. The Planning Board concurred and recommended this approach to the Township Committee as a condition to be incorporated within the Developer's Agreement. The final decision, however, appears to have been left to the Township Committee to be determined at the time a Developers Agreement was drawn.

I believe Andover Township is better served by having actual affordable units/bedrooms developed whenever the opportunity arises. It is absolutely consistent with the approved *HE/FSP* and will work in the Township's favor under the new legislative policies under consideration at this time.

c: Mayor Thomas Walsh
Fred Semrau, Esq.
Linda Paolucci, Land Use Administrator/Municipal Housing Liaison