

*****ADOPTED OCTOBER 6, 2014*****

DELANCO TOWNSHIP

ORDINANCE 2014-10

**AUTHORIZING GRANT OF EASEMENT
ACROSS TOWNSHIP RIGHT OF WAY AT 430 DELAWARE AVENUE
TO PETER CANTON TO PERMIT
CONTINUED STEPS AND LANDING IMPROVEMENTS**

WHEREAS, Peter Canton (“Canton”) is the owner of 430 Delaware Avenue (the “Property”) and has obtained approval to reconstruct a one-and-a-half story bungalow from the Delanco Township Joint Land Use Board (the “Board”) subject to certain conditions; and

WHEREAS, the current structure has steps and a landing by the front door that extend in to the right-of-way (“ROW”) of Delaware Avenue; and

WHEREAS, Canton desires to continue to have a front door facing the street and to have the landing and steps remain or be reconstructed in their current location, and without an authorization by way of Easement from the Township, would have to move the entrance to the side of the structure; and

WHEREAS, the Board approved the application, but required Canton to seek a formal approval from the Township Committee by way of easement; and

WHEREAS, the Township Committee has reviewed this proposal and determined that there is a benefit to allowing the improvements to remain in the same location, that it is an existing condition that has created no harm or public safety concern over the years, and the moving of the front door on the structure to the side of the house would detract from the appearance of the bungalow and cause unnecessary hardship on Canton; and

WHEREAS, the Township Committee desires to authorize this Easement in accord with the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., which requires adoption of an Ordinance.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute the Easement to Canton in a form substantially similar to the form attached hereto, subject to final review and approval by the Township Attorney.

BE IT FURTHER ORDAINED that the Township Attorney and Township Clerk are hereby authorized to take such steps as necessary to ensure the filing of the within Easement with the office of the Burlington County Clerk.