

626-36875

UP.



2016028843

Prepared by

Ray J. Barson, Esq.

BRETT A. BOOI COUNTY CLERK
SOMERSET COUNTY, NJ
2016 JUL 18 3:32:07 PM
EX: 600 800 800 EXT: 05
NJ SPSA FEE: \$15.00
INSTRUMENT # 2016028843

DEED

This Deed is made on June 23, 2016, delivered ^{July} June 1, 2016,

BETWEEN

CHRISTOPHER S. SUGDEN and DEBORAH SUGDEN, Husband and Wife

whose address is 40 Independence Drive, Princeton, NJ 08540
referred to as the Grantor,

AND

GEORGE THOMAS and RENE R. VERGHESE, Husband and Wife

whose post office address is about to be 26 Blue Heron Way, Skillman (Montgomery Twp), NJ 08558
referred to as the Grantee.

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

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of **One Million Four Hundred Fifty Thousand and No/100 Dollars (\$1,450,000.00)**. The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:26A-3) Municipality of **Montgomery Township**
Block 30001, Lot 16.13, Account No.

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

Property. The property consists of the land and all the buildings and structures on the land in the Township of Montgomery, County of Somerset and State of New Jersey. The legal description is:

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF.

BEING COMMONLY KNOWN AS 26 BLUE HERON WAY, SKILLMAN, NJ 08558.

BEING THE SAME LANDS AND PREMISES CONVEYED TO CHRISTOPHER S. SUGDEN AND DEBORAH SUGDEN, HUSBAND AND WIFE, BY DEED FROM STEPHEN M. LEVESON AND MARA L. LEVESON, HUSBAND AND WIFE, DATED JULY 25, 2006, RECORDED AUGUST 4, 2006, IN THE CLERK'S OFFICE OF SOMERSET COUNTY IN DEED BOOK 5925, PAGE 1487
&c.



**First American
Title Insurance Company**

File Number: 626-36875

**SCHEDULE A
LEGAL DESCRIPTION**

ALL that certain tract or parcel of land, situated, lying and being in the Township of Montgomery, County of Somerset, State of New Jersey, more particularly described as follows:

AMENDED

Beginning at a point marked by a capped iron pin in the westerly line of Blue Heron Way, said point being distant 544.99 feet northerly along the same along various courses from the intersection of the westerly line of Blue Heron Way and the northerly line of Gaitway Drive, if both were extended southerly and easterly respectively, and from said beginning point running thence

- (1) South 84 degrees 47 minutes 30 seconds West, 290.40 feet to a point marked by a capped iron pin; thence
- (2) North 05 degrees 12 minutes 30 seconds West, 150.00 feet to a point marked by a capped iron pin; thence
- (3) North 84 degrees 47 minutes 30 seconds East, 290.40 feet to a point marked by a capped iron pin in the westerly line of Blue Heron Way; thence
- (4) along the westerly line of Blue Heron Way, South 05 degrees 12 minutes 30 seconds East, 150.00 feet to the point and place of beginning.

Being known and designated as Lot 16.13 in Block 30001, as shown on a certain map entitled "Final Plat Prepared for Bedens Brook Farms, Phase III, Montgomery Township, Somerset County, New Jersey," dated March 17, 1995, revised on April 10, 1995 and filed in the Somerset County Clerk's Office on November 16, 1995 as Map # 3143.

The above description is drawn in accordance with a survey dated June 11, 2016 prepared by Ken Hoffman & Associates.

NOTE: Being Lot: 16.13, Block: 30001; Tax Map of the Township of Montgomery, County of Somerset, State of New Jersey.

NOTE FOR INFORMATION ONLY: Mailing Address is 26 Blue Heron Way, Skillman, NJ 08558-2248

NOTE: Lot and Block shown for informational purposes only.

New Jersey Land Title
Insurance Rating Bureau

File No. 626-36875

Foundation Title, LLC - East Brunswick

NJRB 3-07
Effective 2/15/2007

MUST SUBMIT IN DUPLICATE

STATE OF NEW JERSEY

AFFIDAVIT OF CONSIDERATION FOR USE BY BUYER

(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

Somerset

1813

} SS. County Municipal Code

FOR RECORDER'S USE ONLY

Consideration \$ 1,450,000.00
 RTF paid by buyer \$ 14,500.00
 Date 7/18/16 By JTB

MUNICIPALITY OF PROPERTY LOCATION Montgomery

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

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3 and #4 on reverse side) XXX-XX-X 7 2 2

Last 3 digits in grantee's social security number

Deponent, Laura Kaczur, being duly sworn according to law upon his/her oath,

(Name)

deposes and says that he/she is the Officer of Title Company in a deed dated 6/23/2016 transferring
(Grantee, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)real property identified as Block number 30001 Lot number 16.13 located at26 Blue Heron Way, Montgomery, NJ 08558 and annexed thereto.(2) CONSIDERATION \$ 1,450,000.00 (See Instructions #1 and #5 on reverse side)

Entire consideration is in excess of \$1,000,000.

PROPERTY CLASSIFICATION CHECKED OR CIRCLED BELOW SHOULD BE TAKEN FROM THE OFFICIAL ASSESSMENT LIST (A PUBLIC RECORD) OF THE MUNICIPALITY WHERE THE REAL PROPERTY IS LOCATED IN THE YEAR OF TRANSFER. REFER TO N.J.A.C. 18:12-2.2 ET SEQ.

(A) Grantee require to remit the 1% fee, complete (A) by checking off appropriate boxes below.

☒

Class 2 - Residential

☐

Class 3A - Farm property (regular) and any other real property transferred to same grantee in conjunction with transfer of Class 3A property

☐

Class 4A - Commercial Properties

(if checked, calculation on (E) required below)

☐

Cooperative unit (four families or less) (Sec C. 46:8D-3.)

Cooperative units are Class 4C

(B) Grantee is not required to remit the 1% fee, (one or more of following classes being conveyed), complete (B) by checking off appropriate box or boxes below:

☐

Property class. Circle applicable class or classes:

1

3B

4B

4C

15

Property classes: 1-Vacant Land, 3B- Farm property (Qualified) 4B - Industrial properties, 4C - Apartments (other than cooperative unit), 15 - Public Property

☐

Exempt Organization determined by federal Internal Revenue Service/Internal Revenue Code of 1986, 26 U.S.C. s. 501.

☐

Incidental to corporate merger or acquisition and equalized assessed valuation less than 20% of total value of all assets

exchanged in merger or acquisition. If checked, calculation in (E) below required and MUST ATTACH COMPLETED RTF-4.

(C) When Grantee transfers properties involving Block(s) and lot(s) of two or more classes and in one deed, one or more subject to the 1% fee (A), with one or more than one not subject to the 1% fee (B), pursuant to N.J.S.A. 46:15-7.2, complete (C) by checking off appropriate box or boxes and (D).

☒ Property Class. Circle applicable class or classes:

1

2

3B

4A

4B

4C

15

(D) EQUALIZED VALUE CALCULATION FOR ALL PROPERTIES CONVEYED, WHETHER THE 1% FEE APPLIES OR DOES NOT APPLY

Total Assessed Valuation + Director's Ratio = Equalized Valuation

Property Class	Total Assessed Valuation	Director's Ratio	Equalized Valuation
Property Class	\$	%	\$
Property Class	\$	%	\$
Property Class	\$	%	\$
Property Class	\$	%	\$

(E) REQUIRED EQUALIZED VALUE CALCULATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (See Instructions #6 and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Value

\$ + % = \$

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

(3) TOTAL EXEMPTION FROM FEE (See 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. 33, P.L. 2006, for the following reason(s). Mere reference to exemption symbols is insufficient. Explain in detail.

(4) Deponent makes Affidavit of Consideration for Use by Buyer to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith pursuant to the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me
this 13 day of July, 2016

Signature of Deponent

Signature of Grantee

214 Highway 18, 3rd Floor
East Brunswick, NJ 08816
Deponent Address26 Blue Heron Way
Montgomery, NJ 08558
Grantee Address at Time of SaleFoundation Title, LLC
Name/Company of Settlement OfficerSANDRA J. PETERSON
A NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 9/25/18

FOR OFFICIAL USE ONLY

Instrument Number _____ County Somerset
 Deed Number _____ Book _____ Page _____
 Deed Dated 7/18/16 Date Recorded 7/18/16

County recording officers: forward one copy of each RTF-1EE to:

STATE OF NEW JERSEY - DIVISION OF TAXATION
 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 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 of Taxation website at: www.state.nj.us/treasury/taxation/lpt/localtax.htm



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION

GIT/REP-3
(9-2015)

(Please Print or Type)

SELLER'S INFORMATION

Name(s)

CHRISTOPHER S. SUGDEN and DEBORAH SUGDEN, A/W

Current Street Address

40 Independence Drive

City, Town, Post Office Box

Princeton

State

NJ

Zip Code

08540

PROPERTY INFORMATION

Block(s)

3001

Lot(s)

16.13

Qualifier

Street Address

26 Blue Heron Way

City, Town, Post Office Box

Skillman (Montgomery Twp)

State

NJ

Zip Code

08558

Seller's Percentage of Ownership

100%

Total Consideration

\$1,450,000.00

Owner's Share of Consideration

\$1,450,000.00

Closing Date

7.1.16

SELLER'S ASSURANCES (Check the Appropriate Box) (Boxes 2 through 14 apply to Residents and Nonresidents)

1. ☒ Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident gross income tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. ☐ Seller is 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 is not required to make an estimated gross income tax payment.
6. ☐ The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated income tax payment.
7. ☐ The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated 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 and report the recognized gain.
☐ Seller did not receive non-like kind property.
8. ☐ The real property is being transferred 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.
9. ☐ The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. ☐ The deed is dated prior to August 1, 2004, and was not previously recorded.
11. ☐ The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12. ☒ The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13. ☐ The property transferred is a cemetery plot.
14. ☐ The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.

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 may 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 a 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.

6/23/2016

Date

6/23/2016

Date

Signature

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

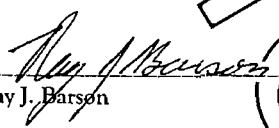
Signature

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


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).

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

Witnessed by:


Ray J. Barson


CHRISTOPHER S. SUGDEN


DEBORAH SUGDEN

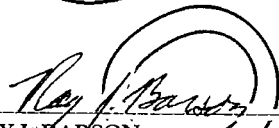
STATE OF NEW JERSEY, COUNTY OF MERCER SS.:

I CERTIFY that on June 23, 2016

CHRISTOPHER S. SUGDEN and DEBORAH SUGDEN

personally came before me and acknowledged under oath, to my satisfaction, that this person (of if more than one, each person):

- (a) is named in and personally signed this Deed;
- (b) signed, sealed and delivered this Deed as his or her act and deed; and
- (c) made this Deed for \$1,450,000.00 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).


RAY J. BARSON
Attorney at Law of New Jersey

DEED

Dated: June 23, 2016, deliv'd ⁷/₈ / 2016

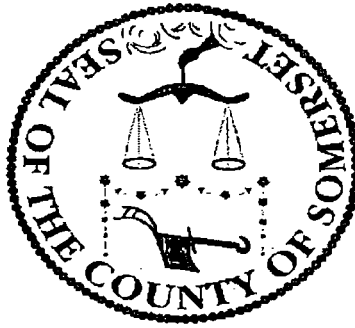
CHRISTOPHER S. SUGDEN and
DEBORAH SUGDEN, Husband and Wife
Grantor,

Record and Return to:

TO

FOUNDATION TITLE, LLC
214 Highway 18, 3rd Floor
East Brunswick, NJ 08816

GEORGE THOMAS and RENE R.
VERGHESE, Husband and Wife
Grantee.



BRETT A. RADI
SOMERSET COUNTY CLERK
20 GROVE STREET
P.O. BOX 3000
SOMERVILLE, NJ 08876-1262

Recorded: 07/18/2016 02:54:07 PM
Book: OPR 6887 Page: 3132-3138
Instrument No.: 2016028843
DEED 7 PGS \$93.00
CONSIDERATION: \$1,450,000.00
EXEMPTION: OS
NJ REALTY XFER FEE: \$15,020.00
1% GRANTEE TAX: \$14,500.00
Recorder: DELUCIA

DO NOT DISCARD



2016028843

Name of Applicant George Thomas Email george.thomas64@
Address 26 Blue Heron Way Phone (Daytime)
City Skillman State NJ Zip 08558 (Fax)
Applicant interest in property (owner, lessee, etc.) Owner
Name of Owner (if not applicant)
Address
City State Zip Phone
When property was acquired by applicant 7/1/16
Tax Map Page 66 Block 30001 Lot 16.13
Address of property 26 Blue Heron Way, Skillman, NJ 08558
Present Use of Property: Residential
Proposed Use of Property: Residential
Development Name Bedens Brook Farms
Is the property served with public sewer system? Yes X No
Is the property served with public water system? Yes X No
Is the applicant willing to dedicate land for the widening of roads in compliance with Township and/or County Master Plan? Yes No
Is the proposed use located on a Municipal X County State road?
Area of property 1.0 acres or sq. ft.
Frontage on an improved street 150 ft. Present Zoning: R-5
Number of Lots: Existing 1 Proposed 1
Number of buildings: Existing 1 Proposed 1
Proposed principal building height: Proposed accessory building height
Gross square footage of proposed building(s) 72sf (Kitchen addition)
Floor area of all structures: Existing 4,650 sf +/- Proposed 4,722sf (4,650 + 72)
Percentage of coverage by buildings by impervious coverage
Bulk restrictions provided: Front Yard Side Yard Rear Yard Height
Parking spaces required and provided
Has a subdivision previously been granted? N/A Date
Has a variance previously been granted? N/A Date
If previous applications were applied for please indicate the case number(s) N/A
Are there any existing or proposed covenants or deed restrictions on the property? N/A
If yes, explain
Is a variance requested? Yes ☒ No ☐ No. of variances requested 1
TYPE OF APPLICATION Impervious cover variance

Describe in detail section of Zoning Ordinance from which applicant seeks design waivers: _____

Describe in detail section of Zoning Ordinance from which applicant seeks submission waivers: _____

PLANS
Name of Engineer/Surveyor: Michael K. Ford, PE Email mford@vancleefengineering.com
Address: Van Cleef Engineering Associates, LLC - 32 Brower Lane, P.O. Box 5877
City Hillsborough State NJ Zip 08844 Phone 908-359-8291 Fax 908-359-1580
Name of Architect: Kevin C. Roy Architect LLC Email kcroy@optimum.net
Address: 458 Stagecoach Road
City Millstone Twp. State NJ Zip 08510 Phone 732-620-8642 Fax _____

CERTIFICATION
I hereby certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the attached authorization. I further authorize Township Officials to inspect the site noted above.

DATED: 11/15/2023 George Thomas
(Owner's Name Printed and Owner's Signature)

DATED: 11/15/2023 George Thomas
(Applicant's Name Printed and Applicant's Signature)

SWORN TO AND SUBSCRIBED BEFORE

THIS 15th day of November
20 23.
Kristen M. Macholtz
(Notary)

Embossed Hereon Is My
State Of New Jersey Notary Public Seal
My Commission Expires February 26, 2028
KRISTEN M. MACHOLTZ

Persons to be contacted regarding matters
pertaining to this application, if other than applicant.

Name: _____
Address: _____

Phone: _____
Fax: _____

APPLICANT'S ATTORNEY:

Name: Lawrence P. Powers, Esq.
Address: Hoagland, Longo, Moran, Dunst & Doukas, LLP
40 Paterson Street - P.O. Box 480, New Brunswick, NJ 08903
Phone: 732-545-4717
Fax: 732-545-4579

I, the developer/applicant, as signed below, acknowledge familiarity with the procedure set forth in the Montgomery Township Land Development Ordinance for submittals and required action and agree to be bound by it.

11/15/2023
Date
George Thomas
Applicant's Name Printed and Applicant's Signature

AGREEMENT TO PAY FOR PROFESSIONAL REVIEW

THIS AGREEMENT made this ____ day of November 20 23 between:

Name: George Thomas

Address: 26 Blue Heron Way, Skillman, New Jersey 08558

Type of Application: Impervious Cover Variance Block: 30001 Lot 16.13

Hereinafter call "Applicant"

and:

The Township of Montgomery, in the County of Somerset, a municipal corporation of the State of New Jersey, hereinafter call "Township"

W I T N E S S E T H

That the Applicant has submitted a development application to the Township's Planning Board/Zoning Board for consideration in accordance with the New Jersey Municipal Land Use Law and the Montgomery Township Land Use Ordinances and Applicant hereby covenants and agrees as follows:

1. Applicant agrees to pay all costs related to the Township's review and administration of the proposed application with said costs including but not limited to:
 - A. Review by the Development Review Committee, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
 - B. Full application professional review by the Site Plan Committee, Subdivision Committee, Planning Board, and Zoning Board, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
2. Applicant understands and agrees to pay all costs as set forth above from the date of initial application submission through the Township's signature of approved plans which shall include any costs for extensions and revalidation's.
3. Applicant understands and agrees to deposit with the Township's Planning/Zoning Office an initial application filing fee which is non-refundable and an initial escrow deposit in accordance with Section 16-9.1 of the Land Development Ordinance.
4. Applicant understands and agrees that the Township will withdraw from said escrow deposit to cover costs as set forth in Section 1 above.
5. Applicant understands and agrees to pay within TEN BUSINESS DAYS of receipt of the Township's statement/billing all additional costs as may be incurred and billed to the applicant by the Township relative to the review and administration of the application even if the costs of said review and administration exceed the initial escrow deposit.
6. Applicant understands and agrees that in the event Applicant fails to pay a billed amount the Township may discontinue Planning Board/Zoning Board review and consideration on said application or if Planning Board/Zoning Board approval has been previously given Township may deny issuance of a construction permit and/or certificate of occupancy or if permit has been previously issued Township may initiate a Stop Work Order.
7. Township agrees to refund to applicant any escrow sum deposited with Township for review and administration of the application and neither spent nor needed by Township. A refund will be issued upon request by Applicant by Township following completion of the Township's review and administration of the application.
8. **APPLICANT AGREES AND UNDERSTANDS THAT IT IS INCUMBENT ON APPLICANT TO PERIODICALLY MONITOR THE STATUS OF SAID ESCROW ACCOUNT. APPLICANT AGREES AND UNDERSTANDS THAT RESPONSIBILITY TO PAY ALL ESCROW CHARGES IS THE APPLICANT'S EVEN IF APPLICANT SELLS OR CONVEYS SAID PROPERTY CITED ABOVE TO ANOTHER PARTY.**

George Thomas

APPLICANT'S NAME (PRINTED)



APPLICANT'S SIGNATURE

11/15/2023

DATE

ESCROW ACCOUNTING ADMINISTRATIVE PROCEDURE

The following is a procedure to ensure proper control of payments to professionals reviewing and billing against applications for development within Montgomery Township;

A. GENERAL CONSIDERATION

- 1. Professionals will be primarily responsible to review applications in light of their own professional expertise.
- 2. The Community Development Department will be responsible for the administration and processing of professionals bills to the Township Finance Director.
- 3. All correspondence shall reference a case number, block and lot, and application name and address.
- 4. Applicants are to receive a copy of professional memoranda or reports at the same time as the Township.
- 5. Professional’s invoices to the Township may include but not be limited to report writing, field inspections, attendance at meetings with Township representatives, attendance at municipal meetings where applications are heard, and meeting with applicants.
- 6. The Director of Community Development will be the responsible agent of the Township for coordinating meetings among the various professionals employed by the Township to discuss development applications.

B. SPECIFIC AREAS OF RESPONSIBILITY OUTLINED

- 1. The Engineer is responsible for reviewing the design of projects and reviewing public and semi-public improvements connected with development applications.
- 2. Planners are responsible for project designs, comments relating to the Master Plan and Ordinances.
- 3. The Landscape Architect is responsible for landscaping reviews of applications.
- 4. The Traffic Engineer is responsible for commenting on traffic and transportation aspects of applications.
- 5. The Planning Board or Board of Adjustment Attorney is responsible for legal representation of the Planning Board or Board of Adjustment at meetings and any legal aspects of development plan review and approval, as well as litigation concerning projects.
- 6. The Township Attorney is responsible for legal aspects of public improvements and any legal contractual aspects of the application process to which the Township is a party.
- 7. The Environmental Consultants are responsible for reviewing Environmental Impact Statements submitted with an application.
- 8. The Application Coordinator is responsible for general administration throughout the application review process and is also responsible for completeness items and issues within applications.
- 9. The Director of Finance is responsible for establishing escrow accounts, maintaining a ledger of the accounts and payment of professionals’ invoices following approval by the Community Development Department.

C. BILLING

- 1. Since professionals are appointed by, and work directly for, the Township, bills will be sent to the Community Development Department for checking and routing. Invoices will, at a minimum, indicate individuals who performed work, the time spent, and the billing rate.
- 2. Bills are checked for the following:
 - A. Correct case numbers;
 - B. Correct block and lot(s) numbers
 - C. Correct application names
- 3. Bills are checked against ledger balances to avoid overdrafts.
- 4. When accounts are close to becoming over-extended, further funds will be requested of applicants.

**ESCROW ACCOUNTING ADMINISTRATIVE PROCEDURE
(CONTINUED)**

- 5. Failure by applicants to maintain sufficient positive escrow balances may subject applications to delays in review.
- 6. Professionals billing against escrow accounts must send a duplicate copy, marked or stamped, **“FOR INFORMATIONAL PURPOSES ONLY”** to the applicant at the same time the bills are sent to the Township.

D. QUESTIONS CONCERNING BILLINGS

- 1. Applicant inquiries regarding billing must be made in writing to the Director of Community Development specifying concerns, in detail, within two weeks of date of invoice.
- 2. Invoices will be scrutinized a second time for possible billing errors.
- 3. The Director of Community Development will determine the appropriateness of the billing, make a decision on whether or not the bill will be paid, and inform both parties concerned.

Applicant agrees and understands the “Escrow Accounting Administrative Procedure” and agrees to be bound by same.

George Thomas

APPLICANT’S NAME (PRINTED)

Thomas George

APPLICANT’S SIGNATURE

11/15/2023

DATE

MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS

Application for Bulk Variance

(See N.J.S.A. 40:55D-70(c) and Zoning Ordinance)

1. Application is hereby made for a variance from the strict application of the following provisions of the Zoning Ordinance: (Specify sections of Ordinance involved):
Section 16-4.2d Total Impervious Cover
2. Applicant requests a variance to the following extent: (Set forth specific variance requested):
See Variance Plan, total impervious cover proposed 27.2% versus 15% allowable.

ANSWER BOTH NUMBERS 3 AND 4 OR ANSWER NUMBER 5 AS APPLICABLE

3. The strict application of said provision would result in: (Complete one or both of the following in detail)
- A. The following peculiar and exceptional practical difficulties:
The applicant proposed a 6' x 12' kitchen addition and then was notified by the Township Construction Department that the existing site conditions exceeded the maximum allowable impervious cover and therefore a variance is required. The owner has indicated they purchased the property in it's existing condition which has existed without change for years.

B. The following exceptional and undue hardship:
4. Said difficulties or hardship are by reason of (complete one of the following in detail):
- A. Exceptional narrowness, shallowness or shape of the property (describe):

B. Exceptional topographic conditions or physical features uniquely affecting the property (describe):

C. Reasons unique and peculiar to the lands or buildings for which the variance is sought and do not apply generally to lands or buildings in the neighborhood, because:
The applicant proposed a 6' x 12' kitchen addition and then was notified by the Township Construction Department that the existing site conditions exceeded the maximum allowable impervious cover and therefore a variance is required. The owner has indicated they purchased the property in it's existing condition which has existed without change for years.

Application for Bulk Variance (Continued)
(See N.J.S.A. 40:55D-70(c) and Zoning Ordinance)

5. The following purpose of the Zoning Act would be advanced by a deviation from the Zoning requirements; and,

The proposed project shall not increase the existing impervious appreciable and thus the existing conditions which have been in place for years shall not be exacerbated or adversely impacted including no appreciable impact to stormwater runoff. Purpose "C" of the Act "To provide adequate light, and open space".

6. The requested variance is the minimum reasonably needed, because:

The project proposal shall result in essentially no appreciable change in the existing conditions including impervious cover which have existed for years.

7. The benefits of the proposed deviation would substantially outweigh any detriment because:

The proposal maintains the status quo. To eliminate the existing none conformity would require the removal of virtually all the existing site improvement with the exception of one dwelling, driveway and front walk.

8. The variance requested will not result in substantial detriment to the public good because:

The existing impervious cover non conformity has existed for years without reported adverse impacts to neighbors or the community.

9. The variance will not substantially impair the intent and purpose of the Zoning Ordinance and Master Plan because:

The existing impervious cover non conformity has existed for years without reported adverse impacts to neighbors or the community.

MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS

Applicant's Disclosure Statement
(Corporation or Partnership)
See N.J.S.A. 40:55D-48.1 and 48.2 and Zoning Ordinance

A Corporation or Partnership applying to the Planning Board or Zoning Board of Adjustment for:

- A. Subdivision with three (3) or more lots; or
- B. Site Plan for Commercial Purpose; or
- C. Variance to construct multi-dwelling or twenty-five (25) or more family units;

must complete the following:

The names and addresses of all persons, stockholders, or individual partners owning at least ten percent (10%) interest in the corporation, partnership, or applicant are as follows:

Name	Address
George Thomas	26 Blue Heron Way, Skillman, NJ 08558

MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS

Affidavit of Ownership

STATE OF NEW JERSEY)

SS

COUNTY OF SOMERSET)

George Thomas of full age being duly sworn according to law on oath deposes and says that the deponent resides at 26 Blue Heron Way in the Township of Montgomery in the County of Somerset and State of New Jersey that George Thomas is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Township of Montgomery, New Jersey, and known and designated as Block 30001 Lot 16.13.

DATED

11/15/2023

George Thomas

Owner's Name Printed and Owner's Signature

SWORN TO AND SUBSCRIBED TO BEFORE ME

THIS 15th DAY OF November 20 23

(Notary Public)

Embossed Hereon Is My
State Of New Jersey Notary Public Seal
My Commission Expires February 26, 2028
KRISTEN M. MACHOLTZ

AUTHORIZATION

(If anyone other than the above owner is making this application, the following authorization must be executed.)

To the Board of Adjustment/Planning Board:

_____ is hereby authorized to make the within application.

DATE: _____, 20____.

Owner's Name Printed and Owner's Signature

CHECKLIST

Details Required for Variance Applications

Note: See subsection 16-8.2c of the Montgomery Township Land Development Ordinance for further details of submission requirements and procedures.


Applicant George Thomas **Block** 30001 Lot 16.13

Address 26 Blue Heron Way, Skillman, New Jersey 08558

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
1	X			Application Form(s) and Checklist(s) (8 copies) and electronic portable document format (PDF).
2	X			Application and Escrow Fees in accordance with subsection 16-9.1
3	X			Sketch plats or plans (8 copies and PDFs) or related materials outlining the location, nature and extent of any variance(s) requested, which may be provided on a signed and sealed survey of the property prepared by a licensed land surveyor
4	X			Title Block:
5	X			Name, title, address and telephone number of the applicant;
6	X			Name, title, address, telephone number, license number, seal and signature of the professional or professionals who prepared the plat, plan, and/or survey;
7	X			Name, title and address of the owner or owners of record;
8	X			Plan scale; and
9	X			Date of original preparation and of each revision
10	X			Acreage figures (both with and without areas within the public rights-of- way)
11	X			North Arrow
12	X			Certification that the applicant is the owner of the land or his properly authorized agent, or that the owner has given his consent under an option agreement, either on the plat or plan or in the application

13			X	The location of existing property lines (with bearings and distances), streets, structures (with their numerical dimensions and an indication of whether existing structures will be retained or removed), parking spaces, loading area(s), driveways, watercourses, railroads, bridges, culverts, drain pipes, any natural features, and any historical features such as family burial grounds and buildings more than 50 years old, both within the tract and within 200 feet of its boundary
14	X			Approval signature lines for “d” variance applications only
15	X			Existing block and lot number(s) of the lot(s) as they appear on the Township Tax Map
16		X		The location and width of all existing and proposed easements and rights- of-way, the use(s) for which they are intended, and to whom they will be granted
17	X			Zoning district(s) applicable to the tract, including district names and all area and bulk requirements, with a comparison to the proposed development
18	X			Existing and proposed landscaped and wooded areas
19		X		Delineation of any flood plains and Township stream corridors
20		X		Wetlands and wetland transition areas
21		X		Designation of topographic slopes 15% or greater
22		X		Designation of any hydric soils, as noted in subsection 16-6.4g.
23	X			The names and addresses of all property owners within 200 feet of the subject property, including block and lot numbers as they appear on the most recent tax list prepared by the Township Tax Assessor
24	X			Certification from the Township Tax Collector that all taxes and assessments are paid to date and certification from the CFO or his/her designee that all prior escrow fees have been posted
25	X			A sketch of the proposed addition or new construction for which a variance is sought, demonstrating how same is architecturally consistent with the existing structure or an improvement thereof
26	X			A written statement describing the exact proposed use requested, for “use” variance applications only. The statement should include hours of operation, number of employees, and other pertinent information to aid the Board in a full understanding of the proposed use

27		X		Environmental Impact Statement, for “d” variances only (see subsection 16- 8.4c).
28		X		Stormwater management methods for Minor Developments (see subsections 16-5.2c3 and 16-5.2f).



SIGNATURE AND TITLE OF PERSON
WHO PREPARED THE
CHECKLIST [Ord. #20-1646, S11]
Michael K. Ford, PE

12/19/23

DATE

**Stormwater Management Facility
Soil Testing Results Narrative
26 Blue Heron Way
Block 30001, Lot 16.13
Montgomery Township
Somerset County, New Jersey
November 16, 2023**

As requested by the owner/applicant, we have investigated the existing stormwater management facility and site suitability for an infiltration type of stormwater BMP. This is intended as a letter report of our findings.

The results of our site investigation and review of published data revealed that it appears that the existing dwelling roof leaders are connected via piping to the existing storm drainage collection system in the road, Blue Heron Way. The drainage system in Blue Heron Way eventually discharges to a community detention basin located at the intersection of Gaitway Drive and Bedens Brook Road. This existing community detention basin provides for stormwater management for the community.

The on-site soil testing revealed that the site soils are not suitable for an onsite infiltration type of stormwater Best Management Practice (BMP) such as a rain garden (bio-retention system), infiltration basin, or drywell. That is, that the infiltration testing data indicated that the permeability tests failed at soil log #1. Two basin flooding tests were attempted at soil log #1 and both tests failed to drain the first of two required fillings. Soil log #2, in the rear yard of the site, revealed a shallow groundwater table, hydraulically restrictive soil horizon, 6-24" clay loam with a firm consistency and shallow depth to rock (see attached). This data is also consistent with the published soil data for the site which indicates the majority of the site is mapped as Reaville silt loam.

Therefore, based on the information outlined herein, the site is not suitable for an infiltration type of stormwater BMP. This is due to the lack of permeability and or shallow depth to groundwater.

Michael K. Ford, PE
Principal/Branch Manager

OFFICE LOCATIONS**www.vancleefengineering.com**Lebanon, NJ
908-735-9500Hamilton, NJ
609-689-1100Toms River, NJ
732-573-0490Freehold, NJ
732-303-8700Bethlehem, PA
610-332-1772Hillsborough, NJ
908-359-8291Mt. Arlington, NJ
862-284-1100Phillipsburg, NJ
908-454-3080Doylestown, PA
215-345-1876Pottstown, PA
610-323-4040

SOIL TESTING DATA
26 Blue Heron Way, Montgomery Township
10/12/23 – 10/13/23

SOIL LOG #1

0 - 10"	10YR 4/3	Sandy Loam; Granular, Friable
10 - 42"	2.5YR 4/4	Shale Cobbles and Clay Loam; No Structure, Friable
42 - 72"	2.5YR 4/4	Fractured Shale; 10% Clay Loam
72 - 117"	2.5YR 4/4	Fractured Shale; 5% Silt Loam
	5YR 7/1	Mottles @ 69-80"
		No Water
		Machine Refusal @ 117"

Basin Flood

Depth:	Date	Time	Depth to Water
101"	10/12/23	11:20	89 (12" Water Added)
	10/12/23	12:15	90.25 (1.25" Drop)
	10/13/23	12:15	90.25 (No Movement)

Fail

Basin Flood (deepened Soil Pit)

Depth:	Date	Time	Depth to Water
117"	10/13/23	8:50	89 (105" Water Added)
	10/12/23	10:20	90 (1" Drop in 1.5hrs)

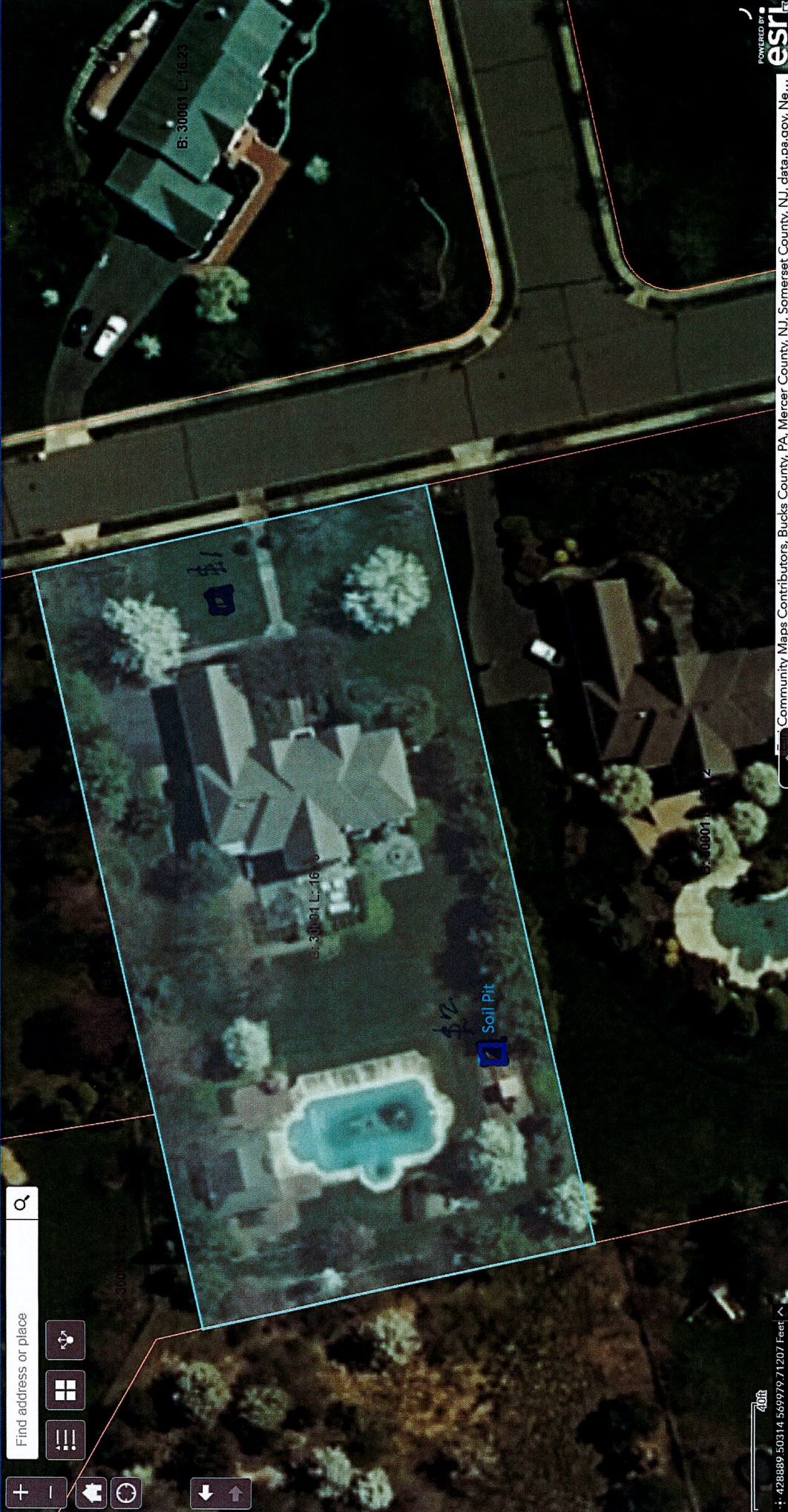
Fail

SOIL LOG #2

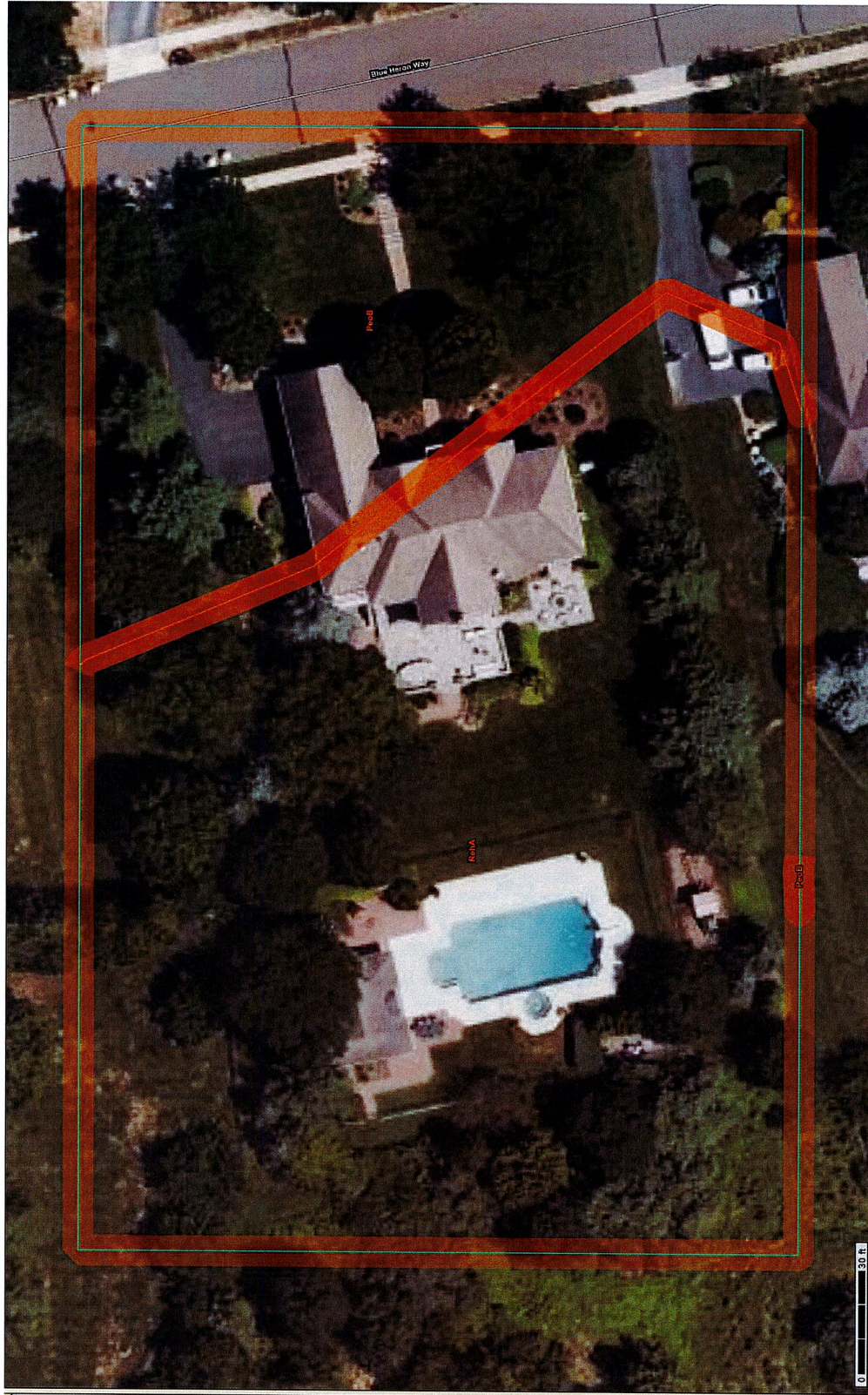
SOIL PIT at the edge of the swing set area

0 - 6"	7.5YR 3/4	Clay Loam Fill; Granular, Friable
6 - 24"	10YR 4/2	Clay Loam; Angular Blocky, Firm
24 - 36"	5YR 4/4	Fractured Shale; 10% Clay Loam
36 - 52"	5YR 4/4	Fractured Shale; 5% Clay Loam, with 5YR 5/2 mottles
	5YR 5/2	Mottles @ 36-52"
		Seepage @ 41"
		Water @ 45"

The soil pit was hand dug at the eastern edge of the play area, south of the pool. Hand tools were used to dig down into the shale to a depth of 52". Mottling was observed starting at 36" and continued to the depth of the pit. Seepage was first observed at 41", and an overnight stabilized water level was recorded to be 45" below the surface.



Somerset County, New Jersey (NJ035)				
Somerset County, New Jersey (NJ035)				
Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI	
PeoB	Penn channery silt loam, 2 to 6 percent slopes	0.5	30.6%	
RehA	Reaville silt loam, 0 to 2 percent slopes	1.1	69.4%	
Totals for Area of Interest		1.6	100.0%	



Somerset County, New Jersey

RehA—Reaville silt loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1j535

Elevation: 300 to 1,000 feet

Mean annual precipitation: 30 to 64 inches

Mean annual air temperature: 46 to 79 degrees F

Frost-free period: 131 to 178 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Reaville and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Reaville

Setting

Landform: Interfluves

Down-slope shape: Convex

Across-slope shape: Linear

Parent material: Interbedded fine-grained fine-loamy residuum weathered from sandstone and siltstone and/or shale

Typical profile

A - 0 to 10 inches: silt loam

BA - 10 to 15 inches: channery silt loam

Bt - 15 to 22 inches: channery silt loam

C - 22 to 28 inches: very channery silt loam

R - 28 to 80 inches: weathered bedrock

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: 20 to 39 inches to lithic bedrock

Drainage class: Somewhat poorly drained

Runoff class: Very high

Capacity of the most limiting layer to transmit water

(Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: About 12 to 24 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: C

Ecological site: F148XY025PA - Moist, Triassic, Upland, Mixed

Oak - Hardwood - Conifer Forest

Hydric soil rating: No

Minor Components

Bucks

Percent of map unit: 4 percent

Landform: Hills

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Linear

Across-slope shape: Convex

Hydric soil rating: No

Readington

Percent of map unit: 4 percent

Landform: Hillsides

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Base slope

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: No

Reaville, poorly drained

Percent of map unit: 4 percent

Landform: Depressions

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Base slope

Down-slope shape: Concave

Across-slope shape: Concave

Hydric soil rating: Yes

Croton

Percent of map unit: 3 percent

Landform: Depressions

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Base slope

Down-slope shape: Concave

Across-slope shape: Concave

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Somerset County, New Jersey

Survey Area Data: Version 21, Aug 29, 2023