RESOLUTION NO. R-77-2026

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK APPROVING THE SOIL AND FILL IMPORTATION AND PLACEMENT PERMIT FEE AND PERFORMANCE GUARANTEE ESTIMATE FOR SILVERGATE PROJECT (PHASE 3) AFFECTING THE PARCELS KNOWN AS BLOCK 55, LOT 5 ON THE OFFICIAL TAX MAP OF ELK TOWNSHIP, GLOUCESTER COUNTY, NEW JERSEY

WHEREAS, D.R. Horton, Inc. – New Jersey's subcontractor, Forestar (USA) Real Estate Group, Inc., has requested approval for certain soil and fill importation and placement for the Silvergate project (Phase 3) identified as Block 55, Lot 5 on the Official Elk Township Tax Map; and

WHEREAS, the Township Engineer has provided a Cost Estimate dated April 16, 2026, for the proposed soil and fill importation and placement and calculated Permit Fees, engineering escrow fees for the related work and improvements; and

WHEREAS, the Township Engineer, in its letter dated April 16, 2026, to the Township Clerk, attached hereto as "Exhibit A", recommends that the Applicant provide certain bond amounts for the soil and fill importation and placement and engineering escrow fees as follows:

A.	Soil and Fill Importation Performance Guarantee	$	330,000.00
B.	Permit Fee	$	33,000.00
C.	Engineering Inspection Escrow	$	5,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Elk as follows:

1. The Soil and Fill Importation and Placement Permit Fee Bond Estimate and escrow fees described herein are hereby approved and accepted, and the Township Clerk may hereby accept said inspection escrow and place same on account for the Applicant.

2. The approval granted herein is given and relies upon all representations made by the Applicant, including drawing, plans and other application materials filed in connection with this Applicant and those items specifically referred to upon receiving final approval by the Elk Township Combined Planning and Zoning Board of Adjustment. Should said representations and/or supporting documents by the Applicant prove erroneous, inaccurate, or otherwise misleading, the Township Committee reserves the right to revoke the approval granted herein and direct the Construction Official of Elk Township to issue stop work orders until such time as new, adequate Performance Guarantees are submitted to and approved by Committee after review by the Elk Township Combined Planning and Zoning Board of Adjustment Engineer and the Township Attorney.

3. The approval granted herein is further subject to and contingent upon the Applicant obtaining all necessary approvals from any governmental or other entity from whom approval is necessary for the development of the subdivision. No construction permits shall be issued until the Applicant delivers to the Construction Official of Elk Township a written list of approvals required by this paragraph. This list shall describe the nature of the approval required, from what Agency the approval is required and whether said approval has been obtained or an application is pending. Certified copies of approval obtained shall be attached to the list. In the event that approvals required in this paragraph have not been obtained, the Construction Official shall not issue any construction permits for the aforesaid project until such approvals have been obtained and certified copies of the approval delivered to Construction Official who shall attach said approvals to the list provided by the Applicant. In the event it is determined that approvals required pursuant

to this paragraph were not listed or not obtained by the Applicant, upon determining the need for said approvals, the Construction Official is hereby authorized to issue stop work orders until said necessary approvals have been obtained and certified copies delivered to the Construction Official as an accurate and comprehensive representation of those approvals.

4. The Township Clerk is hereby directed to forward a certified copy of this Resolution to the Applicant, the Elk Township Combined Planning and Zoning Board of Adjustment, the Elk Township Engineer, the Elk Township Treasurer and the Elk Township Construction Official.

ADOPTED at a Regular Meeting of the Elk Township Committee held April 21, 2026.

TOWNSHIP OF ELK

BY: _____
JAMES RAMBO, Mayor

ATTEST:

_____
TIMOTHY PINE, Acting Township Clerk

ROLL CALL VOTE				
COMMITTEE	**AYE**	**NAY**	**ABSTAIN**	**ABSENT**
Cammarata	✓			
Cowan				✓
Lucas				✓
Sammons	✓			
Rambo	✓			

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on April 21, 2026, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

_____
TIMOTHY PINE
Acting Clerk