

Ul. v. Cateret, Old Bridge 1983

- Land Development Ordinance (Exhibit "A")

pgs. 110

no pi.

CA000001T

Exhibit "A"

TOWNSHIP OF OLD BRIDGE  
LAND DEVELOPMENT ORDINANCE

Effective May 20, 1983

Amended by #12-83 - efi. 5/20/83  
#18-83 - eff. 9/30/83

Ri

CA000001T

53

TOWNSHIP OF OLD BRIDGE  
LAND DEVELOPMENT ORDINANCE

Effective May 20, 1983

Amended by #12-83 - eff. 5/20/83  
#18-83 - eff. 9/30/83

TABLE OF CONTENTS

CHAPTER XX

SECTION 1	TITLE . . . . .	2-1
SECTION 2	GENERAL PROVISIONS . . . . .	2-1
2-1	Purposes . . . . .	2-1
2-2	Growth Management . . . . .	2-1
2-3	Conformity . . . . .	2-2
2-4	Interpretation . . . . .	2-2
2-5	Severability of Provisions . . . . .	2-3
2-6	Certificate of Use and Occupancy . . . . .	2-3
2-7	Enforcement, Violations and Penalties . . . . .	2-3
2-8	Fees . . . . .	2-4
2-9	Administrative Officer . . . . .	2-6
2-10	Notices: Municipal Responsibility . . . . .	2-6
2-11	List of Property Owners Furnished . . . . .	2-6
2-12	Proof of Payment of Taxes . . . . .	2-6
2-13	Disclosure of Ownership of Corporations . . . . .	2-6
2-14	Hearings . . . . .	2-7
2-15	Appeals . . . . .	2-8
2-16	Waiver of Planning Requirements . . . . .	2-9
2-17	Design Flexibility . . . . .	2-9
2-18	Planning Board Membership . . . . .	2-10
2-19	Zoning Board Of Adjustment Membership . . . . .	2-10
2-20	Architectural Advisory Committee . . . . .	2-11
2-21	Shade Tree Commission . . . . .	2-11
2-22	Reservation for Public Use . . . . .	2-11
SECTION 3	DEFINITIONS . . . . .	3-1
SECTION 4	LAND USE PROVISIONS . . . . .	4-1
4-1	Establishment of Zones . . . . .	4-1
4-2	Zoning Map . . . . .	4-3
4-3	Schedule of Permitted Uses . . . . .	4-3
4-4	Special Standard for Certain Uses . . . . .	4-4
4-5	Schedule of Area, Height, Yard and Setback Requirements . . . . .	4-12

TABLE OF CONTENTS

SECTION 4-6	Room Sizes for Residential Dwellings . . . . .	4-15
4-7	Conditional Uses . . . . .	4-16
SECTION 5	NON-CONFORMING USES . . . . .	5-1
5-1	Continuance . . . . .	5-1
5-2	Abandonment . . . . .	5-1
5-3	Restoration . . . . .	5-1
5-4	Reversion . . . . .	5-1
5-5	Undersized Lots . . . . .	5-1
5-6	Reduction of Lot by Condemnation . . . . .	6-1
SECTION 6	VARIANCES . . . . .	6-1
6-1	Powers of Board of Adjustment . . . . .	6-1
6-2	Appeals and Applications to Board of Adjustments . . . . .	6-2
6-3	Time for Decision . . . . .	6-2
6-4	Time limitations on Variances . . . . .	6-2
SECTION 7	APPLICATION PROCEDURES . . . . .	7-1
7-1	Conditional Uses . . . . .	7-1
7-2	Variances . . . . .	7-1
7-3	Environmental Impact Reports . . . . .	7-1
7-4	Minor Subdivision Approval . . . . .	7-4
7-5	Major Subdivision Approval . . . . .	7-5
7-6	Site Development Plans . . . . .	7-13
7-7	Planned Development . . . . .	7-29
SECTION 8	PERFORMANCE AND MAINTENANCE GUARANTEES . . . . .	8-1
8-1	On-tract Improvements . . . . .	8-1
8-2	Off-tract Improvements . . . . .	8-3
8-3	Performance Guarantee . . . . .	8-5
8-4	Maintenance Guarantee . . . . .	9-1
8-5	Duplication . . . . .	9-1
8-6	Release . . . . .	9-1
8-7	Inspection . . . . .	9-1
SECTION 9	PLANNED DEVELOPMENTS . . . . .	9-1
9-1	Statement of Objectives . . . . .	9-1
9-2	Priority of Regulations . . . . .	9-2

TABLE OF CONTENTS

SECTION 9-3	Definitions . . . . .	9-2
9-4	Classes of Planned Developments . . . . .	9-2
9-5	Project Densities . . . . .	9-3
9-6	Permitted Land Uses . . . . .	9-7
9-7	Schedule of Area, Height, Setback and Subdivision Standards . . . . .	9-9
9-8	Open Space . . . . .	9-11
9-9	Traffic and Vehicular Circulation . . . . .	9-13
9-10	Staging Schedule of Non-residential Development . . . . .	9-14
SECTION 10	GENERAL DESIGN STANDARDS . . . . .	10-1
SECTION 11	STREET AND SIDEWALKS . . . . .	11-1
11-1	General Requirements . . . . .	11-1
11-2	Design Standards . . . . .	11-3
11-3	Sidewalks . . . . .	11-5
SECTION 12	PARKING AND LOADING . . . . .	12-1
12-1	General Provisions. . . . .	12-1
12-2	Parking Islands . . . . .	12-2
12-3	Number of Required Parking Spaces . . . . .	12-3
12-4	Loading Requirements . . . . .	13-1
SECTION 13	LAND DISTURBANCE . . . . .	13-1
13-1	Purpose . . . . .	13-1
13-2	Definitions . . . . .	13-2
13-3	Activities Requiring Permits . . . . .	13-3
13-4	Requirements for Approved Activity . . . . .	13-4
13-5	Waiver of Plans or Requirements . . . . .	13-5
SECTION 14	LANDSCAPING . . . . .	14-1
14-1	Purpose and Scope . . . . .	14-1
14-2	Definitions . . . . .	14-2
14-3	Requirements for Approved Landscaping Plan . . . . .	14-2
14-4	General Design Standards for all Developments . . . . .	14-3
14-5	General Design Standards for Residential Developments . . . . .	14-6
14-6	General Design Standards for Non-Residential Developments . . . . .	14-7

TABLE OF CONTENTS

SECTION 14-7	General Design Standards for Parking Lots . . . . .	14-8
14-8	General Design Standards for Stream Valley and other Water Features . . . . .	14-9
14-9	Suggested Trees and Shrubs for Special Purposes . . . . .	14-10
14-10	Top Soil . . . . .	15-1
SECTION 15	STORM DRAINAGE AND UTILITIES . . . . .	15-1
15-2	Dedication of Easements . . . . .	15-3
15-3	Aquifer Recharge . . . . .	15-4
15-4	Water Facilities . . . . .	15-5
15-5	Sewerage Facilities . . . . .	15-6
15-6	Utilities . . . . .	16-1
SECTION 16	SIGNS . . . . .	16-1
16-1	Scope and Applicability . . . . .	16-1
16-2	Governing Authority . . . . .	16-1
16-3	Definitions . . . . .	16-1
16-4	Exempt Signs in all Zones . . . . .	16-3
16-5	Permitted Signs in all Zones . . . . .	16-5
16-6	General Regulations and Restrictions . . . . .	16-10
16-7	Non-conforming Signs . . . . .	16-16
16-8	Administration . . . . .	16-16
SECTION 17	LIGHTING . . . . .	17-1
17-1	General Requirements . . . . .	17-1
17-2	Design Standards . . . . .	17-1
17-3	Specific Lighting Requirements . . . . .	18-1
SECTION 18	OPEN SPACE . . . . .	18-1
18-1	Organization for Common Ownership Required . . . . .	18-1
18-2	Deed Restrictions . . . . .	18-2
18-3	Rules for Organization . . . . .	18-3
18-4	Maintenance . . . . .	18-2
18-5	Failure to Maintain . . . . .	18-2
SECTION 19	HISTORIC SITES AND STRUCTURES . . . . .	19-1
19-1	Standards . . . . .	19-1
SECTION 20	EXEMPTIONS . . . . .	20-1

TABLE OF CONTENTS

SECTION 21	DISTRICT CHANGES AND ORDINANCE AMENDMENTS . . . . .	21-1
SECTION 22	VALIDITY OF ORDINANCE . . . . .	21-1
SECTION 23	REPEALER . . . . .	21-1
SECTION 24	EFFECTIVE DATE . . . . .	21-1

OLD BRIDGE TOWNSHIP  
ORDINANCE NO. 1-33

AN ORDINANCE AMENDING AND RESTRICTING TO SPECIFIED DISTRICTS OR ZONES THE USES OF LAND AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND THE NATURE AND EXTENT OF THEIR USE; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISION OF THE ORDINANCE ESTABLISHING A BOARD OF ADJUSTMENT; ESTABLISHING A PLANNING BOARD; FIXING PENALTIES FOR VIOLATIONS; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES AND BEING A SUBSTITUTE FOR CHAPTER XX OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OLD BRIDGE.

ABBREVIATIONS

A.I.S.C.	American Institute of Steel Construction
B & B	Balled and Burlapped
B.O.C.A.	Building Officials Conference of America
D.B.H.	Diameter Breast High
D.U.	Dwelling Units.
DU/Ac.	Dwelling Units per acre
GFA	Gross Floor Area
GPD	General Planned Development
M.L.U.L.	Municipal Land Use Law.
M.U.A.	Municipal Utility Authority (Old Bridge Water Authority).
N.J.S.A.	New Jersey Statutes as Amended.
O.C.	On Center
SF	Square Feet
S.M.S.A.	Standard Metropolitan Statistical Area
U.S.D.A.	United States Department of Agriculture
U.S.G.S.	United States Geodetic Service.

CHAPTER XX  
LAND DEVELOPMENT

SECTION 1            TITLE

This Chapter XX of the Revised General Ordinances of the Township of Old Bridge shall be known and may be cited as the Land Development Ordinance of the Township of Old Bridge.

SECTION 2            GENERAL PROVISIONS

2-1                    PURPOSES

The purpose of this Chapter shall be to provide rules, regulations and standards to guide land use and development in Old Bridge Township in order to promote the public health, safety, and general welfare, in accordance with the purpose set forth in N.J.S.A. 40:55D-1 et seq.

2-2                    GROWTH MANAGEMENT

It is the intent of the Land Development Ordinance to provide for land development in the Township of Old Bridge in an amount equal to the availability and capacity of public facilities and services which are necessary to protect public health and safety. Therefore, growth management policies of the Township of Old Bridge are as follows:

2-2.1                 Avoid Scattered Development

To provide for population increases in relation to a growth program in the Master Plan which provides for a moderate level of increase in the existing rural, semi-rural and suburban areas in different parts of the Township so as to avoid scattered development and premature construction of public facilities.

2-2.2                 Provide Adequate Public Facilities

To provide for adequate public facilities (transportation, circulation, education, recreation, etc) in the growth areas as set forth below consistent with the anticipated needs of a growing population:

- (a) The general area surrounding the Old Bridge Regional Hospital at Route 18 and Ferry Road.
- (b) The general area surrounding the intersection of Routes 9 and 516 (Old Bridge - Matawan Road) and incorporating the Town Center District.

- (c) The general area surrounding the proposed South Amboy Hospital Diagnostic Center, located at the former Nike Base near the intersection of Jake Brown Road and Route 9.

2-2.3 Densities Consistent with Surrounding Areas

To assure that residential densities are consistent with the character and density of surrounding developed areas, topography, adequacy of circulation and other community facilities, and the overall objective of providing for moderate population increase in the general areas outside of the designated growth centers.

2-2.4 Limit Growth Outside Growth Area

To achieve the desired ends of the growth management policies by limiting development which is dependent on public facilities outside of growth areas by a fixed number of permits per annum, in accordance with the Master Plan and Capital Improvement Program, unless it is otherwise determined that the Township has sufficient resources to accommodate land development over and above the growth rate throughout the entire Township.

2-3 CONFORMITY

No structure shall hereafter be erected and no existing structure shall be moved, structurally altered, added to, enlarged, or rebuilt, nor shall any land be designated, used or intended to be used for any purpose other than those included among the uses listed as Permitted Uses, Provisional Uses, Conditional Uses or Accessory Uses in each zone by Section 4-3 and 4-7. Nor shall any open space contiguous to any structure be encroached upon or reduced in any manner, except in conformity to the Area, Height and Setback requirements of Section 4-5. Any use or development of land not expressly permitted under this Land Development Ordinance is prohibited.

2-4 INTERPRETATION

In interpreting and applying the provisions of this Ordinance all such provisions shall be held to be the minimum standards and requirements for the promotion of the public safety, health, convenience and general welfare of the Township. In the event of conflict in the terminology of any section of this Ordinance, the more restrictive provision shall control, except for Section 9, Planned Developments, which sections shall supersede other sections of the Chapter. Where this Ordinance imposes a greater restriction upon the use of structures or land or upon the height of structures or requires larger open spaces or areas than are imposed or required by other Township Ordinances or easements, covenants or other agreements, the provisions of this Ordinance shall control.

2-5

SEVERABILITY OF PROVISIONS

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Ordinance which shall be deemed severable.

2-6

CERTIFICATE OF USE OF OCCUPANCY

As a condition to the commencement of a Use, after the erection, construction, reconstruction, alteration, conversion of a structure or the occupancy of any new structure or the reoccupancy of any existing structure, a Certificate of Use and Occupancy shall be issued and signed by the Construction Official that acknowledges that the structure and use complies with the provisions of this Ordinance or Variance therefrom.

2-7

ENFORCEMENT, VIOLATIONS AND PENALTIES

2-7:1

Enforcement

The provisions of this Ordinance and all rules, conditions and requirements adopted or specified pursuant thereto, shall be enforced literally by the Construction Official of the Township of Old Bridge.

2-7:2

General

For every violation of this Ordinance, the owner, contractor, architect, builder, general agent, tenant or other person or persons who commit, takes part in or assists in the violation of this Ordinance or who owns or maintains any structures in which any violation of this Ordinance shall exist, and in the case of a single family residence use who refuses to abate said violation within 5 days after written notice has been served upon him either by registered, certified or ordinary mail, or by personal service pursuant to rules 4:4-4 and 4:4-5 of the New Jersey Supreme Court, or which is otherwise consistent with due process, shall for each and every violation be subject to a fine of not more than \$500 or be imprisoned for a period not exceeding 30 days, or both. Each day that a violation continues after notice to abate such violation shall be considered a separate violation of this Ordinance. The remedies provided for herein shall be cumulative and shall be in addition to any other remedies provided by law.

2-7:3

Subdivision

In the case of the subdivision of land, if, before, Final Subdivision Approval has been granted, any person transfers or sells or agrees to transfer or sell, except pursuant to an agreement expressly conditioned on Final Subdivision Approval, as owner or agent, any land which forms a part of a subdivision for which approval is required by this Ordinance such person shall be subject to a penalty not to exceed \$1,000.00, and each lot transferred shall be deemed a separate violation. This penalty shall be in addition to any other remedies provided by law.

2-3

2-8 FEES (As Amended by Ord. #18-83)

2-8.1 Certificate of Use and Occupancy Permits

The fee for all certificates of use and occupancy shall be as set forth and promulgated by the Department of Code Enforcement.

2-8.2 Subdivision Fees

Each application for Subdivision Approval shall be accompanied by a processing fee, payable to the Township as follows:

(a) Residential

(i) Minor Subdivision or Major Subdivision, Preliminary Approval: \$250.00 plus \$20.00 for each lot included in the Subdivision.

(ii) Major Subdivision, Final Approval: \$250.00 plus \$15.00 for each lot included in the Subdivision.

(b) Non-Residential

(i) Minor Subdivision and Major Subdivision, Preliminary Approval: \$250.00 plus \$50.00 per acre for each acre of land included in the Subdivision.

(ii) Major Subdivision, Final Approval: \$250.00 plus \$25.00 per acre for each acre of land included in the Subdivision.

2-8:3 Variance Fees

Each appeal or application made to the Approving Board pursuant to N.J.S.A. 40:55D-70(a), (b), and (c) shall be accompanied by a fee of \$50.00 payable to the Township. An appeal made pursuant to N.J.S.A. 40:55D-70(d) shall be accompanied by a fee of \$150 payable to the Township.

2-8:4 Conditional Use Fee

Each application made to the Planning Board for approval of a conditional use shall be accompanied by a fee based upon the fee schedule for Site Development Plan Approval.

2-8:5 Site Development Plan Fees

Each application for Site Development Plan Approval shall be accompanied by a processing fee, payable to the Township, as follows:

(a) Residential

(i) Site Development Plan, Preliminary Approval: \$250.00 plus \$20.00 for each dwelling unit included in the Site Development Plan.

(ii) Site Development Plan, Final Approval: \$250.00 plus \$15.00 for each dwelling unit included in the Site Development Plan.

(b) Non-Residential

- (i) Site Development Plan, Preliminary Approval: \$250.00 plus \$50.00 per acre for each acre of land included in the Site Development Plan, plus one cent for each square foot of gross floor area incorporated in the building(s) subject of the Site Development Plan.
- (ii) Site Development Plan, Final Approval: \$250.00 plus \$25.00 per acre for each acre of land included in the Site Development Plan, plus one cent for each square foot of gross floor area incorporated in the building(s) subject of the Site Development Plan.

2-8:6 Planned Development Fees

All applications for Subdivision and Site Development Plan Approval on PD zoned lands shall be subject to the Subdivision and Site Development Plan processing fees set forth in Sections 2-8:2 and 2-8:5.

2-8:6.1 General Development Plan Option

If an applicant elects to file for General Development Plan Approval, such application shall be accompanied by a processing fee, payable to the Township, in the amount of Ten Dollars (\$10.00) for each dwelling unit included in the General Development Plan, and payment of such General Development Plan processing fee shall be in addition to all other processing fees as required by this ordinance.

2-8:7 Inspection Fees

No site plan or subdivision shall be executed by the appropriate officials until the applicant deposits a certified check or cash in the amount designated below to cover inspection of the required site improvements.

The amount of said inspection fee shall be based on the estimated improvement cost as indicated by the following schedule, and deposited with the Municipal Clerk.

- (a) Five percent of the amount of the Performance Guarantee estimate up to \$100,000. plus.
- (b) Four percent of the amount of the Performance Guarantee estimate between \$100,000 and \$500,000 plus
- (c) Three percent of the amount of the Performance Guarantee between \$500,000 and \$1,000,000 plus
- (d) Two percent of the amount of the Performance Guarantee over \$1,000,000.

2-9

ADMINISTRATIVE OFFICER

The Administrative Officer for purposes of the Ordinance shall mean the Township Planner. He shall receive all applications for development pursuant to this Ordinance and shall examine, declare complete, and file such applications and cause them to be administered and received, and shall collect all filing fees that may be payable to the Township under this Ordinance and shall render an account to the Township at the end of each calendar month and pay over to the Township Treasurer the total amount of fees collected.

2-10

RESPONSIBILITY FOR NOTICES

A brief notice of the decision rendered by the Approving Board at all Regular and Special meetings stating the nature of the action taken on all development applications shall be published in the official newspaper of Old Bridge Township by the Secretary of the Approving Board. The cost of said publication shall be borne by the Applicant.

2-11

LIST OF PROPERTY OWNERS FURNISHED

Pursuant to the provisions of N.J.S.A. 40:55D-12C, the Township Tax Assessor shall within seven (7) days after receipt of payment of a fee of \$10.00 make and certify a list from the current tax rolls a duplicate of names and addresses of owners to whom the applicant is required to give notice.

2-12

PROOF OF PAYMENT OF TAXES

Final Approval for any Subdivision, Site Plan or Planned Development shall not be granted unless the applicant for same submits proof with said application that no taxes or assessments for local improvements are delinquent on the property for which said Subdivision, Site Plan or Planned Development application is made.

2-13

DISCLOSURE OF OWNERSHIP OF CORPORATION

2-13.1

No land development application, which involves six (6) or more lots or more than twenty-five (25) multi-family dwelling units in either a Subdivision, Site Plan, Conditional Use, Variance or Planned Development, shall be granted approval unless the applicant, if it be a partnership or corporation, submits the names and addresses of all shareholders or individual partners owning at least ten per cent (10) of the interest in the partnership or corporation.

2-13.2

Any corporation or partnership which conceals the names of the shareholders owning ten percent (10) or more of the stock or individual partners owning a ten percent (10) or greater interest in the partnership are subject to a fine of \$1,000.00 to \$10,000.00 which shall be recovered in the name of the municipality.

2-14

HEARINGS

2-14:1

The Approving Board shall hold a hearing on each application for Preliminary Approval and Final Approval of a Major Subdivision or Site Development Plan, approval of a General Development Plan and Preliminary and Final Approval of a Planned Development, Use Variance and conditional use adoption, revision or amendment of the Master Plan.

2-14:2

The Approving Board shall make the rules governing such hearings. Any maps and documents for which approval is sought at a hearing shall be on file and available for public inspection at least 10 days before the date of the hearing during normal business hours in the office of the Administrative Officer. The applicant may produce other documents, records, or testimony at the hearing to substantiate or clarify or supplement the previously filed maps and documents.

2-14:3

The officer presiding at the hearing or such person as he may designate shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence, including witnesses and documents presented by the parties, and the provisions of the "County and Municipal Investigations Law," P.L. 1953, C. 38 (C. 2A:67A-1 et seq.) shall apply.

2-14:4

The testimony of all witnesses relating to an application for development shall be taken under oath or affirmation by the presiding officer, and the right of cross-examination shall be permitted to all interested parties through their attorneys, if represented, or directly, if not represented, subject to the discretion of the presiding officer and to reasonable limitations as to time and number of witnesses.

2-14:5

Technical rules of evidence shall not be applicable to the hearing, but the Approving Board may exclude irrelevant, immaterial or unduly repetitious evidence.

2-14:6

The Approving Board shall provide for the verbatim recording of the proceedings by either stenographer, mechanical or electronic means. The Approving Board shall furnish a transcript or duplicate recording in lieu thereof, on request to any interested party at his expense.

2-14:7

Each decision on any application for development shall be reduced to writing and shall include findings of facts and conclusions based thereon. Failure of a motion to approve application for development to receive the number of votes required for approval shall be deemed an action denying the application.

2-7

2-14:8 A copy of the decision shall be mailed by the Approving Board within 10 days of the date of decision to the applicant, or if represented then to his attorney, without separate charge, and to all who request a copy of the decision for a reasonable fee. A copy of the decision shall also be filed by the Approving Board in the office of the Administrative Officer. The decision available to any interested party for a reasonable fee and available for public inspection at his office during reasonable hours.

2-14:9 The period of time in which an appeal of the decision may be made to a court of competent jurisdiction shall run from the first publication of the decision.

2-14:10 Public notice by insertion in newspaper and by personal service to property owners on applications for development as required herein shall be given by the applicant at least 10 days prior to said hearing in conformity with the N.J.S.A. 40:55D-12.

2-15 APPEALS

2-15:1 Appeal Procedure

Any interested party may appeal to the Township Council any final decision of the Approving Board on any class of application for development. Said appeal shall be made within 10 days of the date of publication of the final decision of the Board from which the appeal was taken. The appeal shall be made by serving the Municipal Clerk in person or by certified mail with a notice of appeal specifying the grounds thereof and the name and address of the appellant and/or applicant and the name and address of his attorney, if represented. Such appeal shall be decided by the Township Council only upon the record established before the Board subject of the appeal.

2-15:2 Notice

Notice of the meeting to review the record below shall be given by the Township Council by personal service or certified mail to the appellant and/or applicant, to any interested party requesting said record and to the Board from which the appeal was taken at least ten (10) days prior to the date of the meeting. The parties may submit oral and written argument on the record at such meeting, and the Township Council shall provide for verbatim recording and transcripts of such meeting.

2-15:3 Transcript

The appellant shall, (1) within five days of services of the notice of appeal pursuant to Section 2-15:1 arrange for a transcript pursuant to Section 2-14:6 of this Ordinance for use by the governing body and pay a deposit of \$50.00 or the estimated cost of such transcription, whichever is less, or (2) within 35 days of service of the notice of appeal, submit a transcript as otherwise arranged to the Municipal Clerk; otherwise, the appeal may be dismissed for failure to prosecute.

2-15:4

Time of Decision

The Township Council shall conclude a review of the record below not later than 95 days from the date of publication of notice of the decision below unless the applicant and/or appellant consents in writing to an extension of such period. The appellant shall arrange for transcript at his expense for use by the Township Council. Failure of the Township Council to hold a hearing and conclude a review of the record below and to render a decision within the specified period, shall constitute a decision affirming the action of the Board.

2-15:5

Decision

The Township Council may reverse, remand or affirm, wholly or in any part, or may modify the final decision of the Approving Board. The affirmative vote of a majority of the full authorized membership of the Township Council shall be necessary to reverse, remand or modify any final action of either Board.

2-15:6

Notification

The Township Council shall mail a copy of the decision to the applicant and/or appellant, and, if represented, then to his attorney, without separate charge to any interested party who has requested a decision, not later than 10 days after the date of decision. A brief notice of the decision shall be published in the official newspaper of the Municipality to be arranged by the Township Clerk at the cost of the appellant.

2-16

WAIVER OF PLANNING REQUIREMENTS

The Approving Board when acting upon applications for Major or Minor Subdivision Approval or Site Development Plan Approval may grant such exceptions from the requirements for approval as it may deem reasonable and within the general purpose and intent of the provisions for subdivision review and approval or site plan review and approval only if the literal enforcement of one or more of such provisions are impractical or will exact undue hardship because of particular conditions pertaining to the land in question. The Approving Board shall include findings of fact and conclusions in the resolution with respect to a request for a Waiver of Planning Requirements.

2-17

DESIGN FLEXIBILITY

The Approving Board may, in order to encourage and promote flexibility, economy and environmental soundness in the layout and design of subdivision, vary lot areas and dimensions, and yards and setbacks otherwise required by Section 4-5 and/or Sections 9-7 and 9-7:2, provided that, the average lot areas and dimensions, yards and setbacks within the proposed subdivisions conforms to the norms of Section 4-5. The Approving Board shall include findings of fact and conclusions with respect to variations for design flexibility.

2-9

2-18 PLANNING BOARD MEMBERSHIP

2-18:1 A Planning Board is hereby established consisting of nine (9) members who shall serve for terms of not more than four (4) years; except upon the adoption of this Ordinance, the present members of the Planning Board now holding office shall continue therein until their present time expires.

2-18:2 The Class I Member shall be the Mayor; a Class II Member shall be one of the officials of the Township appointed by the Mayor; a Class III Member shall be a member of the Council appointed by it. Class IV Members shall be other citizens of the Township appointed by the Mayor.

2-18:3 There shall be appointed by the Mayor two (2) citizens of the Township to be Alternate Members of the Planning Board. These Alternate Members shall be designated at the time of appointment by the Mayor as Alternate #1 and Alternate #2. The terms of the Alternate Members shall be for two (2) years, except that the term of Alternate #2 member first appointed shall be initially for only one (1) year. A vacancy occurring other than on expiration of the term, shall be filled by the appointing authority for the unexpired term only.

2-18:4 No Member shall be permitted to act on any matter in which he has either directly or indirectly any personal or financial interest. A Member may, after public hearing if he requests one, be removed by the Township Council for cause.

2-18:5 Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an Alternate Member. In the event that a choice must be made as to which Alternate Member is to vote, Alternate #1 shall vote.

2-19 ZONING BOARD OF ADJUSTMENT MEMBERSHIP

2-19:1 A Zoning Board of Adjustment is hereby established, consisting of seven (7) members who shall be appointed by the Township Council and who shall serve for terms of not more than four (4) years; except upon the adoption of this chapter, the present members of the Zoning Board now holding office shall continue therein until their present time expires.

2-19:2 There shall be appointed by the Township Council two (2) citizens of the Township to be Alternate Members of the Zoning Board. These Alternate Members shall be designated at the time of appointment by Council as Alternate #1 and Alternate #2. The terms of the Alternate Members shall be for two (2) years, except that the term of Alternate #2 member first appointed shall be initially for only one (1) year. A vacancy occurring other than on expiration of term shall be filled by the Township Council for the unexpired term only.

- 2-19:3 No member shall be permitted to act on any matter in which he has either directly or indirectly any personal or financial interest. A member may, after public hearing if he requests one, be removed by the Township Council for cause.
- 2-19:4 Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate #1 shall vote.
- 2-20 ARCHITECTURAL ADVISORY COMMITTEE
- 2-20:1 The Mayor may establish an Architectural Advisory Committee to assist the Approving Board in its duties, with respect to the review and approval of all development with a view toward promoting a desirable visual environment through creative development techniques and good civic design and arrangements. The Planning Board or Zoning Board of Adjustment, as the case may be, may refer development applications to the Architectural Advisory Committee for their review and comment within the time limits otherwise permitted for the review of development applications.
- 2-20:2 The Architectural Advisory Committee shall consist of five (5) members appointed by the Mayor so that one term shall expire each year. All members shall serve without compensation and shall be specially qualified by reason of training or experience in architecture, land development, city planning, real estate, landscape architecture or other relevant business or profession, or by reason of civic interest and sound judgement to determine the effects of a proposed building on the desirability, property values and development of surrounding areas.
- 2-21 SHADE TREE COMMISSION
- 2-21:1 A Shade Tree Commission is hereby established consisting of the Township Planner, Township Engineer, the Director of Parks and Recreation, and a member of the Environmental Commission.
- 2-21:2 The Shade Tree Commission shall determine and make necessary arrangements to effect the planting of shade trees at the proper time and place in accordance with the regulations of this Ordinance.
- 2-22 RESERVATION FOR PUBLIC USE
- Any land shown on the Master Plan as intended for parks, playgrounds, school site or other public use, may at the option of the Approving Board, be designed and reserved for such use for a one year period. During said period, compensation equal to an option to purchase shall be made.

3-6

Approving Board

The term "Approving Board" as used here means either the Planning Board or Zoning Board of Adjustment, whichever Board has jurisdiction over the development application.

3-7

Basement/Cellar

Basement: That portion of a building which is partly below and partly above grade, and having one-half or more of its height above grade.

Cellar: That portion of a building which is partly or completely below grade and having at least one-half of its height below grade.

3-8

Building

Any structure used or intended for supporting or sheltering any use or occupancy.

3-9

Building Height

Building Height shall mean the vertical distance between the established median grade, and

- in the case of a flat roof, the highest point of the roof surface; or
- in the case of a mansard, gabled, hip or gambrel roof, at the median height of the roof.

3-10

Building Line

A line formed by the intersection of a horizontal plane at average grade level and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered or a projected section of a building, the vertical plane will coincide with the most projected surface.

3-11

Cluster Home

A Cluster Home is one of the series of detached, semi-detached and attached single family dwelling units, designed for conveyance either as a condominium or in fee simple, with private or semi-private patios.

3-12

Condominium

A Condominium is ownership of real proeprty combining ownership in fee simple of a dwelling unit and undivided ownership, in common with other purchasers of the common elements in the structure and including the land and its appurtenances.

3-13

Complete Application

An application is certified as complete by the Administrative Officer when it meets all of the submission requirements as specified in Section 20-8. When the application is certified complete, the time period commences for Board review.

3-2

SECTION 3

DEFINITIONS

3-1

Words and Phrases

The term "shall" indicates a mandatory requirement, and the term "may" indicates a permissive action. The word "lot" includes the word "plot". The word "structure" includes the word "building." The word "zone" includes the word "district." The word "occupied" includes the phrase "intended to be occupied." The word "use" includes the words "arrange," "designated," and the phrase "intended to be used."

3-2

Accessory Use or Building

A use or building, attached or detached, the purpose of which is incidental to that of the main use or building on the same lot.

3-3

Adult Community

A planned development designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population, usually above a minimum age of 45 years of age.

3-4

Adult Bookstores, Motion Picture Theater, Mini-Motion Picture Theater, Adult Cabarets

Adult Bookstores - An establishment having as a substantial or significant portion of its stock in trade books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities.

Adult Motion Picture Theater - An enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specific sexual activities.

Adult Mini-Motion Picture Theater - An enclosed building with a capacity for less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities.

Adult Cabaret - A cabaret which features go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.

3-5

Alterations

A change or rearrangement in the structural parts of existing structures, or an enlargement, whether by the extension of a side, or by an increase in height or by a move from one location or position to another.

- 3-14            Duplex (Dwelling Two-Family)  
A structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or by an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.
- 3-15            Dwelling, Semi-Detached  
A one-family dwelling attached to one other one-family dwelling by a common vertical wall with each dwelling located on a separate lot.
- 3-16            Dwelling Unit  
A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- 3-17            Dwelling, One Family  
A detached building designed for or occupied exclusively by one (1) family or household.
- 3-18            Dwelling, Two Family  
A building designed for or occupied exclusively by two (2) families or households living independently of each other.
- 3-19            Dwelling, Multi-Family  
A building designed for or occupied exclusively by three (3) or more families or households living independently of each other.
- 3-20            Easement  
A grant of one or more property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.
- 3-21            Elevation  
(1) A vertical distance above or below a fixed reference level; (2) A flat scale drawing of the front, rear or side of a building.
- 3-22            Exterior Wall  
Any wall which defines the exterior boundaries of a building or structure.
- 3-23            Family  
One or more persons occupying a dwelling unit and living as a single, non-profit housekeeping unit.

- 3-24            Farm  
Any parcel of land, three (3) acres or larger in size, which is used in the raising of agricultural products, livestock, poultry, or dairy products as a source of income.
- 3-25            Farm Building  
Any building used for the housing of agricultural equipment, produce, livestock, or poultry, or for the incidental or customary processing of farm produce; provided that such building is located on, operated in conjunction with, and necessary to, the operation of a farm.
- 3-26            Fee Simple  
Fee simple is ownership of real property combining ownership of a dwelling unit and the lands upon which it is situated.
- 3-27            Flag Lot  
A lot which may or may not front or abut a public or private road but where access to the public or private road is by a narrow private right-of-way, easement or fee simple ownership strip of land.
- 3-28            Flea Market  
An indoor or outdoor market at which new and second-hand merchandise is sold by individual vendors from booths, tables, stalls or parked vehicles.
- 3-29            Garage, Private  
A building or space used as an accessory to the main building which provides for the storage of motor vehicles, in which no occupation, business or service is conducted for profit.
- 3-30            Garage, Public  
A building or part thereof, other than a private garage used for the storage, care or repair of motor vehicles for profit, including the sale of motor vehicles, fuels, or accessories, or the hiring of same.
- 3-31            Gasoline Filling Stations  
Any area of land, including the structure thereon, that is used for the sale of gasoline or other vehicle fuel, oil, or lubricating substance, including the sale of motor vehicle accessories and facilities for polishing, greasing, washing, spraying, dry cleaning, repairing or otherwise cleaning or servicing such motor vehicles.

3-32

General Development Plan

An administrative procedure for planned developments in which the total concept of the PD (e.g. land use, circulation, utilities, etc.) is reviewed prior to submission of preliminary development and final subdivision and includes extending vesting of rights in the matter of dwelling units.

3-33

Golf Courses

Any area of fifty (50) or more acres containing a full size professional golf course, at least nine (9) holes in length, together with the necessary and usual accessory uses and structures such as, but not limited to: Club House Facilities; Dining and Refreshment Facilities; Swimming Pools; Tennis Courts and the like, provided that the operation of such facilities is incidental and subordinated to the operation of golf course.

3-34

Gradient

The degree of rise or descent of a sloping surface above or below a horizontal plane.

3-35

Grade Finished

The completed surfaces of lawns, walks and roads brought to grade as shown on official plans or designs relating thereto.

3-36

Gross Floor Area

The sum of the gross horizontal areas of the floor or several floors of an enclosed building measured between the inside face of exterior walls. Any cellar, basement, garage space, accessory building or porch, mechanical rooms, elevator, penthouses, etc. is not to be included in computing gross floor area.

3-37

Gross Leasable Area

The total floor area for which a tenant pays rent and which is designed for the tenant's occupancy and exclusive use.

3-38

Homeowners Association

A community association, other than a condominium association, which is organized in a development in which individual owners share common interests in open space or facilities.

3-39

Lot

A parcel of area of land, dimensions and extent of which are determined by the latest official records or by the latest approved map of a subdivision of which the lot is a part.

- 3-40            Lot Area  
An area of land which is determined by the limits of the lot lines bounding that area expressed in terms of square feet. Any portion of a lot included in a street, right-of-way shall not be included in calculating lot area.
- 3-41            Lot Corner  
A lot or parcel of land abutting upon two or more streets at their intersection.
- 3-42            Lot Coverage  
The percentage of the lot area which is covered by building area.
- 3-43            Lot Depth  
The shortest distance measured on a horizontal plane between the front lot line and a line drawn parallel to the front lot line through the midpoint of the rear lot line.
- 3-44            Lot Frontage  
A lot line or portion thereof which is co-existent with a street line. In the case of a street of undefined width, said lot line shall be assumed to parallel the centerline of the street at a distance twenty-five (2) therefrom. In the case of corner lots, the smaller of the two lot lines co-existent with street lines shall be considered as the frontage.
- 3-45            Lot, Traverse Frontage  
A through lot which is not accessible from one of the parallel or non-intersecting streets upon which it fronts.
- 3-46            Lot, Through  
A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.
- 3-47            Lot Interior  
A lot other than a corner lot.
- 3-48            Lot Width  
The horizontal distance between the side lot lines measured at right angles to its depth, at the building set back line.
- 3-49            Maisonette  
A multi-family housing type characterized by a back-to-back townhouse configuration and minimal size consistent with health, safety and welfare so that dwelling units can be marketed at least cost.

- 3-50            Median  
A value in an ordered set of values below and above which there are an equal numbers of values.
- 3-51            Mobile Home  
A structure of vehicular, portable design built on a chassis and designed to be moved from one site to another and to be used with or without a permanent foundation. Size shall be at least 8 feet in width and 32 feet in length.
- 3-52            Mobile Home Park  
A site with required improvements and utilities for the long-term parking of mobile homes which may include services and facilities for the residents.
- 3-53            Motel/Hotel  
A series of attached, semi-attached or detached dwelling units operated as a single business, containing individual sleeping or living units with bathrooms and closet space with or without kitchens, designed for or used to provide housing accommodations, for a consideration, to tourists, transients and travellers, and held out to the public as accommodations by the day, week or month.
- 3-54            Multiplex  
A group of 5 or more dwelling units combined into one structure by sharing 2 or more party walls or on top of one another, often arranged in clusters around parking courts or open space.
- 3-55            Municipal Building Facility and Use  
Any building used, or facility owned, operated, subsidized or otherwise assisted by act of the Township of Old Bridge.
- 3-56            Nursery School  
A school licensed by the State of New Jersey to provide daytime care or instruction for two (2) or more children from two (2) to five (5) years of age, inclusive, and operated on a regular basis.
- 3-57            Nursing, Rest, Convalescent Home  
A home for the aged, chronically ill or incurable who are housed or lodged and furnished with food and nursing care for compensation.
- 3-58            Occupancy  
The specific purpose for which land or a building is used, designed or maintained.

3-59

Open Space

Any parcel or area of land or water identified and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

3-60

Park and Ride Facility

A parking area designated as a transportation inter-modal transfer point/terminal, most frequently for transfer from private automobile to bus or other common carrier or public transportation.

3-61

Party Wall

A common shared wall between two separate structures, buildings, or dwelling units.

3-62

Patio Home

A single family detached housing type on a separate lot, characterized by a zero lot line configuration with little or no side yard setback on one boundary and outdoor living space (patios or courts) integrated into the building design.

3-63

Penny Arcades

Penny Arcade is herewith defined as an establishment with more than two coin operated amusement games, such as pinball machines, electronic games, coin operated bowling games and the like or more than one juke box. Establishments with less than the above are permitted as accessory uses in commercial establishments.

3-64

Planned Development

A planned unit (residential) development developed as a single entity according to a plan, which may contain one or more residential clusters or planned unit residential developments, open space and public or private community service uses, and non-residential development for the use of the residents or surrounding market area.

3-65

Principal Building

A building in which is conducted the main or principal use of the lot on which said building is situated.

3-66

Professional Office

The office of a member of a recognized profession, licensed by the State of New Jersey, including doctors, ministers, dentists, architects, professional engineers, lawyers and other similar professional occupations.

- 3-67      Public Sewer and/or Water System  
Any system, other than an individual septic tank, tile filed, or individual well, that is operated by the Municipality, government agency, homeowners' association, or a public utility for the collection, treatment and disposal of wastes and/or the furnishing of potable water.
- 3-68      Quadruplex  
Four (4) attached dwellings in one (1) structure in which each unit has two (2) exterior exposures and shares one (1) or two (2) walls with an adjoining unit or units.
- 3-69      Quasi-public  
A use owned or operated by a non-profit, religious or eleemosynary institution and providing educational, cultural, recreational, religious or similar types of public programs.
- 3-70      Residential Cluster  
An area to be developed as a single entity according to a plan and containing residential housing units which have open space as an appurtenance.
- 3-71      Restrictive Covenant  
A restriction on the use of land usually set forth in the deed and which is binding upon subsequent property owners.
- 3-72      Right-of-Way  
(1) A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, cross-walk, railroad, electric transmission lines, oil or gas pipeline, or water or sewer line or similar utility; (2) Generally, the right of one to pass over the property of another.
- 3-73      Setback  
The distance between street right-of-way line and the front line of a building or any projection thereof.
- 3-74      Sight Triangle  
A triangular shaped area of land established at street intersections in which nothing is permitted to be erected, placed, planted or allowed to grow in such a manner as to impair or obstruct the line of sight of motorists entering or leaving the intersection.
- 3-75      Sign  
Any device, structure or object for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, as set forth in Section 16.

- 3-76            Single Family Detached Dwelling (SFD)  
A dwelling which is designed for and occupied by not more than one family and surrounded by open space or yards and which is not attached to any other dwelling by any means.
- 3-77            Solar Access  
A property owner's right to have the sunlight shine on his land.
- 3-78            Story  
That part of a building between the surface of any floor and the next floor above it. A "split-level" story shall be considered a second story if its floor level is six (6) feet or more above the level of the line of the finished floor next below it except a basement and floor under a sloping roof at the top of a building which is more than two (2) feet below the top plate shall be counted as a story.
- 3-79            Street, Public  
A public thoroughfare which has been or will be dedicated to the public for public use and which has been improved and can be accepted in accordance with Township Ordinances.
- 3-80            Street, Private  
A vehicular way or thoroughfare which is not dedicated for public use for the service of residential development.
- 3-81            Street Line  
The line determining the limit of the highway rights of the public whether existing or contemplated. Where a definite right-of-way width has not been established, the street line shall be assumed to be at a point thirty (30) feet from the center line of the existing pavement or surface.
- 3-82            Structure, Permanent  
A combination of materials to form a construction for occupancy, use or ornamentation that is safe and stable and includes among other things; stadiums, platforms, radio towers, sheds, storage bins, swimming pools.
- 3-83            Temporary Structure  
A structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased.

3-84

Townhouse Dwelling Unit

A townhouse dwelling unit is one of the series of contiguous single family dwelling units, designed for conveyance either as a condominium or in fee simple, attached (on either both sides or one side depending upon whether the unit is an interior unit or whether the unit is at the end of a townhouse dwelling structure, thereby having one common and one exterior wall), with private or semi-private front and rear yard areas.

3-85

Townhouse Dwelling Structure

A townhouse dwelling structure is a building or structure containing three or more townhouse dwelling units.

3-86

Trailer

A structure standing on wheels, towed or hauled by another vehicle and used for short-term human occupancy, carrying materials, goods or objects, or as a temporary office.

3-87

Trip

A single or one-way vehicle movement either to or from a subject property or study area.

3-88

Trip Generation

The total of trips produced by a specific land use or activity.

3-89

Triplex

A housing type in which three (3) dwelling units each has direct access to the outside, often designed to resemble a large single family structure from the exterior.

3-90

Use

The specific purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

3-91

Utility

(1) Any agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage collection, or other similar service; (2) A closely regulated private enterprise with an exclusive franchise for providing a public service.

3-92

Vacancy

Any unoccupied land, structure or part thereof which is available and suitable for occupancy.

3-93

Yard, Front

An open, unoccupied space on the same lot with the principal building extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of that lot.

3-94

Yard, Rear

A yard extending across the full width of the lot and lying between the rear line of the lot and nearest line of any building. The depth of a rear yard shall be measured at right angles to the rear line of the lot, or if the lot is not rectangular, then in the general direction of its side building lines.

3-95

Yard, Side

An open, unoccupied space between the side line of the lot and the nearest line of a building and extending from the front yard to the rear yard, or in the absence of either of such yards, to the street or rear lot lines as the case may be. The width of a side yard will be measured at right angles to the side line of the lot.

3-96

Aquifer

An underground bed or stratum of earth, gravel or porous stone that contains water.

3-97

Underground Water

The supply of fresh water under the earth's surface in an aquifer or soil that forms a natural reservoir.

3-12

SECTION 4

LAND USE PROVISIONS

4-1

ESTABLISHMENT OF ZONES

For the purpose of this Chapter, the Township of Old Bridge is hereby divided into the following zoning districts:

WS

Wetlands and Watershed Protection Zone

The purpose of this zone is to preserve and protect the ground water table and water recharge areas for water supply purposes, protection of the ecological system, and to protect the health and safety of the occupants of lands subject to seasonal or periodic flooding.

The Wetlands and Watershed Protection Zoning District is based upon the geomorphic flood plain as defined by the Natural Resources Inventory, Township of Old Bridge Environmental Commission, December 1975. The burden of proof rests upon the applicant to otherwise define said Zoning District line as it may affect the applicant's property by independent hydrological studies in accordance with the criteria of the New Jersey Department of Environmental Protection, and submitting same to the Approving Board with the respective Land Development Application.

PD

Planned Development Zone

The purpose of this zone is to protect significant environmental features and enhance the character of Old Bridge Township by promoting flexibility, economy and creativity in site design, preserve open space, and provide, where feasible, non-residential development for job creation.

PD/CR  
PD/SD

Planned Development/Regional Commercial/Special Development Zone.

The purpose of this zone is to insure the development of these lands exclusively for commercial, office and/or industrial uses, but within the framework of a planned development; it is an underlying use of the PD zone.

R40/20

Single-Family Residential Zone

The purpose of this zone is to encourage the development of single family detached homes at a low density; it is an underlying use of the PD zone.

R-20

Single-Family Residential Zone

The purpose of this zone is to designate specific areas to allow detached single family homes in areas where this pattern has been firmly established.

- R-15            Single-Family Residential Zone  
The purpose of this zone is to designate specific areas to allow detached single family homes in areas where this pattern has been firmly established.
- R-7            Single-Family Residential Zone  
The purpose of this zone is to designate specific areas to allow detached single family homes in areas where this pattern has been firmly established.
- A-F            Apartment-Family Residential Zone  
The purpose of this zone is to designate specific areas to allow for the development of multiplexes in areas where this pattern has been firmly established.
- A-R            Apartment Retirement Residential Zone  
The purpose of this zone is to designate specific areas to allow for the development of multiplexes or townhouses specifically designed for the needs of senior citizens.
- C-N            Neighborhood Commercial Zone  
The purpose of this zone is to establish areas which will provide convenient shopping for the general neighborhoods in which they are located. The lot areas and permitted uses are intended to be small in size at operating scale to serve the needs of the immediate neighborhood conveniently without attracting regional traffic.
- C-C            Community Commercial Zone  
The purpose of this zone is to establish areas which will provide a greater variety of retail business and personal services for an area embracing several neighborhoods.
- C-M            Marine Commercial Zone  
The purpose of this zone is to provide an opportunity for the continued development of Marine and Resort activities in unique areas which have direct access to navigable waterways.
- C-R            Regional Commercial Shopping Zone  
The purpose of this zone is to establish several locations within the Township within which major shopping centers are permitted providing the full array of retail and service uses designed to serve all residents of the Township as well as regional population.

O-G

General Office Zone

The purpose of this zone is to provide development opportunities for establishments primarily engaged in rendering a wide variety of services to individuals and business establishments to serve residents of the entire Township as well as the regional population.

S-D

Special Development Zone

The purpose of this zone is to establish several areas which will provide new development opportunities for large scale service and light manufacturing uses with appropriate supporting facilities. The lot areas and permitted uses are intended to serve the needs of the Township as well as the regional population.

TCD

Town Center Design Zone

The purpose of this unique zone is to encourage the development of a Town Centre in conjunction with the Municipal Complex. A planned mixture of residential, commercial and related uses are permitted in specific areas, in order to create concentration of land use activities which will complement and enhance the new Municipal Complex.

TH

Townhouse Zone

The purpose of this zone is to establish locations within the Township for the exclusive development of townhouses, patio homes or cluster homes.

4-2

ZONING MAP

Zoning districts shall conform to the zoning map known and designated as "Zoning Map of the Township of Old Bridge, Middlesex County", which is hereby declared to be incorporated herein. Zone boundary lines are commonly intended to follow the center line of streets, railroad right-of-ways, streams, and lot or property lines on plots of record at the time of the passage of this Section.

4-3

SCHEDULE OF PERMITTED USES

The "Schedule of Permitted Uses" attached hereto is hereby declared to be expressly incorporated herein and made part of this Ordinance.

4-3:1

Any Use which is not expressly permitted as a Primary, Provisional, Conditional, or Accessory Use, as set forth herein, is prohibited. The term Provisional means a permitted primary use in conjunction with a Planned Development.

The categories and respective code numbers refer to the "Classification of Land Use Manual," copies of which are available for inspection at the Office of the Township Clerk, Department of Code Enforcement and the Department of Planning and Development.

4-4

SPECIAL STANDARDS FOR CERTAIN USES

Certain permitted Primary and Accessory Uses are subject to specific standards as hereinafter set forth.

4-4:1

Town Centre Design Zone

4-4:1.1

Permitted Uses:

The following Uses are permitted in the TCD Zone within the sub areas indicated on the Zoning Map of Old Bridge Township.

<u>TCD Area</u>	<u>Permitted Uses</u>
Area A	Retail trade as noted in Section 4-3.
Area B	Services as noted in Section 4-3. Cultural, Entertainment and Recreational as noted in Section 4-3.
Area C	Multiple family dwellings as noted in Section 4-4:1.3.2 Single-family dwellings as a planned development only.
Area D	Civic use only.

4-4:1.2

General Design Standards:

(a)

In order to encourage good civic design and arrangements, the Approving Board shall evaluate all development proposals in the TCD District for evidence of a design concept which embodies the purposes for which this District is created in relation to the following factors:

- (1) The three-dimensional relations of structures and their vicinities to the roads, the nearby structures, and the open space created between them.
- (2) The presence of open space of adequate size and interesting spatial sequence presented to the pedestrian.
- (3) The landscaped treatment of both the open spaces and the path of circulation.
- (4) The locations of buildings on their lots;
- (5) The arrangement of trees, lawns, shrubs, driveways and paths.

For all of the commercial buildings in the District, the following design factors shall be reviewed by the Approving Board for compatibility with the purposes for which this District is established:

























4.3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC. REGULATIONS	WS	PD I	PD II	R20/40	R20	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TC	SD
44 - MARINE CRAFT TRANSPORTATION		X											X					
45 - HIGHWAY & STREET RIGHT OF WAY		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
46 - AUTOMOBILE PARKING																		
4601 - No Fee Parking Lots & Garages	Section 9		P	P								X	X		X	X		X
4602 - Commercial Parking Lots & Garages	Section 9		P	P								X	X		X	X		X
4603 - Long Term Storage (Autos, Boats, Trailers, Etc.)	Section 9		P	P								X	X		X	X		X
47 - COMMUNICATIONS																		
471 - Telephone Communication	4-7:1		C	C	C	C	C	C	C	C	C	X	X	X	X	X	C	X
472 - Telegraph Communication	4-7:1		C	C	C	C	C	C	C	C	C	X	X	X	X	X	C	X
473 - Radio Communication	Section 9		P	P								X				X	X	X
474 - Television Communication	Section 9		P	P								X				X	X	X
475 - Radio & TV Communication (Combined)	Section 9		P	P								X				X	X	X
476 - Recording & Sound Studios	Section 9		P	P								X				X	X	X
479 - Other Communications, NEC	Section 9		P	P								X				X	X	X



4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20 40	R20	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TCD	SD
			I	II														
5-NAME, SIGN & RETAIL TRADE																		
51-WHOLESALE TRADE																		
511-Motor Vehicles and Automotive Equipment	Section 9 & 4-4.5.2			P											X	X		X
512-Drugs, Chemical & Allied Products	Section 9			P														X
513-Dry Goods & Apparel	Section 9			P														X
514-Groceries & Related Products	Section 9			P														X
515-Farm Products	Section 9			P														X
516-Electrical Goods	Section 9			P														X
517-Hardware, Plumbing, Heating Equipment & Supplies	Section 9			P														X
518-Machinery, Equipment & Supplies	Section 9			P														X
519-Misc. Wholesale Trade, Except 5191, 5192 & 5193	Section 9			P														X
52-Retail Trade																		
521-Lumber & Other Bldg. Materials	Section 9		P	P										X	X	X		
522-Heating & Plumbing Equipment	Section 9		P	P										X	X	X	X	
523-Paint, Glass & Wallpaper	Section 9		P	P										X	X	X	X	
524-Elec. Supplies, Except Appliances	Section 9		P	P										X	X	X	X	
525-Hardware & Supplies	Section 5		P	P										X	X	X	X	

4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20/40	R20	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	tcd	SD
			I	II														
<b>53-RETAIL GENERAL MERCHANDISE</b>																		
531-Department Stores	Section 9		P	P											X	X	X	
532-Mail Order Houses	Section 9		P	P										X	X	X	X	
533-Variety Stores	Section 9		P	P										X	X	X	X	
536-Flea Markets	Section 9																	
539-Other General Merchandise	Section 9		P	P										X	X	X	X	
<b>54-RETAIL FOOD</b>																		
541-Grocery Stores	Section 9		P	P										X	X	X	X	
542-Meats & Fish	Section 9		P	P										X	X	X	X	
543-Fruits & Vegetables	Section 9		P	P										X	X	X	X	
544-Candy, Nut & Confectionery	Section 9		P	P										X	X	X	X	
545-Icery Products	Section 9		P	P										X	X	X	X	
546-Bakeries	Section 9		P	P										X	X	X	X	
549-Other Retail Food, Etc.	Section 9		P	P										X	X	X	X	







4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD I	PD II	R20/40	R20	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TC	SD	PERMITTED USES		
																			P	X	
0-MISCELLANEOUS RETAIL TRADE																					
501--Drugs & Proprietary	Section 9 & 4-4:5.1		P	P									A	X	X	X	X				
502--Liquor Package	Section 9.		P	P										X	X	X	X				
503--Antiques & Second Hand Merchandise																					
5031--Antiques	Section 9		P	P										X	X	X	X				
5032--Secondhand Clothing & Shoe Stores														X							
5033--Secondhand Furniture														X							
5034--Secondhand Bookstores														X							
5035--Secondhand Auto Parts																					
5036--Thrift Stores, Gen. Secondhand Merchandise														X	X						
5037--Stamp & Coin Collectors, Supplies, Etc.	Section 9		P	P										X	X	X	X				
5038--Junk & Salvage Dealers																					
5039--Secondhand Stores, Nec.																					
504--Books, Stationary, Art & Hobby Supplies	Section 9		P	P										X	X	X	X				
505--Sporting Goods, Bicycles & Toys	Section 9		P	P										X	X	X	X				
506--Farm and Garden Supplies	Section 9			P											X	X					
507--Jewelry	Section 9		P	P										X	X	X	X				
508--Fuel & Ice																					X
509--Misc. Retail Trade, Nec.	Section 9		P	P										X	X	X	X				

4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20/40	R20	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TCD	SD
			I	II														
6 - SERVICES																		
61-Finance, Insurance and Real Estate Functions																		
611-Banking & Bank Related Functions	Section 9		P	P								X	X	X	X	X	X	X
612-Credit Services (Other than banks)	Section 9		P	P								X	X	X	X	X	X	X
613-Security & Commodity Brokers, Dealers, Exchanges and Services	Section 9		P	P								X	X	X	X	X	X	X
614-Insurance Carriers, Agents, Brokers & Services																		
6141-Insurance Carriers	Section 9		P	P								X		X	X	X	X	X
6142-Insurance Agents	Section 9		P	P								X	X	X	X	X	X	X
6143-Hospital & Medical Service Organizations	Section 9		P	P								X		X	X	X	X	X
615-Real Estate & Related Services	Section 9		P	P								X	X	X	X	X	X	X
616-Holding & Investment Services	Section 9		P	P								X	X	X	X	X	X	X
619-Other Finance, Insurance & Real Estate Serv. (Nec)	Section 9		P	P								X	X	X	X	X	X	X



4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20 40	R20 R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TC	SD
			I	II													
629-PERSONAL SERVICES, NEC																	
6291-Clothing Rental	Section 9		P	P									X	X	X	X	
6292-Costume Rental	Section 9		P	P									X	X	X	X	
6293-Porter Services	Section 9		P	P						X		X	X	X	X	X	
6294-Escort Services																	
6295-Tattooing																	
6296-Massage Parlors, Steam & Sauna Baths																	
6299-Other Personal Services, (NEC)	Section 9		P	P									X	X	X	X	
63-BUSINESS SERVICES																	
631-Advertising Services																	
6311-Advertising Services	Section 9		P	P						X		X	X	X	X	X	
6312 through 6316-Other Advertising Services																	X
6317-Sign Painting	Section 9		P	P									X	X	X		X
632- CONSUMER & MERCANTILE CREDIT REPORTING SERVICES, ADJUSTMENT AND COLLECTION AGENCIES	Section 9		P	P						X		X	X	X	X	X	X



4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20 40	R2Q	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TCD	SD
			I	II														
638-AUTOM SERVICES	Section 9			P										X				
639-BUSINESS SERVICES																		
6391-Commercial Testing Labs	Section 9		P	P							X		X	X	X	X	X	X
6392-Messenger Services	Section 9		P	P							X		X	X	X	X	X	X
6393-Detective and Protective Services	Section 9		P	P							X		X	X	X	X	X	X
6394-Equipment Rental & Leasing Services	Section 9			P														X
6397-Automobile, Truck & Trailer Rentals w/o Drivers	Section 9			P									X					X
6399-Other Business Services	Section 9		P	P							X		X	X	X	X	X	X
64-REPAIR SERVICES																		
641-Auto Repair & Related Services																		
6411-Auto Repair	Section 9 & 4-7:4		P-C	P-C									C	C	C	C		C
6413-Auto Paint Shops	Section 9 & 4-7:4		P-C	P-C									C	C	C	C		C
6414-Seat Covers & Auto Tops	Section 9		P	P									X	X	X			
6415-Motorcycle, Motorscooter & Bicycle Repair	Section 9		P	P									X	X	X			
6416-Auto Washing, Polishing	Section 9			P									X	X				
6417-Auto Washing, Self Service	Section 9			P									X	X				
6418-Auto Glass Installation & Service	Section 9		P	P									X	X	X			
6419-Other Auto Services	Section 9 & 4-7:4		P-C	P-C									C	C	C	C		C

4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20 40	R20 115	R7	AF	AR	TH	OG	CM	CN	CC	CR	TCD	SD
			I	II													
647-ELECTRIC APPLIANCE REPAIR & SERVICES	Section 9		P	P									X	X	X		X
649-REPAIR SHOPS & RELATED SERVICES, NEC																	
6491-Machine Shops	Section 9			P													X
6492-Welding Services	Section 9			P													X
6493-Watch Clock & Jewelry Repair	Section 9		P	P								X	X	X	X		
6494-Upholstery & Furniture Repair	Section 9		P	P								X	X	X			
6495-Armature Rewinding & Motor Repair	Section 9			P													X
6496-Locksmiths & Key Shops	Section 9		P	P								X	X	X	X		
6497-Gunsmiths	Section 9		P	P								X	X	X	X		
6498-Tool Sharpening & Repair (Saws, Hammers, Etc.)	Section 9			P								X	X	X			X
6499-Other Repair Services, NEC	Section 9		P	P								X	X	X	X		

4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20/40	R20	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TCD	SD
			I	II														
65-PROFESSIONAL SERVICES																		
651-Medical & Other Health Services																		
6511-Physicians Offices, Medical Centers	Section 9 & 4-4:6.2		P	P	A	A	A	A				X	X	X	X	X	X	X
6512-Dental Offices & Services	Section 9 & 4-4:6.2		P	P	A	A	A	A				X	X	X	X	X	X	X
6513-Hospitals	4-4:6.2			P-C														X
6514-Medical Lab Services (No Manufacturing)	Section 9		P	P								X	X	X	X			X
6515-Dental Lab Services	Section 9		P	P								X	X	X	X			X
6516-Sanitariums Convalescents & Rest Homes	Section 9 & 4-4:6.2		P-C	P-C	C	C	C	C	C	C	C							X
6517-Medical Clinics	Section 9		P	P								X	X	X	X			X
6518-Blood Banks	Section 9		P	P								X	X	X	X			X
6519-Other Medical & Health Services, NEC	Section 9 & 4-4:6.2		P	P	A	A	A	A				X	X	X	X			X
65191-Special Clinics (Drugs, Methadone, Alcohol, Etc.)	4-4:9																	X
652-LEGAL SERVICES																		
653-ENGINEERING, ARCHITECTURAL & PLANNING SERVICES	Section 9 & 4-4:6.2		P	P	A	A	A	A				X	X	X	X	X	X	X
654-RESEARCH SERVICES	Section 9		P	P								X	X	X	X			X
655-DATA PROCESSING SERVICES	Section 9		P	P								X	X	X	X			X





4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20/40	R20	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TC	SD
			I	II														
67-GOVERNMENTAL SERVICES (ALL LEVELS) EXCEPT 674 (PRISONS & OTHER CORRECTIONAL FACILITIES)			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
68-EDUCATIONAL SERVICES																		
681-Nursery, Primary & Secondary Education																		
6811-Kindergarten Schools	Section 9		P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X
6812-Elementary Schools	Section 9		P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X
6813-Jr. High School & Middle Schools	Section 9		P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X
6814-Sr. High Schools	Section 9		P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X
6815-Day Care & Child Care Centers	Section 9		P	P							X		X	X	X	X	X	X
6816-Denominational & Sectarian Schools	Section 9 & 4-16.1		P	P	A	A	A	A	A	A	A	A	A	A	A	A	A	A
6817-Schools for the Handicapped	Section 9		P	P							X	X	X	X	X	X	X	X
6819-Military Academies	Section 9		P	P							X						I	X
682-Universities, Colleges, Jr. College & Professional School Education	Section 9		P	P								X				X	X	X
683-Special Training & Schooling																		
6831-Vocational & Trade Schools	Section 9		P	P								X				X	X	X
6832-6839-Other Schools, NEC	Section 9		P	P								X	X	X	X	X	X	X



4-3 SCHEDULE OF PERMITTED USES

P-PROVISIONAL USE  
X-PERMITTED PRIMARY USE

C-PERMITTED CONDITIONAL USE  
A-PERMITTED ACCESSORY USE

TYPE OF USE	REF TO SPEC REGULATIONS	WS	PD		R20/40	R20	R15	R7	AF	AR	TH	OG	CM	CN	CC	CR	TCD	SD
			I	II														
<b>7-CULTURAL ENTERTAINMENT &amp; RECREATIONAL</b>																		
<b>71-Cultural Activities &amp; Nature Exhibitions</b>																		
711-Cultural Activities	Section 9			P												X	X	X
712-Nature Exhibitions	Section 9			P												X	X	X
719-Misc. Other Cultural & Nature Exhib.	Section 9			P												X	X	X
<b>72-Public Assembly</b>																		
<b>721-Entertainment Assembly</b>																		
7212-Motion Picture Theaters (Indoors)	Section 9		P	P											X	X	X	
7213-Drive In Movies																		
7214/7219-Legit. Theaters & Other Misc.	Section 9		P	P											X	X	X	
<b>722-Sports Assembly</b>																		
7221/7222-Stadiums & Arenas	4-7:5																	C
7224-Race Tracks (auto)	4-7:5																	C
7229-Other Sport Assembly	4-7:5																	C
723-Misc. Public Assembly	Section 9		P	P											X	X	X	X













4-4:1.2  
(cont'd)

- (1) Height: which shall be generally uniform for all commercial buildings in the area.
- (2) Facade treatment: including materials, colors and patterning.
- (3) Signs: including material, colors and patterning.
- (4) Roofs: including adequate screening, for air conditioners, water towers or other roof structures which shall not be visible from the Route 516 Cottrell intersection.
- (5) Landscaping: which shall include treatment of areas in such a manner as to promote a desirable visual environment in conformity with the purpose of this Section.

4-4:1.3 Specific Development Standards.

4-4:1.3.1 Non-Residential Units

- (a) Area, height and setback provisions for non-residential uses and structures shall be subject only to the General Design Standards set forth in Section 4-4:1.2 except for the requirement that no structure shall be located within 50 feet of the right-of-way of Cottrell Road and Route 516.
- (b) All of the Standards for Performance and Design set forth in Section 10-19 shall apply.

4-4:1.3.2 Residential Uses

Residential densities for multi-family development shall be in conformance with the following schedule:

Low Density 3 DU/ACRE

Single Family Detached  
Single Family Detached Cluster  
Patio Homes

Low Medium Density 6 DU/ACRE

Single Family Detached  
Single Family Detached Cluster  
Patio Homes  
Duplexes  
Triplexes  
Quadruplex  
Townhouses  
Multiplexes

All applicable standards pertaining to the aforementioned uses set forth in Section 9-7 shall apply.

4-4:1.4 Application Procedures:

All applications for development in this zone shall conform to and meet the standards and procedures for either Subdivision or Site Development Plan Approval, whichever is applicable.

4-4:2 Alternative Development for Detached Single Family Dwellings

As an alternative to Planned Development in the PD zone and for conventional development in the R40/20 zone, following standards shall apply:

4-4:2.1 If the applicant elects to provide public sewerage and public water to a tract of land, the lot size shall be a minimum of 20,000 square feet.

4-4:2.2 If the applicant elects to provide on-site sewerage disposal systems and/or on-site wells, the lot size shall be a minimum of 40,000 square feet.

4-4:2.3 The requirements for the R-20 zone in Section 4-5 shall prevail for either of the aforementioned alternatives.

4-4:3 Mini Clusters

As an alternative to Planned Development in the PD zone, tracts of land between five (5) acres and twenty-five (25) acres provided that the tract was a lot of record noted on the tax maps of the Township of Old Bridge, as of July 10, 1978, may be developed as mini-residential clusters subject to the following standards

4-4:3.1 Permitted Uses:

Single Family Detached Dwellings.

4-4:3.2 Area, Height, and Setback:

- (a) Lot Size - 7,500 square feet minimum  
12,000 square feet average  
10,000 square foot median
- (b) Frontage - 75 feet minimum, 80 feet average.
- (c) Front yard setback = minimum 20 feet; average 30 feet.
- (d) Sidiyard setback: 15 feet - one yard; 30 feet - two yards.
- (e) Rear yard: 30 feet
- (f) Lot coverage: 15 percent.
- (g) Maximum height: 2½ stories or 30 feet.

4-4:4 Townhouse Zone

4-4:4.1 Permitted Uses:

Single Family Detached Dwellings  
Patio Homes  
Triplexes  
Quadruplexes  
Townhouses

4-4:4.2 Specific Development Standards

4-4:4.2.1 Densities

The maximum permitted densities for the permitted dwelling types shall be six (6) dwelling units per acre.

4-4:4.2.2 Design Standards and Bulk Requirements

All of the standards for Performance and Design set forth in Sections 10 through 19 shall apply, as well as the appropriate standards dealing with the aforementioned Uses in Section 9-7.

4-4:4.2.3 Application Procedures

All applications for development in the Townhouse Zone shall conform to and meet the standards and procedures for either Subdivision or Site Development Plan approval, whichever the case may be.

4-4:5 Duplex (Two Family)

The minimum lot area for duplexes (two family) shall be increased to fifteen thousand (15,000) square feet and its minimum frontage to one hundred and fifty (150) feet in the R-7 zone.

4-4:6 Trade, Wholesale and Retail

4-4:6.1 Pharmacies:

Pharmacies and sale of convalescent equipment and supplies in the O-G Zone may only include the preparation and dispensing of medicines and drugs and the sale or rental of bandages, wheelchairs, related medical equipment and supplies; and only in conjunction with a medical arts building and offices for at least twelve (12) doctors, dentists and other medical professions.

4-4:6.2 Restaurants:

Restaurants and non auto-oriented short order places in the O-G Zone, are permitted only where food and refreshments are served by means of table or counter service and are consumed indoors within the confines of a building or structure in which seventy-five (75%) of the buildings' rentable space is for occupancy by a Primary Use.

4-4:6.3 Automobile Agencies:

Motor Vehicle Sales or leasing facilities permitted in the PD-II, S-D, C-C and C-R zones shall be housed in a building having a floor area of not less than 10,000 square feet.

4-4:7 Services

4-4:7.1 Beauty and Barber Shops

In the O-G Zone, Beauty and Barber Shops are permitted as an Accessory Use within a building in which seventy-five (75%) percent of the building rentable space is for occupancy by the permitted Primary Use.

4-4:7.2 Professional Offices

In the PD, R-20, R-15 and R-7 Zones, a Professional Office is permitted in a dwelling when conducted by the resident thereof and the space devoted to such Use does not exceed forty percent (40%) of the Gross Floor Area of the structure.

4-4:7.3 Religious Facilities

In all zones where educational services and religious facilities are permitted, a minimum lot requirement of two (2) acres shall be required. Religious facilities, denominational and sectarian schools shall be permitted as an Accessory Use to the primary religious activity.

4-4:8 Resource Production

4-4:8.1 Farming:

In all zones where the growing of field and seed crops, orchards and horticultural activities are permitted, customary farm buildings for the processing and storage of products or equipment are permitted as Accessory Uses, if located on the same parcel as the Principal Use.

4-4:8.2 Roadside Stands:

Farm products may be displayed and sold at a roadside stand as part of the permitted Agricultural Use.

4-4:8.3 Livestock and Animal Species:

The keeping of livestock and the raising and/or production of livestock are permitted as Accessory Uses to a farm as defined herein and/or the limitations as specified in the Revised General Ordinances.

4-4:9 Storage of Vehicles in Residential Zones

None of the following vehicles shall be parked at any time or stored on any lot in a residential and/or a lot upon which a residence exists.

4-4:9.1 Commercially licensed vehicles in excess of two and one half (2 1/2) tons, except those used in a Commercial Farming Operation.

4-4:10 Clinics and/or Health Care Facilities or Centers for Drug, Methadone, Alcoholic Treatment, Half Way Houses.

4-4:10.1 The structure for any clinic, health care facility or center for the treatment and/or counselling of former and present drug addicts and/or alcoholics, or half-way houses shall be at least 1,000 feet from the nearest property line of any land in any residential zone, or any public, private or parochial school, library, park, playground, or other recreational facility, whether commercial or non-profit, in any other zone, and at least 1,000 feet from the nearest

property line of any church, convent, monastery, synagogue or similar place of worship, and at least 1,000 feet from any bar, tavern or other facility licensed for the consumption or sale of alcoholic beverages.

4-4:11

Mobile Home Parks

4-4:11.1

General Requirements:

- (a) The mobile home park site planning and improvements shall provide facilities and amenities appropriate to the needs of the residents for safe, healthful and comfortable living areas. The mobile home park and all site improvements shall be harmoniously and efficiently organized in relation to topography, the shape of the plot and the position of buildings and public safety and appearance. To the maximum extent possible consistent with other standards contained in this section, all mobile home pads and related facilities shall be clustered together in a manner that minimizes land utilization for mobile home lots, for roads, parking areas and the like and maximizes land for open space, recreational and other related community areas.
- (b) Mobile home parks shall comply with the provisions of Chapter IV, Mobile Home Parks, New Jersey State Sanitary Code, as amended.

4-4:11.2

Sales Office:

Nothing contained in this regulation shall be construed as prohibiting the maintenance of a retail mobile home park or the sale of a mobile home whether occupied or unoccupied, which is located on a mobile home lot and connected to pertinent utilities. However, the retail mobile home sales agency and any mobile homes displayed as models or stored for any reason in the park shall be located and designed in accordance with the same standard as other mobile homes occupied by the tenants of the park, provided first, that there be a maximum of four mobile home models displayed or otherwise stored in the park; and, second, that the retail mobile home models displayed or otherwise stored in the park be located in a manner that does not create a nuisance to the tenants of the park.

4-4:11.3

Design Standards:

- (a) Maximum Mobile Homes Per Acre.  
The maximum number of mobile homes permitted per acre shall be five (5).
- (b) Minimum Size.  
The minimum size for a mobile home park shall be twenty (20) acres.

- (c) Mobile Home Space Area.  
All mobile home spaces shall have a minimum size of four thousand (4,000) square feet with a minimum width of forty (40) feet and a minimum length of one hundred (100) feet.
- (d) Separation and Setback Requirements.  
Each mobile home shall be located on a mobile home lot so as to comply with the following minimum proximity limits:
- (1) Fifty (50) feet from the right-of-way of any existing public street, highway, or railroad right-of-way and fifty (50) feet from the property line of other adjoining property. A fifteen (15) foot wide landscape strip must be provided as a buffer strip within the above noted fifty (50) feet.
  - (2) Twenty-five (25) feet from the edge of the pavement of any internal street, public or private, serving the mobile home park.
  - (3) Fifty (50) feet from any building or structure excepting metal or masonry storage sheds.
  - (4) Thirty (30) feet from the side(s) of any other mobile home(s).
  - (5) Twenty (20) feet end to end between mobile home(s).

4-4:11.4 Mobile Home Standards:

Each mobile home space shall be provided with a mobile home pad of sufficient size to accommodate the mobile home to be placed thereon. The pads shall be so constructed of five (5) inches of 2,500 psi Portland Cement Concrete at twenty-eight (28) days. There shall be 6" x 6" - #10 x #10 wire mesh placed two and one-half (2½) inches from the finished surface of the concrete. Expansion joints shall be placed at maximum intervals of ten (10) feet. The concrete shall be placed upon a minimum of four (4) inches of compacted gravel. Where pads are to be constructed on fill, the fill shall be allowed to settle for one-half (1/2) year unless provisions are made for proper compaction in a minimum of six (6) inch lifts. The concrete shall be cured with a curing compound which shall be applied as soon as the concrete has been finished and protected from damage for a period of not less than thirty-six (36) hours.

4-4:11.5 Patios:

Each mobile home space shall be provided with a patio of three hundred (300) square feet with a width of at least fifteen (15) feet to provide patio outdoor living space. The patio shall be constructed of a minimum of four (4) inch Portland Cement Concrete or other rigid type of impervious pavement.

4-4:11.6

Sidewalks:

In locations where common facilities are concentrated, including open spaces and recreation areas, as well as in front of or to the rear of each mobile home lot and all paths leading to the mobile home pads, common, continuous walkways of at least four (4) feet in width and of concrete subject to the approvals of the Township Engineer, may be used at the rear of the mobile home.

4-4:11.7

Lighting:

Public areas of a mobile home park shall be lighted so as to permit safe movement of vehicles and pedestrians at night. The following minimum levels of illumination shall be provided:

- (a) All parts of the work road system 0.3 foot candle.
- (b) Potentially hazardous locations, such as major street intersections and steps or stepped ramps, 0.5 foot candle.

4-4:11.8

Additions:

Additions shall conform to the following:

- (a) Skirting shall be provided on all mobile homes so that no part of the undercarriage is seen. Porches, awnings storage sheds, or other additions shall be installed in conformity with standards devised by the park management and approved by the Approving Board.
- (b) Storage sheds shall be of metal or masonry construction.
- (c) Where additions are installed, they shall be of durable materials, shall be in harmony with the surroundings and shall be maintained in good repair. Additions shall be constructed and installed so as to facilitate underneath inspection of the mobile home and in such manner as does not constitute harborage for rodents.
- (d) Entrance steps or ramps shall be of a type consistent with standards devised by the park management and approved by the Approving Board.
- (e) No storage shed, porch, or other addition, excluding awnings covering porches or patios, shall be built or installed if the area used for such additions added to the area used for the mobile home and patio total more than two-thirds (2/3) of the gross lot area.

4-4:11.9

Recreation Area:

Recreation areas shall be provided at the rate of two hundred (200) square feet per mobile home. Total open space, including active and passive recreation, shall be provided at a minimum size of ten (10) percent of the total area of the mobile home park. No more than thirty (30) percent of the land set aside for recreation shall be permanently covered by streams or other water formations. The recreation area shall be centrally located and conveniently distributed in relation

to the mobile home residences, provided that there shall be at least one recreation area of a minimum of 30,000 square feet. Convenience and recreation facilities provided may be for the exclusive use of the tenants.

4-5

SCHEDULE OF AREA, HEIGHT, YARD AND SETBACK REQUIREMENTS

Any building altered or constructed after the enactment of this Ordinance shall comply with the minimum lot size, minimum yard dimensions, maximum lot coverage, maximum height and minimum gross floor area requirements of this Section. The Schedule of "Area, Height and Yard Setback Requirements" is hereby incorporated as part of this Section. (Also refer to Section 5, Non-Conforming Uses).

4-5:1

Accessory Buildings

4-5:1.1

An accessory building attached to the principal building shall comply in all respects with the yard requirements of the principal building. Detached accessory buildings shall be located to the rear of the front building line of the principal building, and if located in a side yard area, shall conform to the side yard requirements. No accessory building in conjunction with a residential dwelling shall exceed six hundred (600) square feet in gross floor area.

4-5:1.2

For all accessory building less than one hundred (100) square feet, the side yard and rear yard requirements contained in Column 9 and 10 of the Schedule of Area, Height and Setback Requirements may be reduced from ten (10) feet to five (5) feet.

4-5:2

Yards Exclusive

No yard or other open space provided for one building shall be considered as providing a yard or open space for any other building.

4-5:3

Front Yards

All yard areas facing on a public street shall be considered as front yards and shall conform to the minimum front yard requirements for the particular zone.

4-5:4

Front Yard Setbacks

In all new developments of single-family detached dwellings, front yard setbacks may be reduced, at the discretion of the Approving Board, to twenty (20) feet minimum, provided that the average front yard setback conforms to the norm of the Schedule referred to in Section 4-5.

4-5:5

Corner Lots

Corner lots shall provide the minimum front yard requirements for the respective zones for both intersecting streets.

4-12

ZONING DISTRICT

		SECTION 4-5 SCHEDULE OF AREA, HEIGHT AND SETBACK REQUIREMENTS													
		1	2	3	4	5	6	7	8	9	10	11	12	13	14
		MINIMUM SIZE OF LOTS				MINIMUM REQUIRED SETBACKS FOR PRINCIPAL BUILDINGS				ACCESSORY BUILDINGS		MAXIMUM HEIGHT PERCENT		MINIMUM GROSS FLOOR AREA IN SQ. FEET	
		AREA IN SQUARE FEET	WIDTH IN FEET	AREA IN SQ. FEET	WIDTH IN FEET	FRONT YARD (FT)	ONE SIDE YARD (FT)	TOTAL TWO SIDE YARDS (FT)	REAR YARD (FT)	SIDE YARD (FT)	REAR LOT YARD (FT)	OF LOT COVERAGE PERCENT	MAXIMUM HEIGHT IN FEET	MAXIMUM HEIGHT IN FEET	MINIMUM GROSS FLOOR AREA IN SQ. FEET
PD		SEE SECTION 9 OR SEE SECTION 4-4:2													
H40/20		SEE SECTION 4-4:2													
P-20		20,000	100	21,000	125	50	20	40	40	10*	10*	15	2½	30	-----
L-15		15,000	100	16,000	125	40	20	40	40	10*	10*	18	2½	30	-----
H-7		7,500	75	8,500	85	25	15	30	30	10*	10*	20	2½	30	-----
AF		6A	300	6A	300	50	50	100	50	50	25	20	2	30	-----
AR		6A	200	6A	200	50	50	100	50	50	25	20	2	30	-----
CH		1A	125	1A	125	50	25	50	50	50	50	25	2	30	4,000
CC		3A	200	3A	200	75	25	50	50	50	50	25	2	30	6,000
CR		40A	1,000	40A	1,000	200	100	250	100	100	100	25	5	65	200,000
CI		12A	500	12A	500	100	75	200	75	75	75	25	4	45	40,000
CG1		1A	125	1A	125	50	25	50	50	25	25	30	2	30	5,000
CG2		2A	150	2A	150	50	25	50	50	25	25	30	2	30	6,500
CG3		3A	200	3A	200	75	25	50	50	50	50	30	4	45	8,000
SD1		1A	100	1A	100	50	25	50	50	25	50	30	2	30	5,000
SD3		3A	200	3A	200	75	25	50	50	25	25	40	4	45	8,000
SD5		5A	300	5A	300	100	75	200	75	75	75	40	5	65	10,000
ICD		SEE SECTION 4-4:1													
TH		5A	SEE SECTION 9-7 or SEE SECTION 4-4:1.1.2											*SEE SECTION 4-5:1 FOR ADDITIONAL CLARIFICATION	

4-5:6

Irregularly Shaped Lots

In the case of irregularly shaped lots, the minimum lot width requirements shall be measured at the front yard setback line, provided that in no case shall the frontage be less than seventy-five (75) percent of the minimum frontage requirement.

4-5:7

Height

In all districts television and radio antennas may extend above the height limit by not more than twenty-five (25) feet, except O-G, the height limitations shall not apply to church spires, belfries, cupolas, penthouses and domes, not used for human occupancy; nor chimneys, ventilators, skylights, water tanks, bulkheads, similar features and necessary mechanical appurtenances usually carried above the roof level; provided however, that in all non-residential zones, any such features other than church spires shall be prohibited unless the Approving Board finds that screening or other treatment consistent with the materials and architectural lines of the building will be provided or that such features are of such size and placement as to be not noticeable from any street or property line. A parapet wall or cornice for ornament may extend above the height limit by not more than five (5) feet.

4-5:8

Building Line Modifications

Where a portion of an existing single family residence is in violation of any setback or yard requirement by seven and one half (7½) feet or less, the remaining portion of the residence may be extended up to the existing building line. Chimneys are specifically permitted to encroach into the minimum yard setback by not more than two (2) feet in depth, or side and total side yard requirements may be reduced in equal proportion to the reduction of the required lot width for the zone in which it is located, provided that the minimum of one side yard shall be no less than seven (7) feet and the combined side yards no less than twenty-one (21) feet.

4-5:9

Frontage on a Street

Every principal building shall be built upon a lot with frontage on a street.

4-5:10

Residential Buildings Per Lot

No residentially zoned lot shall have erected upon it more than one principal building except in the case of multi-family dwelling projects as permitted by this Ordinance.

4-5:11

Structures Adjacent to Watercourses

No structure shall be built within fifty (50) feet from the top of the bank of any natural watercourse as determined by the Township Engineer.

4-6

ROOM SIZES FOR RESIDENTIAL DWELLINGS

4-6:1

Schedule of Room Sizes

In order to avoid the overcrowding of residential accommodations, the minimum room size standards of this section shall apply to all new residential developments in the Township.

MINIMUM ROOM SIZES (IN SQUARE FEET)

Type of Room	Type of Dwelling Unit (By Number of Bedrooms)					
	0	1	2	3	4	5
Master Bedroom		150	150	150	150	150
Bedroom 2			130	130	130	130
Bedroom 3				130	130	130
Bedroom 4					120	130
Bedroom 5						120
Living Room	285	210	245	270	290	310
Kitchen		70	70	70	75	85
Bath, Full	35	40	40	40	40	40
Bath, Half				25		
Bath, Full					35	35
Utility Storage	8	10	12	14	16	18
Minimum Total Floor Area	328	480	647	829	968	1,148

4-6:2

Interpretation of Schedule

4-6:2.1

Every residential dwelling unit must contain at least the number of square feet listed on the line entitled "Minimum Total Floor Area" for the particular type dwelling unit as indicated by the number of bedrooms. Square feet are measured by interior dimensions of usable rooms. Figures for room sizes are inclusive of closets.

4-6:2.2

Dining Rooms or dining areas may be included in the required living room space.

4-6:2.3

Required utility storage space need not be within the dwelling unit, provided it is within the same structure as the dwelling unit.

4-6:2.4

The presence of a number on the line of a particular type of room indicates that a room of that type must be included in that type of dwelling unit.

- 4-6:2.5 The area of any room may be as much as fifteen (15) percent smaller than the figure shown for that room, provided the aggregate area requirement for the total number of rooms is fulfilled.
- 4-6:2.6 Access to any bedrooms shall not be through any other bedroom.
- 4-6.2.7 The minimum room sizes set forth in the Schedule do not apply to those units proposed for construction as Affordable Housing as provided in Section 9-5:2.1.3 of this Ordinance. The Approving Board may approve smaller minimum room sizes as deemed appropriate for the particular type housing units being proposed.

4-7 CONDITIONAL USES

The Conditional Uses set forth in subsections 4-7:1 to 4-7:7, inclusive, may be permitted if approved by the Approving Board. In reviewing an application the Approving Board may approve with conditions that are appropriate for the intent, standard and regulation of the specific Use.

The Approving Board shall determine that the proposed Use in the proposed location will not adversely affect the safety and enjoyment or property rights or otherwise adversely affect the value of adjacent properties, that the design of any structure and sites erected and developed in connection with such Use are in keeping with the general character of the surrounding environment.

The applicant shall follow all procedures and requirements of Sections 10 through 19, "General Design Standards," as well as Section 7, "Application Procedures."

4-7:1 Public Utilities

Electrical substations, telephone exchanges, telephone booster stations, gas metering stations, telegraph and express offices and similar installations, but not service or storage yards, may be permitted in any residential zone provided that:

- (a) A statement setting forth the need for and purposes of the installation are filed with the Approving Board.
- (b) The Approving Board finds that the proposed installation in the specific location is necessary or convenient for the operation of the public utility system or for the satisfactory provision or service to the neighborhood for area in which the particular use is to be located.
- (c) Utility distribution or collection lines for water, gas, sewerage, electric or telephone services which are located in a public street or which provide service to private property in Old Bridge Township are exempt from this Section.

4-7:2

Sanitariums, Convalescent, Rest Homes and Hospitals

Sanitariums, convalescent and rest homes may be permitted in any residential zone and the OG zone; hospitals may be permitted in the PD II and SD zone provided that:

- (a) A statement setting forth the need for any particulars on the operation of the structures or use shall be filed with the Approving Board.
- (b) The property proposed to be occupied by the use shall have a minimum lot area of five (5) acres, minimum front, rear, and side yard areas shall be one hundred (100) feet and the maximum lot coverage shall not exceed twenty-five (25) percent.
- (c) The height of structures may exceed the maximum height requirements of Section 4-5, provided however, that the front, rear and side yard requirements set forth above shall be increased by one (1) foot for each foot by which the height of the structure exceeds the maximum height which would be otherwise permitted by this Ordinance, and further provided that in no case shall any proposed structure exceed fifty (50) feet in height.

4-7:3

Organizations: (Land Uses #694, 695, 696)

Organizations operated by duly incorporated non-profit membership organizations may be permitted in any residential zone provided that:

- (a) A statement setting forth the need of the operation of the Use and a complete list of the proposed charter membership including names and resident addresses shall be filed with the Approving Board.
- (b) The proposed Use is a bona fide non-profit organization operated solely for the recreation and enjoyment of the members of said organization.
- (c) The property proposed to be occupied by such Use shall have a minimum lot area of three (3) acres. Not more than twenty (20) percent of the land area shall be occupied by buildings and structures.
- (d) No building, structure or active recreation facilities shall be located within one hundred (100) feet of an adjacent residential property line.

4-7:4

Gasoline Filling Stations

Gasoline filling stations, public garages and auto repair shops may be permitted in a C-M, C-N, C-C, C-R, SD, and PD Zone provided that:

- (a) Specifications and plot plans filed showing in detail the exact location of the public garage, the number of gasoline tanks to be installed, the dimensions and capacity of each tank, the depth of which the tank will be placed below ground, the number of pumps to be installed, the type of structures and accessory buildings to be constructed, the number of automobiles to be garaged, and a description of the nature and extent of the proposed Use.

- (b) The proposed Use shall be located on a lot of not less than twenty thousand (20,000) square feet.
- (c) All filling pumps and structures shall be located at least twenty-five (25) feet from the street line and side and rear property lines, and at least fifty (50) feet from the boundary of a residential zone.
- (d) No vehicle shall be permitted to be standing or parked on the premises of a motor vehicle service station other than those used by the employees in the indirect or direct operation of the establishment, the customer's vehicles awaiting repair. Any repair of motor vehicles shall be performed in a fully enclosed building. No parts or partially dismantled motor vehicles may be stored out-of-doors.
- (e) Driveways shall not be more than twenty-five (25) feet wide at any point. Driveways must be at least ten (10) feet from any side lot line, and twenty-five (25) feet from the intersection of street lines. No more than two (2) driveways shall be permitted for each one hundred (100) feet of street frontage.
- (f) All outdoor vending machines are prohibited, exclusive of soft drink and newspaper vending machines which are accessory uses provided they are located no further than three (3) feet from the principal building.
- (g) Accessory goods for sale may be displayed on the pump island and the building island only. The outside storage of oil cans and/or anti-freeze and similar products may be displayed on the respective islands if provided for in a suitable metal stand or rack.  
  
The display of new or used tires shall be restricted to metal cabinets designed specifically for that purpose and located at the property lines. Single tires may also be displayed on the pump and building islands only and shall be prohibited from the vehicular circulation area.

4-7:5 Stadiums, Racetracks and Airports

Stadiums, racetracks and airports may be permitted in the S-D Zone, provided that:

- (a) The site shall contain a minimum of one hundred (100) acres within which no single facility and/or combination of facilities shall accommodate more than twenty thousand (20,000) persons at any one time.
- (b) In case of airports and flying facilities, such facilities shall be duly licensed by the appropriate State and Federal authorities prior to submission of an application.
- (c) All areas deemed to be potentially hazardous to the public shall be enclosed with a six (6) foot high chain link fence.

- (d) In addition to the parking standards in Section 12-2:3.1 the following standards shall also apply:

Employees, participants or registrants at stadiums and racetrack events; one space per person.

Airports; one space per employee plus one space per aircraft permanently berthed at facility.

4-7:6 Adult Bookstores, Adult Motion Picture Theaters, Adult Mini-Motion Picture Theaters and Adult Cabarets (#59991)

Adult Bookstores, Adult Motion Picture Theaters, Adult Mini-Motion Picture Theaters and Adult Cabarets may be permitted in the CC zone provided that:

- 4-7:6.1 No Adult Bookstores, Adult Cabarets, Adult Motion Picture Theaters or Adult Mini-Motion Picture Theaters shall be located in any structure within 2,000 feet from the nearest property line of any land in any residential zone or within 2,000 feet from the nearest property line of any public, private or parochial school, hospital, clinic, private or public or semi-public institutions, library, park, playground or other recreational facility, whether commercial or non-profit, in any other zone, or within 2,000 feet from the nearest property line of any church, convent, monastery, synagogue or similar place of worship, or within 2,000 feet from any (other) bar, tavern or similar facility licensed for the consumption or sale of alcoholic beverages.

- 4-7:6.2 A waiver of the distance requirements above may be granted by the Approving Board upon proper application for an exception for special cases provided (1) the applicant obtains a consent for a waiver signed by 51 percent of all affected local residents, businessmen and property owners, affected herein defined as all persons or businesses or uses within the said 2,000 feet sought to be waived, and further provided (2) the Approving Board is satisfied that:

- (a) The proposed use will not be contrary to the public interest or injurious to nearby properties, and the spirit and intent of this Ordinance will be observed;
- (b) The proposed use will not enlarge or encourage the development of skid row areas.
- (c) The establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of economic development;
- (d) All applicable regulations of this Ordinance will be observed.

- 4-7:6.3 Advertisements, displays or other promotional materials shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public; and such displays shall be considered as signs (and therefore subject to the city's sign regulations).

4-7:6.4 All building openings, entries, windows, etc., for adult motion picture theaters, shall be located, covered, or screened in such a manner as to prevent a view into the interior from any public or semi-public area.

4-7:6.5 The Approving Board shall determine that the parking facilities are adequate for the proposed use.

4-7:7 Commercial Recreation Activities

Commercial recreation Uses and activities, as herein defined, may be permitted in the following zones:

Miniature Golf	CC, WS, SD, PD
Golf Driving ranges	WS, CR, SD, PD
Tennis Courts	OG, PD, CC, CR, TCD, SD
Gymnasiums & Athletic Clubs	OG, PD, CM, CN, CC, CR, TCD, SD
Swimming Pools	PD, OG, CC, CR, TCD, SD
Go-Cart Tracks	SD
Dance Halls & Ball Rooms	PD II, CR
Billiard & Pool Rooms	CR, PD II
Firearms, Archery	WS

4-7:7.1 If proposed as free standing structures or sites, the following minimum bulk regulations shall apply:

Minimum lot size	1 acre
Front Yard	75 feet
One Side Yard	75 feet
Total Two Side Yards	150 feet
Rear Yard	50 feet
Maximum Percent of Lot Coverage	20%

4-7:7.2 Ingress and egress for the parking areas shall be limited to the minimum required to properly handle the volume of traffic anticipated to be attracted by the Use. Wherever said driveways are located on a State Highway, acceleration and deceleration lanes shall be provided.

4-7:7.3 Wherever the property abuts or is across the street from a residential zone, a buffer area shall be established conforming to the requirements set forth in Section 14-4:7.

4-7:7.4 All signs shall conform to Section 16, Permitted Signs in Commercial Zoning Districts.

4-7:8 Mini-Warehouses

Mini-warehouses may be permitted in the C-C, or S-D Zone provided that they comply with the following standards:

4-7:8.1 Area, Yard and Setback Requirements:

Minimum Lot Size	3 Acres
Front Yard Setback	75 feet
Rear Yard	75 feet
One Side Yard	50 feet

Total Two Side Yards	100 feet
Maximum Percent of Lot Coverage	30%
Maximum Height	15 feet

- 4-7:8.2      Off-street Parking:
- 4-7:8.2.1    One (1) space for each ten (10) storage cubicles equally distributed throughout the storage area. This parking requirement can be accomplished with the parking lanes as set forth in Section 4-7:8.3 below.
- 4-7:8.2.2    Two (2) spaces for manager's quarters.
- 4-7:8.2.3    Off-street parking spaces located at the project office for the use of prospective clients is determined by the following formula:
- no. of spaces required =  $\frac{\text{no. of storage cubicles}}{4 \times 12 \text{ (months)}}$
- 4-7:8.3      On-Site Circulation and Driveway Widths:
- 4-7:8.3.1    All one-way driveways shall provide for one (1) ten (10) foot parking land and one (1) fifteen (15) foot travel lane. Traffic direction and parking shall be designated by signing or painting.
- 4-7:8.3.2    All two-way driveways shall provide for one (1) ten (10) foot parking land and two (2) twelve (12) foot travel lanes.
- 4-7:8.3.3    The parking lanes may be eliminated when the driveway does not serve storage cubicles.
- 4-7:8.3.4    Vehicular ingress - egress shall be limited to one (1) point for each side of property abutting any street lot line.
- 4-7:8.4      Fencing, Screening and Landscaping:
- 4-7:8.4.1    All front, side and rear yard areas must be attractively landscaped.
- 4-7:8.4.2    Fencing shall be required around the perimeter of the project. Said fence shall be a minimum of six (6) feet in height and constructed of decorative concrete block or chain link.
- 4-7:8.4.3    All outdoor storage yards shall be screened from view of surrounding properties.
- 4-7:8.5      Special Requirements:
- 4-7:8.5.1    One (1) free standing sign identifying the nature of the mini-warehouse shall be permitted in the front yard not to exceed fifteen (15) feet in height and forty (40) square feet in area.
- 4-7:8.5.2    Min-warehouse developments shall be limited to dead storage use only.

SECTION 5

NON CONFORMING USES

5-1

CONTINUANCE

Except as otherwise provided in this Ordinance the lawful Use of land or structure existing at the date of adoption of this Ordinance may be continued, although such Use or structures does not conform to the regulations specified by this Ordinance for the zone in which such land or structure is located, provided however:

- (a) That a non-conforming lot shall not be further reduced in size and;
- (b) That a non-conforming structure or Use shall not be expanded, enlarged, extended or increased unless such action shall reduce the degree of non-conformance.

5-2

ABANDONMENT

A non-conforming Use shall be presumed to be abandoned when there occurs a cessation of such Use by an act or failure to act to reinstate such Use within a period of one year from the date of cessation.

Such Use shall not thereafter be reinstated and the structure shall not be reoccupied except in conformity with this Ordinance unless the owner, by clear and convincing evidence can rebut the presumption of abandonment.

5-3

RESTORATION

If any non-conforming structure shall be destroyed by reason of windstorm, fire, explosion or other act of God by more than seventy-five (75) percent of the assessed value, as recorded in the records of the tax assessor, then such destruction shall be deemed complete, and the structure shall not be rebuilt, repaired, except in conformity with the regulations of the zone in which it is located. Nothing in this section shall prevent the strengthening or restoring to a safe condition of any wall, floor or roof which has been declared unsafe by the building inspector.

5-4

REVERSION

Once a non-conforming Use is changed to a conforming Use, it shall not be changed into a non-conforming Use.

5-5

UNDERSIZED LOTS

Any undersized lot may be used provided that:

- (a) The lot was under the same ownership on the date of adoption of this most current Land Development Ordinance.
- (b) The owner thereof owns no adjoining land.

- (c) The lot will be used for residential purposes only.
- (d) The minimum size of the parcel is at least five thousand (5,000) square feet or larger and the frontage is at least fifty (50) feet, or wider.
- (e) All other regulations prescribed for the zone are complied with.

5-6 Reduction of Lot by Condemnation

Any conforming lot in a residential zone which is reduced in area or width to less than the minimum area of width required in the zone in which the lot is located, by reason of land required for the widening of a public street abutting the same, shall continue as a conforming lot, notwithstanding said reduction, provided that after said reduction, the lot shall not be less than eighty (80) percent of the area or width requirement of the zone in which it is located.

SECTION 6 VARIANCES

6-1 POWERS OF BOARD OF ADJUSTMENT

The Board of Adjustment shall have the power to:

- (a) Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an Administrative Officer based on or made in the enforcement of the Land Development Ordinance.
- (b) Hear and decide in accordance with the provisions of said Ordinance, requests for interpretation of the Zoning Map or Ordinance or for decisions upon other special questions upon which such board is authorized to pass by any Zoning Or Official Map Ordinance in accordance with MLUL.
- (c) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, or by reason of other extraordinary and exceptional situation or condition of such piece of property the strict application of any regulation pursuant to Section 4-5 of this Ordinance would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property, the Board may grant upon a Variance from such strict application of such regulation so as to relieve such difficulties or hardship, including a Variance for a Conditional Use; provided, however, that no Variance shall be granted under this subsection to allow a structure or use in a district restricted against such structure or use and provided further that the proposed development does not require approval by the Planning Board of a Subdivision, Site Plan or Conditional Use in conjunction with which the Planning Board shall review a request for a Variance pursuant to subsection 47a, (D.40:55D-60a) of the MLUL and,

- (d) In particular cases and for special reasons, grant a variance to allow departure from regulations pursuant to Section 4-3 of this Ordinance including but not limited to, allowing a Structure of Use in a district restricted against such structure or use, but only by affirmative vote of at least five Members, in the case of a municipal board, or 2/3 of the full authorized membership.
- (e) No Variance or other relief may be granted under the terms of this section unless such Variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Map and this Ordinance. An application under this section may be referred to any appropriate person or agency, including the Planning Board pursuant to Section 17 (C.40:55D-26) of the MLUL for its report; provided that such reference shall not extend the period of time within which the Zoning Board of Adjustment shall act.

6-2 APPEALS AND APPLICATIONS TO BOARD OF ADJUSTMENT

- 6-2:1 Appeals to the Board of Adjustment may be taken by any interested party affected by any decision of an Administrative Officer of the Municipality based on or made in the enforcement of the Zoning Ordinance or Official map. Such appeal shall be taken within 20 days by filing a notice of appeal with the officer from whom the appeal is taken specifying the grounds of such appeal. The officer from whom the appeal is taken shall immediately transmit to the Board all the papers constituting the record upon which the action appealed from was taken.
- 6-3 TIME FOR DECISION
- 6-3:1 The Board of Adjustment shall render a decision not later than 120 days after the date (1) an appeal is taken from the decision of an Administrative Office or (2) the submission of a complete application for development to the Board of Adjustment pursuant to section 59b of the MLUL, (c40:55D-72b).
- 6-3:2 Failure of the Board to render a decision within such 120 day period or within such further time as may be consented to by the applicant, shall constitute a decision favorable to the applicant.
- 6-4 TIME LIMITATION ON VARIANCES
- 6-4:1 In granting hardship variances, Section 6-1(c) and use variances, Section 6-1(d), the Board of Adjustment shall set a time limitation within which the applicant must secure a building permit from the Construction Official, which time shall be a maximum of one (1) year from the date of formal adoption of the resolution of Approval granting the Variance or the date of formal adoption of the Resolution of Approval granting Final Subdivision or Site Development Plan Approval if required, whichever is later.

SECTION 7

APPLICATION PROCEDURES

7-1

CONDITIONAL USES

7-1:1

Submission Procedures

The Approving Board shall grant or deny an application for Conditional Use pursuant to Section 4-7 within 95 days of submission of a complete application to the Administrative Office, or within such further time as may be consented to by the applicant.

7-1:2

Contents of Plan

The information required for the approval of the Conditional Use shall be supplied in the same manner and in the same detail as that required for Major Subdivision Approval or Site Development Plan, whichever is applicable in accordance with Section 7-5 or 7-6.

7-2

VARIANCES

7-2:1

Submission Procedures

The Approving Board shall grant or deny any application for a Variance within 120 days of submission of a complete application to the Administrative Office, or within such further time as may be consented to by the applicant.

7-2:2

Contents of Plan

The information required for the approval of a variance shall be supplied in the same manner and in the same detail as that required for Major Subdivision Approval or Site Development Plan approval, whichever is applicable, in accordance with Section 7-5 or 7-6.

7-3

ENVIRONMENTAL IMPACT REPORTS

7-3:1

Scope

An environmental impact assessment shall accompany all applications for preliminary approval of Subdivision and Site Development Plans and shall provide the information needed to evaluate the effects of the proposed development upon the environment and shall include data, be distributed, reviewed and passed upon by the Approving Board as follows:

7-3:2

Dissemination and Review of Report

Upon completion of all reviews, the Approving Board shall determine that the potential impacts are not significant enough to warrant further study and shall either approve or disapprove the Environmental Impact Assessment (EIA) as part of its function with respect to Subdivision or Site Development Plan review.

In reaching a decision the Approving Board shall take into consideration the effect of applicant's development proposed in the Subdivision or Site Development Plan upon all aspects of the environment as outlined above as well as the sufficiency of applicant's proposals for dealing with any immediate or projected adverse environmental effects.

If it is found that the proposed project will have a significant impact on the environment, the preparation of a more elaborate Environmental Impact Statement (EIS) may be required.

7-3:3

WAIVER

Notwithstanding the foregoing, the Approving Board, may at the request of an applicant, waive the requirement for an Environmental Impact Assessment if sufficient evidence is submitted to support a conclusion that the proposed development will have a negligible or no environmental impact. Portions of such requirements may likewise be waived upon a finding that the complete report need not be prepared in order to evaluate adequately the environmental impact of a particular project.

7-3:4

PUBLIC PROJECTS

An Environmental Impact Assessment as required herein shall also be submitted for all public or quasi-public projects unless such are exempt by supervening County, State or Federal law.

7-3:5

PROJECT DESCRIPTION

A description of the proposed project including information and technical data adequate to permit a careful assessment of environmental impact including:

- (a) reason for the project;
- (b) the recommended or favored alternative mapped and/or described
- (c) parks, recreational sites, wildlife, refuges and historic sites mapped and described
- (d) existing land use, zoning and master plan delineation of project area mapped and described;
- (e) ambient environmental conditions mapped and described;
- (f) a listing of all licenses, permits or other approvals as required by law and the status of each.

7-3:6

INVESTIGATION & IDENTIFICATION OF ENVIRONMENTAL IMPACTS

The probable impact of the proposed project on the environment including impact on ecological systems such as wildlife, fish and marine life, involving any probable adverse environmental effects which cannot be avoided with respect to:

- (a) water quality;
- (b) air quality;
- (c) noise;
- (d) undesirable land use patterns;
- (e) damage or destruction of significant plant or wildlife systems.
- (f) aesthetic values;
- (b) destruction of natural resources; such as wetlands, coastal areas, flood plains, air quality, water resources, topography and geological features.
- (h) cost revenue analysis.
- (i) destruction of man-made resources; including historic and archaeological sites.
- (j) disruption of desirable community and regional growth.

7-3:7

MITIGATING MEASURES

A thorough discussion of the steps to be taken, before, during, and after construction of the project, to minimize the adverse environmental affects as described in Section 7-3:6 including the effect on the rules, regulations and standards promulgated under State and/or Federal environmental statutes.

7-3:8

PROJECT ALTERNATIVES

Alternatives to the proposed project including:

- (a) that of no project;
- (b) description of alternative designs with an objective evaluation of the alternatives that might avoid some or all of the adverse environmental effects with the rationale for acceptability or non-acceptability of each alternative;
- (c) an analysis of the costs and social impact of the alternatives including construction problems and traffic service.

7-3:9

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

A quantifiable identification of any irreversible and irretrievable commitments of resources which would be involved in the implementation of the project.

7-3:10

RELATIONSHIP BETWEEN SHORT TERM AND LONG TERM USES OF THE ENVIRONMENT.

The relationship between local short-term uses of the site and the maintenance and enhancement of long term productivity, assessing the project for cumulative long-term effects from the perspective that each generation is a trustee of the environment for future generations.

7-4 MINOR SUBDIVISION APPROVAL

7-4:1 Submission Procedures

7-4:1.1 The Approving Board may waive public notice and hearing for a plat if a Subdivision Committee of the Board appointed by the Chairman finds that the subdivision of land contains not more than three (3) lots fronting on an existing minor street, does not involve any land or a portion thereof which has been subdivided within 12 months prior to the Subdivision Application, nor involving any new street, road, extension of Municipal facilities, Planned Development, and not adversely affecting the development of the remainder of the parcel or adjoining property and is not in conflict with any provision of the Master Plan or this Ordinance

Minor Subdivisions may also include subdivisions requiring off-tract improvements so long as the developer pays the entire cost of the improvements.

7-4:1.2 Minor subdivision approval shall be granted or denied within 45 days of the date of submission of a complete application to the Administrative Officer, or within such further time as may be consented to by the developer. The Minor Subdivision Committee shall condition any Approval that it grants pursuant to this Section upon the timely receipt of a favorable report on the Application by the Middlesex County Planning Board or Approval by the Middlesex County Planning Board, by its failure to report thereon within 30 days or an additional 30 day extension with the consent of all parties.

7-4:1.3 If approved as a Minor Subdivision by majority action of the Subdivision Committee, a notation to that effect shall be made on the plat which shall also be signed by the Chairman and Secretary of the Approving Board.

7-4:1.4 Approval of a Minor Subdivision shall expire 190 days from the date of Municipal Approval unless within such period a plat in conformity with such approval and the provisions of the "Map Filing Law", or a deed clearly describing the approved minor subdivision is filed by the developer with the County Recording Officer, the Municipal Engineer and the Municipal Tax Assessor. Any such plat or deed accepted for such filing shall have been signed by the Chairman and Secretary of the Approving Board.

7-4:2 Contents of Minor Subdivision Plan

7-4:2.1 General Legend:

A legend with at least the following information shown

- (a) Names of all adjacent landowners within 200 feet of any property line.
- (b) Zone the subdivision is located in with requirements of said zone compared to the proposed standards, as well as the abutting zones to the subdivision.

- (c) Names and addresses of owner and subdivider, so designated. Name and address of corporate head (if applicable).
- (d) North point, written and graphic scales.
- (e) Offsets of existing and proposed structures and accessory buildings from property lines.
- (f) The natural flow of surface drainage (indicated with arrows and the final disposal of surface waters).
- (g) The proposed contours suitably designated differently from the existing contours with proposed first floor elevations of the dwellings and proposed ground elevations at all building corners. Spot elevations shall also be given at all lot corners.
- (h) The plan shall indicate the means of sewage and other waste water disposal and potable water supply. If any on-site sewage disposal system and/or private well is proposed, whether they should be temporary or permanent, percolation tests shall be required and results of same noted on the plan. (Approval of the Health Officer will be required.)
- (i) Location of existing generally wooded areas and exact location of existing trees with a caliper of (12) inches or more.

7-4:2.5

Certifications and Endorsements.

7-4:2.5.1

The following is a list of certifications required to be placed on the final plats of Minor Subdivisions which are not being recorded in the office of the County Clerk.

- (a) Statement for signature of owner consenting to the filing of the plat in the office of the Township Clerk.
- (b) Statement for signature of the Township Clerk, certifying receipt of a bond guaranteeing the setting of monuments.
- (c) Statement for signature of the Minor Subdivision Committee indicating approval of the plat.

7-4:2.5.2

If the plat of the Minor Subdivision is to be recorded in the office of the County Clerk, certifications shall be placed on the plat in accordance with the provisions of Section 7-5:2 (Major Subdivision, Final Approval).

7-5

MAJOR SUBDIVISION APPROVAL

7-5:1

Major Subdivision, Preliminary Approval

7-5:1.1

Submission Procedures

7-5:1.1.1

Any owner of land within the Township shall, prior to subdividing or re-subdividing land, as defined in this Ordinance submit to the Administrative Officer at least 30 days prior to a regular meeting of the Approving Board fifteen (15) copies of the plat prepared in accordance with the requirements therein and four (4) complete application forms.

If the application is found to be incomplete, the applicant shall be notified by the Administrative Officer thereof within 45 days of submission of such application or it shall be deemed to be properly submitted.

7-5:1.1.2

If the Approving Board requires a substantial amendment in the layout of improvements proposed by the applicant that have been the subject of a hearing, an amended application shall be submitted and proceeded upon, as in the case of the original application. The Approving Board, shall, if the proposed subdivision complies with the standards and provisions of this Ordinance grant Preliminary Approval to the Subdivision.

7-5:1.1.3

Upon the submission to the Administrative Officer of a complete application for a Subdivision of ten (10) or fewer lots, the Approving Board shall grant or deny Preliminary Approval within forty-five (45) days of the date of such submission or within such further time as may be consented to by the applicant. Upon the submission of a complete application for a Subdivision or more than ten (10) lots, the Approving Board shall grant or deny Preliminary Approval within ninety-five (95) days of the date of such submission or within such further time as may be consented to by the applicant.

7-5:1.1.4

Two (2) preliminary plans shall be filed by the applicant with the County Planning Board. If the Middlesex County Planning Board fails to act on the Subdivision Application within a thirty (30) day period, the Application shall be deemed to have been approved by the County Planning Board. However, by mutual agreement between the County Planning Board and the Approving Board, with the approval of the applicant, the thirty (30) day period may be extended for an additional thirty (30) day period. Should the Middlesex County Planning Board fail to receive an approved extension of time, the Secretary of the County Planning Board shall, upon written request of the applicant attest on the final plat to the failure of the County Planning Board to report within the required time period. Such attestation shall be sufficient authorization for further Township action on the application and acceptance for filing by the County Recording Officer.

7-5:1.2

#### Contents of Preliminary Plan

The purpose of the Preliminary Subdivision Plan is to determine the feasibility of proceeding with the Subdivision in light of Township standards. The subdivision plan may be prepared by a Professional Engineer, Land Surveyor, Architect, Landscape Architect or Professional Planner, providing the various elements are within the professional scope of the various disciplines. The following data must be presented in preliminary form for discussion purposes.

7-5:1.2.1

General Legend:

A legend with at least the following information shown:

- (a) Names of all adjacent landowners within 200 feet of any property line.
- (b) Zone the subdivision is located in with the requirements of said zone compared to the proposed standards, as well as the abutting zones to the subdivision.
- (c) Names and addresses of owners and subdivider so designated. Name and address of corporate head (if applicable).
- (d) North point, written and graphic scales.
- (e) Number of existing lots and number of proposed lots to be created.
- (f) Contour interval and symbol.
- (g) Symbols for all existing and proposed items (fire hydrants, monuments, utilities, plantings, signs, walkways, elevations, etc).
- (h) All supporting construction details should be generally located together rather than spread throughout the plan.

7-5:1.2.2

Title Block

A title block conforming to N.J.S.A. 45:8-36, with at least the following information shown:

- (a) Title of Map
- (b) Name of subdivision, if any.
- (c) Name, address, phone number, and signature of Professional Engineer, Registered Architect, Land Surveyor, Landscape Architect and/or Professional Planner preparing the various elements of the plan, with appropriate seals.
- (d) Written scale.
- (e) Date of original and all revisions. (plus box for additional revisions).
- (f) Tax map sheet, block, and lot number of the tract to be subdivided shown on the latest tax map.
- (g) Location, elevation and description of bench mark used (United States Coastal and Geodetic only).

In general, the title block is to be on the right hand side of the map, preferably in the lower, right hand corner. All of the above items shall be contained in the title block or adjacent to it.

7-5:1.2.3

Surrounding Area

A key map at a scale of one inch equals 800 feet showing the relation of the portion to be subdivided to the entire tract and to its neighborhood for at least 1,000 feet beyond its boundaries.

7-5:1.2.4

Site Characteristics

- (a) Acreage of tract to be subdivided to the nearest tenth of an acre.
- (b) Contours at 5 feet whole intervals where slope exceeds 10 percent and at 2 foot intervals where slopes are less.
- (c) Upland drainage areas outlined on a U.S.G.S. map or a blowup of same, with the area in acres and the discharge in cubic feet per second that might be expected for a one hundred year storm when they are entirely developed and sewerred; and the capacity of the existing down stream facilities to accept the proposed increase.

7-5:1.2.5

Plan Details

- (a) Lots and Buildings:
  - (1) Drawings should be such that they can be contained on a sheet 24" x 36". Proposed subdivision lay-out shall be no smaller than a scale of one inch equals 100 feet using a land survey as a base, and showing all proposed lot lines, dimensions in feet and tenths, and the areas of all lots in square feet, the location of existing and proposed setback lines.
  - (2) All streets within 200 feet of the subdivisions, buildings, water courses, railroads and bridges, culverts, drain pipes and any natural features such as wooded areas and rock formations.
  - (3) Match lines and a key map for projects which cannot be shown in entirety on one sheet. The key map shall have outlined or shaded the area and number covered by each individual map.
  - (4) Preliminary architectural sketches of building elevations and floor plans (if multi-family).
  - (5) The proposed contours suitably designated differently from the existing contours.
- (b) Utilities (See Section 15)
  - (1) Plans of proposed utility layouts (sewers, water, gas and electricity) showing feasible connections to existing or any proposed utility system.
  - (2) If any on-site sewerage disposal system and/or private well is proposed, whether they should be temporary or permanent, percolation tests shall be required and results of same noted on the plat. (Approval of Health Officer will be required).

- (3) Letter or other evidence of agreement from the Old Bridge Township Utilities Authority and Sewerage Authority stating that capacity is or will be available and has been committed for the proposed project (if applicable).

(c) Storm Drainage (See Section 15)

- (1) The natural flow of surface drainage (indicated with arrows and the final disposal of surface waters).
- (2) The location of existing and proposed water courses, culverts, bridges, drain pipes, lakes and ponds, detention or retention ponds.
- (3) The tentative location of storm drain inlets with the drainage areas tributary to each outlined and the area and discharge shown calculated for a twenty-five year storm; with inlets numbered and invert and grade elevations shown. (Tributary areas may be "marked out" on a print).

(d) Vehicular & Pedestrian Facilities: (See Section 11)

- (1) The low and high points of all roads as well as changes in grade shown in plan with percent of grade.
- (2) Preliminary profiles of all roads showing low and high points as well as changes in grade accompanied by the plan view on the same sheet.
- (3) Location, type and size of curbs, sidewalks and bikeways, and trails.
- (4) Parking, loading and unloading areas indicated with dimensions, traffic patterns, access aisles, curb radii, acceleration/deceleration lanes, etc.

(e) Landscaping: (See Section 14)

- (1) Location of existing wooded areas and the general size and type of the predominant trees.
- (2) Location, description, and general landscaping treatment of common open space areas, parking areas, street trees, and foundation planting plans (if applicable).

(f) Miscellaneous Details:

- (1) Lighting details indicating types of standards, locations, radius of light and intensity in foot candles, both existing and proposed.
- (2) Methods of refuse disposal and storage, and the location of such facilities.
- (3) Preliminary plans of recreation areas, club houses, tot lots, mail boxes, and any other street furniture as required.
- (4) The proposed system to be used in preventing erosion and silting of both the property being developed as well as downstream facilities.

(g) Encumbrances:

- (1) A true copy of any existing or proposed covenants or deed restrictions applying to the land being subdivided or certification that no covenants or restrictions exist and none will be imposed upon the land by the subdivider.
- (2) Preliminary draft of Homeowner Association documents, (if applicable).

(h) Environmental Impact Assessment:

- (1) An Environmental Impact Assessment in accordance with the provisions of Section 7-3.

7-5.1.3 Effect of Preliminary Approval:

Preliminary approval of a Major Subdivision shall, except as provided in subsection 7-5:1.3.4 of this Section, confer upon the applicant the following rights for a three year period from the date of the Preliminary Approval.

- 7-5:1.3.1 That the general terms and conditions on which Preliminary Approval was granted shall not be changed, including but not limited to Use requirements; layout and design standards for streets, curbs and sidewalks; lot size; yard dimensions and off tract improvements; except that nothing herein shall be construed to prevent the Municipality from modifying by Ordinance such general terms and conditions of Preliminary Approval as relate to public health and safety.
- 7-5:1.3.2 That the applicant may submit for Final Approval on or before the expiration date of Preliminary Approval the whole or a section or sections of the Preliminary Subdivision Plat, as the case may be.
- 7-5:1.3.3 That the applicant may apply for and the Approving Board may grant extensions of such Preliminary Approval for additional periods of at least one (1) year but not to exceed a total extension of two (2) years, provided that if the design standards have been revised herein, such revised standards may govern.
- 7-5:1.3.4 In the case of a Subdivision for an area of 50 acres or more, the Approving Board may grant the rights referred to herein for such period of time, longer than three years, as shall be determined by the Approving Board to be reasonable, taking into consideration (1) the number of dwelling units and non-residential floor area permissible under Preliminary Approval, (2) economic conditions, and (3) the comprehensiveness of the development. The applicant may apply for thereafter and the Approving Board may thereafter grant an extension to Preliminary Approval for such additional period of time as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and non-residential floor area permissible under Preliminary Approval, and (2) the potential number of dwelling units and non-residential floor area of the section or sections

awaiting Final Approval, (3) economic conditions and (4) the comprehensiveness of the development; provided that if the design standards have been revised, such revised standards may govern.

7-5:2 Major Subdivision, Final Approval

7-5:2.1 Submission Procedures

7-5:2.1.1 Three (3) mylar copies and one (1) linen plus fifteen (15) prints of the final plat, together with four (4) complete application forms, shall be submitted to the Administrative Officer at least thirty (30) days prior to a regular meeting. The Approving Board shall grant Final Approval if the detailed drawings, specifications and estimates of the application for Final Approval conform to the standards established by this Ordinance for Final Approval, the conditions for Preliminary Approval and the standards prescribed by the Map Filing Law.

7-5:2.1.2 Final Approval shall be granted or denied within forty-five (45) days after submission of a complete application to the Administrative Officer, or within such further time as may be consented to by the applicant. Whenever review or approval of the Application by the County Planning Board is required, the Approving Board shall condition any approval that it grants upon timely receipt of a favorable report on the Application by the County Planning Board or approval thereon within the required time period.

After its approval, an applicant shall file the Final Subdivision plan which conforms with the Map Filing Law, clearly describing the Approved Subdivision with the County Clerk, the Municipal Engineer and the Municipal Tax Assessor. It shall also be filed by the applicant with the Middlesex County Clerk within ninety-five (95) days of such approval; otherwise such approval shall expire, unless the Planning Board or Board of Adjustment extends the time for filing for an additional period, not to exceed ninety-five (95) days and the Final Plan is so filed within such period of time.

7-5:2.1.3 If all conditions are not complied with within 180 days from the date of the meeting at which a plan was conditionally approved for Final Approval, the Final Approval shall lapse.

7-5:2.2 Contents of Final Plan

The Final Plan shall be designed to provide for the legal conveyance of the lots and all other lands shown thereon, and to provide information to the Township and to any subsequent owner as to the physical dimensions, contours, and shape of the land and the type and location of the improvements to be built or installed thereon.

7-5:2.3

Proposed Final Plan for Filing

7-5:2.3.1

General Notes:

- (a) The Final Plan shall be drawn in ink on linen, mylar or equivalent material acceptable to the Township Engineer, and shall in all respects comply with the provisions of the Map Filing Law, N.J.S.A. 46:23-0.0 et seq.; so as to be complete and suitable for filing in the Middlesex County Clerk's Office. It is recommended that a print be submitted before preparing the mylars or linen so that any errors can be corrected.
- (b) Each block and lot shown thereon shall be numbered as specified by the Township Assessor through the office of the Township Engineer.
- (c) All supporting construction details should be generally located together rather than spread throughout the plans.

7-5:2.3.2

Map Details:

- (a) The General Legend and Title Block prepared in accordance with that required for the Preliminary Plan.
- (b) All tract data required in the Preliminary Plan, but dimensioned exactly with reference to monuments, bearings, distances in feet and hundredths, radii, points of curvature and tangency of property lines, lot widths and depths and square footage of all lots.
- (c) The location of all proposed setback lines on each lot.
- (d) Location of all existing and proposed monuments.
- (e) The right-of-way of each street, and existing public easements and Municipal boundaries within 200 feet of the subdivision.
- (f) All proposed public easements or rights-of-way and the purposes thereof and proposed streets within the proposed subdivision. The proposed streets shall show the right-of-way width and name.
- (g) All parcels proposed for either general or limited public use, such as parks, playgrounds and building sites with a statement of the purpose of each. (if applicable).
- (h) The preparation of the Final Subdivision map with metes and bounds shall be prepared by a land surveyor only.

7-5:2.3.3

Certifications and Endorsements

- (a) Statement for signature of land surveyor preparing or certifying compliance with Map Filing Act, and (if appropriate) certifying that monuments have been set as designated.
- (b) Statement for signature of owner consenting to the filing of the plat in the office of the Clerk of Middlesex County.
- (c) Statement for signature of Chairman and Secretary of the Approving Board indicating approval of the Plan.
- (d) Statement for signature of Township Engineer certifying compliance with the Map Filing Act and the Municipal Ordinance and Requirements applicable thereto.
- (e) If monuments are to be set at a later date, the map shall contain a statement for signature of the Township Clerk certifying receipt of a bond guaranteeing the future setting of the monuments shown on this map and so designated.
- (f) Statement for signature of Township Clerk stating that the proper authority has approved the map; and that said map complies with the provisions of the Map Filing Act; and designating the day on or before which said map is required to be filed by the provisions of the applicable law.

7-5:2.3.4

Proof of Payment of Taxes

An official Tax Search signed by the Township Tax Collector indicating that all taxes have been paid to date.

7-5:2.3.5

Tax Map Reference

A separate mylar of the Final Plan at the determined scale of the official Township Tax Map shall also accompany the drawings for filing. The scale of said mylar shall be no larger than 1" = 50 ft and no smaller than 1" = 400 ft. and shall be so determined by the Township Department of Engineering.

7-5:2.4

Construction Drawing Details

7-5:2.4.1

General Notes:

A construction drawing shall be prepared showing all of the proposed improvements, details and subdivision of the land.

At least the following shall be included:

- (a) All data (monuments, lot lines, right of ways, easements, set backs, special parcels, lot numbers) required on the Final Plan for filing as previously cited.

Certification statements and bearings are not required on the Construction Map. Distances to the tenths instead of hundredths are acceptable.

- (b) All data required on the Preliminary Plan as previously cited and as approved by the Approving Board.
- (c) The proposed final first floor elevations of dwellings and outside grades at their corner.
- (d) The proposed curb elevations at all lot corners.
- (e) All existing structures, an indication of those which are to be demolished or removed and the front, rear, and side yard dimensions of those to remain.
- (f) Proposed contours suitably designated differently from existing contours.
- (g) Final architectural drawings of building elevation and floor plans, including outside decks and patios (if multi-family).

7-5:2.4.2

Utilities (See Section 15)

- (a) Plans of all proposed improvements and utility layouts (sanitary sewers, water, gas, electrical, etc.) showing feasible connections to any existing or proposed utility system.
- (b) Profiles of all sanitary sewers (including roadways and easement areas).
- (c) Certified letter or copy of resolution from the Old Bridge Township Sewerage Authority attesting to the tentative approval of the project's sewer system.
- (d) Certified letter or copy of resolution from the Old Bridge Municipal Utilities Authority attesting to the tentative approval of the project's water system.
- (e) Details of proposed utility structures and appurtenances, as may be required (manholes, trenches, encasements, connections, special structures, etc).
- (f) If private utilities are proposed, they shall comply fully with all local, County and State regulations. Where applicable, any plans shall be accompanied by certified copies of approvals from the authorities and other appropriate health agencies.

7-5:2.4.3

Storm Drainage (See Section 15)

- (a) Complete drainage calculations of all pipes, swales, ditches, channels, streams, detention/retention facilities, including offsite facilities as may be required by this project.
- (b) The natural flow of surface drainage (indicated with arrows) and the final disposal of surface water.
- (c) The location of existing and proposed water-courses, culverts, bridges, drain pipes, lakes and ponds detention/retention facilities and all offsite drainage systems affected by the project.
- (d) The slopes of the banks of all water courses (if defined) and boundaries of the related flood plain (if defined) both predevelopment and postdevelopment, as per Department of Environmental Protection, Division of Water Resources.
- (e) Location, size, length, easements, and slope of all storm drain pipes, ditches and channels.
- (f) Details, as may be required (inlets, riprap, manholes, head/end walls, cross-sections of ditches and channels underdrains, trenches, scour protection for ditches and channels, spillways, cutoff walls, special structures and all other drainage devices or methods to be used in the project).
- (g) Profiles of all storm sewers (including roadway and easement areas).
- (h) Tentative Approval of the plans for drainage or water course diversion or stream encroachment or certification that none is required by the New Jersey Department of Environmental Protection. Copy to be attached to the plan.

7-5:2.4.4

Vehicular and Pedestrian Facilities (See Section 11)

- (a) Paving widths and locations, pavement sections and final road profiles including grades in percent, proposed elevations every 50', all vertical curve data, and all utilities accompanied by the plan view on the same sheet.
- (b) Sidewalk widths and locations and sections.
- (c) The maximum anticipated extent of the areas of cuts and fills where grade changes are proposed, including those for streets.
- (d) Parking, loading and unloading areas indicated with dimensions, traffic patterns, access aisles, curb radii, acceleration/deceleration lanes, etc.

7-5:2.4.5

Landscaping (See Section 14)

- (a) Location of existing vegetation and wooded areas to be preserved and the general size and type of the predominant trees.
- (b) Landscaping plan showing what will be planed and where, including types of plantings (with common and scientific names) sizes, planting schedule, details, etc. off-street trees, all common open space and building foundations and parking lots (if applicable).

7-5:2.4.6

Miscellaneous Details

- (a) On a separate plan sheet the proposed system to be used in preventing erosion and silting of both the property being developed as well as downstream facilities and a schedule of the sequence of work. (Note: This plan is required for a Land Disturbance Permit which is required before any disturbance clearing, grading, etc. can take place, and is to be approved by the Freehold Soil Conservator District).
- (b) Location, type of construction details of all recreational facilities such as swimming pools, tennis courts, clubhouses, etc., to be constructed (if applicable).
- (c) Detail of mailboxes, refuse disposal facilities, and other street furniture (if applicable).
- (d) Lighting details indicating type of standards and location (See Section 17).
- (e) Location, dimension and details of signs both existing and proposed. (See Section 16).

7-5:2.4.7

Encumbrances/Conveyances

(Copies of the documents to be submitted with the plans, if applicable).

- (a) A true copy of any existing or proposed covenants or deed restrictions applying to the land being subdivided or certification that no covenants or restrictions exist and none will be imposed upon the land by the subdivider.
- (b) An original instrument covering easements and fee simple interest in the lands to be conveyed to the Township (if applicable).
- (c) Final copy of Homeowners Association documents (if applicable).

7-5:2.4.8

Microfilming:

Each filing shall also include a negative microfilm original (marked as such) and two (2) negative microfilm copies of each sheet of the drawings submitted. The original microfilm shall be safety silve halide or archival quality, meet American National Standards Institute (ANSI) standards. ANSI PHI. 25, ANSI PHI. 23 for triacetate base film or ANSE PHI 41 for polyester base film, latest revisions thereof. The copies may be Diazo or Vesicular Film. All film must be 35 mm, mounted in a standard aperture card. Each frame of microfilm shall be exposed and processed so that every line and character on the document appears on the microfilm clearly and legibly when the image is enlarged to the size of the original document. The film shall be free of scratches, holes in the emulsion or base, tears, finger marks or any other defect that might adversely affect quality. The aperture card shall also contain the name of the subdivision, the name, title, and address of the applicant, and the date of the sheet shown on the microfilm and revision dates.

7-5:2.5

Effect of Final Approval:

7-5:2.5.1

The zoning requirements applicable to the Preliminary Approval first granted and all other rights conferred upon the applicant whether conditionally or otherwise, shall not be changed for a period of 2 years after the date of Final Approval; provided that in the case of Major Subdivision, the rights conferred by this Section shall expire if the plat has not been duly recorded within the time periods provided herein. If the applicant has followed the standards prescribed for Final Approval, and in the case of a Subdivision, has duly recorded the plat as required, the Approving Board may extend such period of protection by extensions of one year but there shall not be more than three extensions. Notwithstanding any other provisions of this Ordinance, the granting of Final Approval terminates the time period of Preliminary Approval for the section granted Final Approval.

7-5:2.5.2

In the case of a Minor Subdivision of 50 acres or more or Major conventional Subdivision or Site Plan for 150 acres or more, the Approving Board may grant the rights referred to herein for such period of time, longer than two years, as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under Final Approval, (2) economic conditions and (3) the comprehensiveness of the development. The applicant may apply for thereafter, and the Approving Board may thereafter grant, an extension of Final Approval for such additional period of time as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under Final Approval, (2) the number of dwelling units and nonresidential floor area remaining to be developed, (3) economic conditions and (4) the comprehensiveness of the development.

If all conditions are not complied with within 180 days from the date of the meeting at which a plan was conditionally approved for Final Approval, the Final Approval shall lapse.

7-6

SITE DEVELOPMENT PLANS

7-6:1

Site Development Plans, Preliminary Approval

7-6:1.1

Submission Procedures

Site Development Plan Approval for construction of all new buildings and extension of all existing buildings, other than one-family dwellings, shall be required by the Approving Board prior to the issuance of a building permit.

(a) Parking and Loading Areas:

Before approval is given for parking areas for four (4) or more vehicles or for off-street loading and unloading facilities, a Site Development Plan shall be submitted to the Approving Board for approval.

(b) Useage Intensity Increase:

Site Development Plan Approval may be required at the discretion of the Construction Official for any new use of an existing building that significantly increases the amount of parking required or traffic in general.

(c) Building Alterations:

Site Development Plan Approval may be required at the discretion of the Construction Official for building alterations that significantly affect exterior appearance or required parking.

(d) Waiver of Requirements:

The Approving Board may waive Site Development Approval requirements if the construction or alteration or change of occupancy or use does not affect existing circulation, drainage, relationship of buildings to each other, landscaping, buffering, lighting and other considerations of Development Site Plan review.

7-6:1.1.1

Any applicant desiring to obtain Site Plan Approval shall file with the Administrative Officer, fifteen (15) prints of the required information, together with four (4) completed application forms and required fee at least thirty (30) days prior to a regular meeting of the Approving Board. If an application for developme is found to be incomplete, the applicant shall be notified thereof within forty-five (45) days of the submission of such application or it shall be deemed to be properly submitted.

7-6:1.1.2

If the Approving Board requires any substantial amendment in the layout of improvements proposed by the applicant that have been subject of a hearing, an amended application for Site Plan Approval shall be submitted and proceeded upon, as in the case of the original application. The Approving Board shall, if the proposed development complies with this Ordinance, grant Preliminary Site Plan Approval.

7-6:1.1.3

Upon submission to the Administrative Officer of a complete application for Site Plan Approval for ten (10) acres of land or less or ten (10) dwelling units or less, the Approving Board shall grant or deny Preliminary Approval within forty-five (45) days of the date of such submission or within such further time as may be consented to by the applicant. Upon the submission of a complete application for a Site Plan of more than ten (10) acres or ten (10) dwelling units, the Approving Board shall grant or deny Preliminary Approval within ninety-five (95) days of the date of submission or within such further time as may be consented to by the applicant.

7-6:1.2

Contents of Preliminary Plan

The purpose of the Preliminary Site Development Plan is to determine the feasibility of proceeding the development in light of Township standards. The Subdivision Plan may be prepared by a Professional Engineer, Land Surveyor, Architect, Landscape Architect or Professional Planner, providing the various elements are within the professional scope of the various disciplines. The following data must be presented in preliminary form for discussion purposes:

7-6:1.2.1

General Legend

A legend with at least the following information shown:

- (a) Names of all adjacent landowners within 200 feet of any property line.
- (b) Zone the proposed development is located in with the requirements of said zone compared to the proposed standards as well as the abutting zones to the proposed development.
- (c) Names and addresses of owner and developer, so designated. Name and address of corporate head (if applicable).
- (d) North point, written and graphic scales.
- (e) Contour interval and symbol.
- (f) Symbols for all existing and proposed items (fire hydrants, monuments, utilities, etc).
- (g) All supporting construction details should be generally located together rather than spread throughout the plans.

7-6:1.2.2

Title Block

A title block conforming to N.J.S.A. 45:8-36, with at least the following information shown:

- (a) Title of map.
- (b) Name of proposed project, if any.
- (c) Name, address, phone number, and signature of Professional Engineer, Registered Architect, Land Surveyor, Landscape Architect and/or Professional Planner preparing the various elements of the plan, with appropriate seals.

(d) Written scale.

(e) Date of original and all revisions. (Plus box for additional revisions).

7-6:1.2.3

Surrounding Area:

A key map at a scale of one inch equals 800 feet showing the relation of the portion to be developed to the entire tract and the relation of the entire tract to the neighborhood for at least 1,000 feet beyond its boundaries.

7-6:1.2.4

Site Characteristics:

(a) Acreage of tract to be developed to the nearest tenth of an acre.

(b) Contours of 5 feet whole intervals where slope exceeds 10 per cent and at 2 foot intervals where slopes are less.

(c) Upland drainage areas outlined on a U.S.G.S. map or a blowup of same, with the area in acres and the discharge in cubic feet per second that might be expected for a 100 year storm when they are entirely developed and sewered, and the capacity of existing downstream facilities to accept the proposed increase.

7-6:1.2.5

Plan Details:

(a)

Lots and Buildings

(1) Drawings should be such that they can be contained on a sheet 24" x 36". Proposed development layout shall be no smaller than a scale of one inch equals 100 feet using a land survey as a base, and showing all lot lines, dimensions in feet and tenths, the areas of all lots in square feet and the location of existing and proposed setback lines.

(2) All streets within 200 feet of the development, building, water courses, railroads and bridges, culverts, drain pipes and any natural features such as wooded areas and rock formations.

(3) Drainage arrows should indicate flow or storm water run-off across the property.

(4) Preliminary architectural sketches of building elevations and floor plans.

(5) The proposed contours suitably designated differently from the existing contours.

(b)

Utilities (See Section 15)

(1) Plans of proposed utility layouts (sewers, water, gas and electricity) showing feasible connections to existing or any proposed utility systems.

- (2) If any on-site sewerage disposal system and/or private well is proposed, whether they should be temporary or permanent, percolation tests shall be required and results of same noted on the plan. (Approval of the Health Officer will be required).
- (3) Letter or other evidence of agreement from the Old Bridge Township Utilities Authority and Sewerage Authority stating that capacity is available and has been committed for the proposed project (if applicable).

(c) Storm Drainage (See Section 15)

- (1) Complete drainage calculations of all pipes, swales, ditches, channels, streams, detention/retention facilities, including off-site facilities as may be required by this project.
- (2) The natural flow of surface drainage (indicated with arrows and the final disposal of surface waters).
- (3) The location of existing and proposed water courses, culverts, bridges, drain pipes, lakes and ponds, detention or retention ponds, and all off-site drainage systems affected by this project.
- (4) The tentative location of storm drain inlets with the drainage areas tributary to each outlined and the area and discharge shown calculated for a twenty-five storm; with inlets numbered and invert and grade elevations shown. (Tributary areas may be "marked out" on a print.)

(d) Vehicular and Pedestrian Facilities (See Section 11)

- (1) The low and high points of all roads as well as changes in grade shown in plan with per cent of grade.
- (2) Preliminary profiles of all roads showing low and high points as well as changes in grade accompanied by the plan view on the sheet.
- (3) Location, type and size of curbs, sidewalks and bikeways.
- (4) Parking, loading and unloading areas indicated with dimensions, traffic patterns, access aisles, curb radii, acceleration/deceleration lanes, etc.

(e) Landscaping (See Section 14)

- (1) Location of existing generally wooded areas and exact location of existing trees with a caliper of twelve (12) inches or more.
- (2) Landscaping plan showing what will remain and what will be planted indicating names of plants, tree dimensions, and planting locations.
- (3) Location, description and general landscaping treatment of common open space areas, parking areas, street trees, and foundation planting plans.

(f) Miscellaneous Details

- (1) Location, dimensions and details of all existing and proposed signs (see section 16 as amended).
- (2) Lighting details indicating types of standards, locations, radius of light and intensity in foot candles, both existing and proposed. (See Section 17).
- (3) Methods of refuse disposal and storage, and the location, dimensions and screening of those areas.
- (4) Preliminary Plan of recreation areas, club houses, tot lots, mail boxes, and any other street furniture as required.
- (5) The proposed system to be used in preventing erosion and silting of both the property being developed as well as downstream facilities.

(g) Encumbrances

- (1) A true copy of any existing or proposed covenants or deed restrictions applying to the land being developed or certification that no covenants or restrictions exist and none will be imposed upon the land by the developer.
- (2) Preliminary draft of open space organization documents, (if applicable).

(h) Environmental Impact Assessment

- (1) An Environmental Impact Assessment in accordance with the provisions of Section 7-3.

7-6:1.3 Effect of Preliminary Approval

Preliminary Approval of a Site Plan shall, except as provided in subsection of this section, confer upon the applicant the following rights for a three-year period from the date of the Preliminary Approval:

7-6:1.3.1 That the general terms and conditions on which Preliminary Approval was granted shall not be changed, including but not limited to use requirements; layout and design standards for streets, curbs and sidewalks; lot size; yard dimensions and off tract improvements; and, in the case of a Site Plan, any requirements peculiar to the Site Plan Approval, except that nothing herein shall be construed to prevent the Municipality from modifying by ordinance such general terms and conditions of Preliminary Approval as relate to public health and safety.

7-6:1.3.2 That the applicant may submit for Final Approval on or before the expiration date of Preliminary Site Plan.

- 7-6:1.3.3 That the applicant may apply for and the Approving Board may grant extensions of such Preliminary Approval for additional periods of at least 1 year but not to exceed a total extension of 2 years, provided that if the design standards have been revised herein, such revised standards may govern.
- 7-6:1.3.4 In the case of a Site Plan, for an area of 50 acres or more, the Approving Board may grant the rights referred to herein for such period of time, longer than three years as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under Preliminary Approval, (2) economic conditions, and (3) the comprehensiveness of the development. The applicant may apply for thereafter and the Approving Board may thereafter grant an extension to Preliminary Approval for such additional period of time as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and non-residential floor area permissible under Preliminary Approval, and (2) the potential number of dwelling units and nonresidential floor area of the section or sections awaiting Final Approval, (3) economic conditions, and (4) the comprehensiveness of the development; provided that if the design standards have been revised, such revised standards may govern.
- 7-6:2 Site Development Plans, Final Approval
- 7-6:2.1 Submission Procedures
- 7-6:2.1.1 One (1) mylar copy plus fifteen (15) prints of the Final Plat, together with four (4) complete application forms, shall be submitted to the Administrative Officer. The Approving Board shall grant Final Approval if the detailed drawings, specifications and estimates of the application for Final Approval conform to the standards established by this Ordinance for (a) Final Approval, (b) the conditions for Preliminary Approval and (c) the standards prescribed by the Map Filing Law.
- 7-6:2.1.2 Final Approval shall be granted or denied within forty-five (45) days after submission of a complete application to the Administrative Officer, or within such further time as may be consented to by the applicant. Whenever review or approval of the application by the County Planning Board is required, the Approving Board shall condition any approval that it grants upon timely receipt of a favorable report on the application by the County Planning Board or approval thereon within the required time period.
- 7-6:2.1.3 If all conditions are not complied with within 180 days from the date of the meeting at which a Site Development Plan was conditionally approved for Final Approval, the Final Approval shall lapse.
- 7-6:2.2 Proposed Final Plan

7-6:2.2.1

General Notes:

- (a) The Final Plan shall be designed to provide for the legal conveyance of the buildings and all other lands shown thereon, and to provide information to the Township and to any subsequent owner as to the physical dimensions, contours, and shape of the land and the type and location of the improvements to be built or installed.
- (b) Each block and lot shown shall be numbered as specified by the Township Assessor through the office of the Township Engineer.
- (c) All supporting construction details should be generally located together rather than spread throughout the plans.

7-6:2.2.2

Map Details:

- (a) The General Legend and Title Block prepared in accordance with that required for the Preliminary Plans.
- (b) All tract data required in the Preliminary Plan but dimensioned exactly with reference to monuments, bearings, distances in feet and hundredths, radii, points of curvature and tangency of property lines, lot widths and depths and square footage of all lots.
- (c) The location of all proposed setback lines on each lot.
- (d) Location of all existing and proposed monuments.
- (e) The right-of-way of each street, and existing public easements and Municipal boundaries within 200 feet of the subdivision.
- (f) All proposed public easements or right-of-way and the proposes thereof and proposed streets within the proposed subdivision. The proposed streets shall shown the right of way width and street names.
- (g) All parcels proposed for either general or limited public use, such as parks, playgrounds and building sites with a statement of the purpose of each (if applicable).

7-6:2.2.3

Certification and Endorsements:

- (a) Statement for signature of Chairman and Secretary of Approving Board indicating approval of the Subdivision Plan.
- (b) Statement for signature of Township Engineer certifying compliance with the Municipal Ordinance and requirements applicable thereto.

7-6:2.2.4

Proof of Payment of Taxes:

- (a) An official Tax Search signed by the Township Tax Collector indicating that all taxes have been paid to date.

7-6:2.3

Construction Drawing Details:

Also included on the Final Site Plan Map shall be the following construction information:

7-6:2.3.1

Lots and Buildings:

- (a) All data required on the Preliminary Plan as previously cited and as approved by the Approving Board.
- (b) The proposed first floor elevations of dwellings and proposed outside grades at the corner of the dwellings.
- (c) The proposed curb elevations at all building and lot corners.
- (d) All existing structures, indicating those which are to be demolished or removed and the front, rear, and side yard dimensions of those to remain.
- (e) Proposed contours suitably designated differently from existing contours.
- (f) Final architectural drawings of building elevations and floor plans, including outside decks and patios (if multi-family).

7-6:2.3.2

Utilities (See Section 15)

- (a) Plans of all proposed improvements and utility layouts (sanitary sewers, water, gas, electrical, etc.) showing feasible connections to any existing or proposed utility system.
- (b) Profiles of all sanitary sewers (including roadways and easement areas).
- (c) Certified letter or copy of resolution from the Old Bridge Township Sewerage Authority attesting to the tentative approval of the project's sewer system.
- (d) Certified letter or copy of resolution from the Old Bridge Municipal Utilities Authority attesting to the tentative approval of the project's water system.
- (e) Details of proposed utility structures and appurtenances, as may be required, (Manholes, trenches, encasements, connections, special structures, etc.).

If private utilities are proposed, they shall comply fully with all local, county and state regulations. Where applicable, any plans shall be accompanied by certified copies of approvals from the authorities and other appropriate health agencies.

7-6:2.3.3

Storm Drainage (See Section 15)

- (a) Complete drainage calculations of all pipes, swales, ditches, channels, streams, detention/retention facilities, including offsite facilities as may be required by this project.
- (b) The natural flow of surface drainage (indicated with arrow) and the final disposal of surface waters.
- (c) The location of existing and proposed water course, culverts, bridges, drain pipes, lakes and ponds, detention/retention facilities and all offsite drainage systems affected by the project.
- (d) The slopes of the banks of all water courses (if defined) and boundaries of the related flood plains (if defined), both predevelopment and postdevelopment, as per Department of Environmental Protection, Division of Water Resources.
- (e) Location, size, length, easements, and slope of all storm drain pipes, ditches and channels.
- (f) Details, as may be required (inlets, riprap, manholes, head/end walls, cross-sections of ditches and channels, underdrains, trenches, scour protection for ditches and channels, spillways, cutoff walls, special structures and all other drainage devices or methods to be used in this project).
- (g) Profiles of all storm sewers (including roadways and easement areas).
- (h) Certification of tentative approval of the plans for drainage or water course diversion or stream encroachment or that none is required by the New Jersey Department of Environmental Protection. Copy to be attached to the plan.

7-6:2.3.4

Vehicle and Pedestrian Facilities (See Section 11)

- (a) Paving widths and locations, pavement sections and final road profiles including grades in percent proposed grades every 50', all vertical curve data, and all utilities accompanied by the plan view on the same sheet.
- (b) Sidewalk widths and locations and sections.
- (c) The maximum anticipated extent of the areas of cuts and fills where grade changes are proposed, including those for streets.
- (d) Parking, loading and unloading areas indicated with dimensions, traffic patterns, access aisles, curb radii, acceleration/deceleration lanes, etc.

7-6:2.3.5

Landscaping (See Section 14)

- (a) Location of existing wooded areas and the general size and type of the predominant trees.
- (b) Landscaping plan locating the trees that will remain, locating and indicating the types of plantings (with common and scientific names) sizes, planting schedule, details, etc. off street trees, all common open space and building foundations and parking lots (if applicable).

7-6:2.3.6

Miscellaneous Details

- (a) On a separate sheet the proposed system to be used in preventing erosion and silting of both the property being developed as well as downstream facilities and a schedule of the sequence of work. (Note: This plan is required for a Land Disturbance Permit which is required before any disturbance, clearing, grading, etc. can take place, and is to be approved by the Freehold Soil Conservation District.)
- (b) Location, type and construction details of all recreational facilities such as swimming pools, tennis courts, clubhouses, etc., to be constructed (if applicable).
- (c) Details of mailboxes, refuse disposal facilities, and other street furniture (if applicable).
- (d) Lighting details indicating type of standards and location (See Section 17).
- (e) Location, dimension and details of signs both existing and proposed. (See Section 16)

7-6:2.3.7

Encumbrances/Conveyances

Copies of the documents to be submitted with the plans, if applicable.

- (a) A true copy of any existing or proposed covenants or deed restrictions applying to the land being subdivided or certification that no covenants or restrictions exist and none will be imposed upon the land by the subdivider.
- (b) An original instrument covering easements and fee simple interests inlands to be conveyed to the Township (if applicable).
- (c) Final copy of Homeowners Association documents (if applicable).

7-6:2.3.8

Microfilming

Each filing shall also include a negative microfilm original (marked as such) and two (2) negative microfilm copies of each sheet of the drawings submitted. The original microfilm shall be safety silve halide or archival quality, meet American National Standards Institute (ANSI) standards, ANSI PHI. 25, ANSI PHI. 23 for triocetate base film or ANSI PHI. 41 for polyester base film, latest revisions thereof. The copies may be

Diazo or Vesicular Film. All film must be 35 mm, mounted in a standard aperture card. Each frame of microfilm shall be exposed and processed so that every line and character on the document appears on the microfilm clearly and legibly when the image is enlarged to the size of the original document. The film shall be free of scratches, holes in the emulsion or base, tears, finger marks or any other defect that might adversely affect quality. The aperture card shall also contain the name of the subdivision, the name, title, and address of the applicant, and the date of the sheet shown on the microfilm and revision dates.

7-6:2.4

Effect of Final Approval

7-6:2.4.1

The zoning requirements applicable to the Preliminary Approval first granted and all other rights conferred upon the applicant, whether conditionally or otherwise shall not be changed for a period of 2 years after the date of Final Approval; provided that in the case of Major Subdivisions, the rights conferred by this Section shall expire if the plan has not been duly recorded within the time periods provided herein. If the applicant has followed the standards prescribed for Final Approval, and in the case of a Subdivision, has duly recorded the plan as required, the Approving Board may extend such period of protection by extensions of one year provided there not be protection of extensions. Notwithstanding any other provisions of this Ordinance the granting of Final Approval terminates the time period of Preliminary Approval for that section of the subdivision that has been granted Final Approval.

7-6:2.4.2

In the case of a Site Plan of 50 acres or more, the Approving Board may grant the rights referred to herein for such period of time longer than two years, as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under final approval, (2) economic conditions and (3) the comprehensiveness of the development. The applicant may apply for thereafter, and the Approving Board may thereafter grant, an extension of Final Approval for such additional period of time as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and non-residential floor area permissible under Final Approval (2) the number of dwelling units and nonresidential floor area remaining to be developed, (3) economic conditions and (4) the comprehensiveness of the development.

7-7

PLANNED DEVELOPMENTS

7-7:1

Planned Development, General Development Plan Approval

7-7:1.1

Submission Procedures for a General Development Plan

- (a) An Applicant for approval of a Class I or Class II Planned Development may file a General Development Plan encompassing all of the applicant's land constituting the proposed Planned Development. The applicant shall first obtain approval of the General Development Plan as provided herein and shall thereafter, from time to time, proceed to obtain Preliminary and Final Plan approval(s) of the various section(s) or subdivision(s) that collectively constitute the G.D.P. as provided for in Section 7-5:2.
- (b) An application for approval of a General Development Plan shall be deemed an application for development for the purposes of requiring a public hearing pursuant to Section 2-14.
- (c) Fifteen (15) copies of the General Development Plan and four (4) complete applications shall be submitted to the Administrative Officer. If the application is found to be incomplete, the applicant shall be notified by the Administrative Officer of the specific deficiencies within 45 days of submission, or the application shall be deemed to be properly submitted.
- (d) Two (2) copies of the General Development Plan shall be filed by the applicant, for informational purposes only, with the Middlesex County Planning Board and the State of New Jersey Department of Community Affairs, Division of State and Regional Planning.
- (e) The Approving Board shall, within 95 days or within such further time as may be consented to by the applicant, by written resolution, either grant approval of the General Development Plan as submitted, or with changes and/or conditions, or deny approval.

7-7:1.2

Contents of General Development Plan

7-7:1.2.1

The General Development Plan shall:

Contain such information as may be necessary for the Approving Board to reach the Required Statutory Determination set forth in Section 7-7:1.3(e) pursuant to N.J.S.A. 40:55D-45; and comply with the requirements of section 9 and set forth in written form and with maps and drawings, as applicable:

- (a) A Land Use Plan at a scale of 1" = 600 ft. indicating the tract area and locations of land areas to be devoted to the proposed land uses. The acreage of each residential parcel and the total number of dwelling units shall be indicated as well as the density range within each residential parcel. If permitted non-residential uses are intended or required, the acreage of each non-residential use shall be indicated, and the proposed type of non-residential use (i.e. office, industrial, commercial, etc.).

- (b) Traffic and Circulation Plans for the proposed development indicating proposed major vehicular and pedestrian circulation systems, and proposed improvements, if any, to the existing vehicular and pedestrian circulation systems.
- (c) An Open Space Plan indicating the major areas to be devoted to open space, conservation and recreational purposes and a description of the intended improvements within said areas.
- (d) A Utility Plan indicating existing and proposed major sewerage and water lines and facilities.
- (e) A Drainage Plan indicating the proposed method of controlling and draining surficial water on and from the site and including supportive calculations.
- (f) An Environmental Impact Statement including an environmental synthesis plan shall be submitted in the form required by Section 7-3. The applicant shall also submit a geomorphic floodway study if redefinition of the W.S. Zoning District line is requested.
- (g) A Community Facility Plan, which by graphic representation and written reports, describes the scope and type of supporting community structures including all proposed community facilities and the scope and type of supporting vehicular and pedestrian circulation facilities, public utilities and storm drainage facilities.
- (h) Qualifying Criteria/Density Benefits: The applicant may provide such data as required to determine compliance with the PD qualifying criteria and/or density benefits, justifying the total number of units requested in the Land Use plan.
- (i) Extended Vesting Report: The applicant may submit a report projecting the time period under which the development is projected to take place and the requested period of vesting in view of (a) area to be developed, (b) the economic conditions expected to prevail in the area including projected residential and non-residential absorption rates, and (c) the comprehensiveness of the development.
- (j) Fiscal Impact Report: The applicant shall submit a report analyzing and describing the impact of the total development on Township services, the projected cash flow for property tax purposes for the various parcels that collectively constitute the GPD and the schedule of assessed valuation of non residential uses as described in Section 9-10:2.

7-7:1.3

Approval of the General Development Plan

- (a) If the Approving Board grants approval of a General Development Plan, all of the representations and commitments of the applicant, including all maps or plans, together with all conditions

imposed by the Approving Board to constitute the General Development Plan for the proposed Planned Development shall be mutually binding upon the applicant and the Approving Board for such period of time as shall be set forth in the Resolution of Approval subject to such minor refinement or adjustments as may be appropriate in connection with subsequent approvals of each of the several sections or Subdivisions comprising the Planned Development except that nothing herein shall be construed to prevent modifications by Ordinance of such terms and conditions of the General Development Plan as related to public health and safety.

- (b) As a condition of approval, the Approving Board may require that the applicant copy and bind in book form the materials constituting the General Development Plan and provide the Administrative Officer with twenty (20) copies thereof for future reference in dealing with subsequent section or Subdivision applications within the PD.
- (c) As part of its written Resolution of Approval of the General Development Plan, the Approving Board may indicate the lands, if any, that it will recommend to the governing body for acceptance and dedication as public service community use, other open space, if any and public rights-of-way.
- (d) Application for the first Preliminary Plan approval shall be filed within three (3) years from the approval of a General Development Plan. The applicant may apply for an extension of the time period for submission of a complete application for the first section. The Approving Board may extend said time period for good cause.
- (e) In accordance with the provisions of N.J.S.A. 40:55D-45 the Approving Board shall find the following facts and conclusions:
  - (1) That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the Zoning Ordinance standards pursuant to subsection 52 c. (C.40:55D-65C) of the N.J. Municipal Land Use Law.
  - (2) That location and purpose of the common open space is adequate and the proposals for maintenance and conservation of the common open space are reliable.
  - (3) That provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate.
  - (4) That the proposed Planned Development will not have an unreasonably adverse impact upon the area in which it is proposed to be established;
  - (5) In the case of a proposed development which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development, in the total completion of the development, are adequate.

7-7:1.4

Effect of Approval of General Development Plan

- (a) The general terms and conditions of the General Development Plan as specifically set forth in the Resolution of Approval shall vest for three years or such longer time period as shall be determined by the Approving Board after considering the applicant's Extended Vesting Report and expert testimony. Vesting shall be granted in accordance with N.J.S.A. 40:55D-49, for such period of time as will reasonably assure completion of the proposed development, after taking into consideration the size and comprehensiveness of the development, economic conditions and the applicant's general proposals for staging of development.
- (b) The Land Use Plan shall not be changed with reference to the maximum permitted total number of dwelling units within the Planned Development, the maximum permitted number and type of dwelling units within each designated residential section and the minimum acreage of commercial, office and industrial land uses within each designated non-residential section.
- (c) The general location and design for the proposed major and minor arterial roads shall not be changed.
- (d) The extent and general location of the proposed open space shall not be changed.
- (e) No lands receiving General Development Plan Approval for a Planned Development shall be conveyed unless the seller certifies that he has informed the buyer of, and the buyer certifies to the Township that he is aware of all requirements and provisions of the approved General Development Plan and the buyer agrees, by supplementary agreement, to be bound by all such requirements and provisions.
- (f) In the event that a General Development Plan is given approval and thereafter, but prior to approval of the first set of Preliminary Plans, the applicant shall elect to abandon part or all of said General Development Plan and shall so notify the Administrative Office in writing, or in the event the applicant shall fail to file a complete application for approval of the first set of Preliminary Plans within the maximum period of time, and has not obtained an extension, the approval of the General Development Plan shall lapse.

7-7:1.4.1

Subdivision of Land Subject to Approved General Development Plan

- (a) Lots may be subdivided from property subject to an approved General Development Plan without regard to setback, sideyard, area or other applicable standards in order to permit fee simple conveyance of lots if the following conditions are met:
  - 1. The Subdivision conforms with an approved General Development Plan.

2. Access to individual lots is provided through public road(s), through private road(s) or through property owned by a homeowners association; and
3. The proposed lots conform to an approved Preliminary and Final Site Plan.

- (b) Sections may be subdivided from property subject to an approved General Development Plan without regard to setback, sideyard, area or other applicable standards in order to permit conveyance to a builder, homeowners association or utility for development in compliance with the approved General Development Plan.

7-7:2 Planned Developments, Preliminary Approval

If the General Development Plan provides for staged development over a period of time, an applicant shall file a Preliminary Plan encompassing the section(s) proposed for current implementation prior to or simultaneous with filing for Final Subdivision or Site Development Plan Approval.

If the General Development Plan does not provide for staged development, the applicant shall file a Preliminary Plan encompassing the entire PD prior to or simultaneous with Final Subdivision or Site Development Plan Approval.

- 7-7:2.1 Submission procedures for Preliminary Plans: (supercedes 7-5:1.2): if the applicant has filed for and received approval of a General Development Plan; otherwise, the procedures in 7-5:1.2 shall prevail.

- (a) An application for approval of a Preliminary Plan shall be deemed an application for development for the purposes of requiring a public hearing pursuant to Section 2-14.
- (b) Fifteen (15) copies of the Preliminary Plan and four (4) complete applications shall be submitted to the Administrative Officer. If the application is found to be incomplete, the applicant shall be notified by the Administrative Officer within 45 days of submission or the application shall be deemed properly submitted.
- (c) The Approving Board shall, within 95 days, or within such further time as may be consented to by the applicant, by written resolution, either grant approval of the Preliminary Plan as submitted, or with changes and/or conditions, or deny approval.

7-7:2.1.1 Contents of Preliminary Plan:

The Preliminary Plan shall comply with the requirements of Section 9 and set forth in written form and with maps and drawings, as applicable, the following:

- (a) Location Map at a scale of no less than 1" = 600', delineating the section(s) that are the subject of Preliminary Plan submission within the context of any approved General Development Plan.

- (b) Site Characteristics Map, at a scale of not less than 1" = 200' with the topography of the section(s) at not less than five foot contours.
- (c) Site Plan, at a scale of not less than 1" = 200' showing:
1. Land Use indicating the specific Use, location and bulk of all residential and non-residential buildings and sites adequately demonstrating general conformance to any Land Use Plan approved as part of a General Development Plan.
  2. Details of use, location and bulk of all multi-family uses and buildings at a scale of 1" = 100 ft.
  3. Architectural sketches to illustrate typical building characteristics and forms.
  4. The location of existing and proposed property boundary lines, streets, buildings, water-courses, railroads, bridges, culverts, drain-pipes and major pedestrian/bicycle pathways.
  5. The approximate amount of land area covered by buildings, pavement or other impervious cover in acres and as a percentage of the section(s).
  6. An outbound boundary survey of the total section(s)
- (d) Traffic and Circulation: Plans showing the provision for parking and loading of vehicles and the location of pedestrian, automobile, and mass transit transportation systems in relation to buildings, open spaces and public facilities in or near the specifically planned area.
- out. Typical cross-sections, profiles, grades and sight distance data at a scale of 1" = 100' or greater shall be provided.
- (e) Open Space Map, basically consistent with the open space plan approved as part of a General Development Plan, at a scale of 1" = 200', showing all areas of the section(s) to be designated as required PD open space and the designation of each area according to its location and planting or other screening techniques to be used in designated buffer areas. The map shall also denote the size of each designated area in acres and the total required PD open space area in acres and as a percentage of the section(s).
- Supporting landscape architectural sketches to adequately convey the general landscape treatment of the areas around the residential land uses and the private open space at a scale of 1" = 100 ft.
- (f) A Community Facility Plan describing location and size in acres of supporting community facilities, structures and uses, including both private facilities and public community service sites. The plan shall relate the approximate time of construction of these structures, facilities and areas to the number of dwelling units being proposed for construction in the subject development stage.

- (g) Sewerage and Water data basically consistent with the sewerage and water plan approved as part of a General Development Plan shall be a report and/or map(s) at a scale of 1" - 200' showing the location of major collection and distribution lines for serving the proposed section(s) and how and where these systems will connect with existing sewerage and water lines or where the applicant is promising new or improved facilities. Letter from the Old Bridge Township Utilities Authority and the Sewerage Authority stating that capacity is or will be available for the proposed project (if applicable). Approval may be conditioned upon provision of this letter or availability from an approved alternate source.
- (h) A Drainage Plan, indicating the proposed method of controlling and draining surface and sub-surface water on and from the site and including supportive calculations. Additionally, a description of the intended soil erosion and sediment control plan, tree removal and woodland protection plan and land disturbance plan shall be submitted.
- (i) Covenants, standards and easements report: The specific standards and control which would be imposed on all future applications in the section(s) for wildlife, vegetation, landscaping, open space, recreation, energy, air quality, soil quality, water quality and architecture including copies of any protective covenants, easements or deed restrictions affecting any part of the section(s).
- (j) *out.* Density Benefits: If the General Development Plan approval provides for the granting of such benefits, the applicant shall provide such data as may be required to determine whether the benefits are applicable in this section.
- (k) Fiscal Impact Report Update, further refining the fiscal impact report approved as part of a General Development Plan, indicating the impact of the section(s) on the Township services.
- (l) Extended Vesting Report: The applicant may submit a report projecting the time period under which the development of the section is projected to take place in view of: (1) the size of the section(s) and number of dwelling units and non-residential floor area expected to be developed, (2) the economic conditions expected to prevail in the area including projected residential and non-residential absorption rates, and (3) the comprehensiveness of the development. However, nothing contained herein shall be construed to extend or limit any vesting granted as part of a General Development Plan approval.
- (m) *1)* Off-Tract Improvements: A schedule of off-tract improvements, including costs, as defined in Section 8-2 which are expected to be precipitated as a result of the proposed development shall be prepared. This schedule should be based upon and related to the proposed sections of development within the respective sections anticipated to be submitted for Final Approval.

7-7:2.1.1

- (n) Staging performance schedule data indicating the approximate sequence of applications for Final Plan Approval within the section(s) which may be expressed as a schedule map at a scale of not less than 1" = 600' and which may be revised and updated periodically with the approval of the Approving Board. In a Class II PD this schedule shall include staging performance data required by Section 9-10:2 relating the percentage ratio of commercial and office/industrial acreage and assessed valuation to residential dwelling units for Preliminary Approval.

7-7:2.1.2

Approval of the Preliminary Plan(s)

- (a) If the Approving Board grants approval of the Preliminary Plan, all of the general terms and conditions contained in the representations and commitments of the applicant, including all maps or plans, together with all conditions imposed by the Approving Board shall be mutually binding upon the applicant and the Approving Board for such period of time as shall be set forth in the Resolution of Approval, subject to such minor refinement or adjustments as may be appropriate in connection with subsequent approvals of each of the several sections comprising the Planned Development, except that nothing herein shall be construed to prevent modifications by Ordinance of such terms and conditions of the Preliminary Plan as related to public health and safety.
- (b) As a condition of Approval, the Approving Board may require that the applicant copy and bind in book form the materials constituting the Preliminary Plan and provide the Administrative Officer with twenty copies thereof for future reference in dealing with subsequent Subdivision and/or Site Plan applications for Final Approval within the PD.
- (c) As part of its written Resolution of Approval of the Preliminary Plan, the Approving Board, if applicable, may indicate the time at which lands for public community service use, other open space, if any, and rights-of-way for vehicular circulation may be dedicated to the Municipality.
- (d) As part of the written Resolution of Approval, the Approving Board and applicant shall agree upon a schedule of off-tract improvements over the life of the respective development section(s). The applicant may construct the improvements in lieu of payments. The applicant may apply to amend the schedule of pro-rata payments, in the event that a significant change has occurred in the timing of development of the development section(s).

- (e) As a condition of approval, the applicant shall have the right to apply for a Land Disturbance Permit.

7-7:2.1.3

Effect of Approval of the Preliminary Plan(s)

- (a) The general terms and conditions of the Preliminary Plan shall vest for three years or such longer time period as shall be determined by the Approving Board. Vesting shall be granted in accordance with Section 40:55D-52 of the Municipal Land Use Law for such period of time as will reasonably assure completion of the proposed development after taking into consideration the size and comprehensiveness of the development and economic conditions. Nothing contained herein shall be construed to limit or extend any vesting as granted as part of the General Development Plan.
- (b) The general terms and conditions of the Preliminary Plan include:
  - (1) The specific size and location of the subject Preliminary Plan.
  - (2) The density location and types of residential dwelling units, general character and location, acreage, and square footage of non-residential land uses.
  - (3) Location of all major and minor arterials and collector streets.
  - (4) Location and type of community facilities to be constructed and the approximate sequence within which said facilities shall be constructed
  - (5) The proposed sanitary sewerage, water distribution and storm water management facilities to be constructed.
  - (6) The approximate sequence schedule for the filing of applications for Final Subdivision and/or Site Development Plan Approvals of the stated sub-sections of the Preliminary Plan.
- (c) No lands receiving Preliminary Approval for a Planned Development shall be conveyed unless the seller certifies that he has informed the buyer of, and buyer certifies to the Township that he is aware of, all requirements and provisions of the approved General Development Plan and the buyer agrees, by supplemental agreement, to be bound by all such requirements and provisions.

7-7:3

Planned Development - Final Approval

7-7:3.1

Submission Procedures

7-7:3.1.1

Three mylars, one linen and fifteen (15) copies of the final plans together with four (4) copies of the application for approval, shall be submitted to the Administrative Officer. The Approving Board shall grant Final Approval if the detailed drawings, specifications and estimates of the application for Final Approval conform to the standards established by this chapter for Final Approval, the conditions to Preliminary Approval and the standards prescribed by the Map Filing Law.

7-7:3.1.2 Final Approval shall be granted or denied within 45 days after submission of a complete application to the Administrative Officer, or within such further time as may be consented to by the applicant. Whenever review or approval of the application by the County Planning Board is required, the Approving Board shall condition any approval that it grants upon timely receipt of a favorable report on the application by the County Planning Board or approval thereon with the required time period.

7-7:3.1.3 After its approval, the applicant shall file the Final Subdivision plan conforming with the State of New Jersey Map Filing Law and clearly describing the Approved Subdivision with the County Clerk, the Municipal Engineer and the Municipal Tax Assessor. It shall also be filed by the applicant with the Middlesex County Clerk within 95 days of such Approval; otherwise such Approval shall expire, unless the Approving Board extends the time for filing for an additional period, not to exceed 95 days, and the Final Plan is so filed within such period of time.

7-7:3.1.4 If all conditions are not complied with within 180 days from the date of the meeting at which a plat was conditionally approved for Final Approval, the Final Approval shall lapse.

7-7:3.2 Contents of Final Plans (Plats)

An applicant seeking Final Approval for a Planned Development shall submit such information as required by Section 7-5:2 Major Subdivision, Final Approval or Section 7-6:2 Final Site Development Plan Approval, whichever is applicable.

7-7:3.3 Contents of Final Report:

out. { 7-7:3.3.1

Density Benefits: If the Preliminary Plan approval provided for the granting of benefits, the applicant shall provide such data as may be required to determine whether the benefits are applicable in the section(s).

out. { 7-7:3.3.2

Fiscal Impact Report Update, further refining the Fiscal Impact Report approved as part of the Preliminary Plan, indicating the impact of the section(s) on the Township services.

7-7:3.3.3

Extended Vesting Report: The applicant may submit a report projecting the time period under which the development of the section is projected to take place in view of: (1) the size of the section(s) and number of dwelling units and non-residential floor area expected to be developed, (2) the economic conditions expected to prevail in the area including projected residential and non-residential absorption rates, and (3) the comprehensiveness of the development. However, nothing contained herein shall be construed to extend or limit of any vesting granted as part of a General Development Plan or Preliminary Plan Approval.

7-7:3.3.4

Off-Tract Improvements Report Update: A schedule of off-tract improvements which indicates the specific type and cost of those improvements which will be impacted by the section of the Planned Development being submitted for Final Approvals.

The accompanying report should indicate those off-tract improvements which the applicant proposes to construct and thereby receive credit toward the off-tract pro-rata share referred to in Section 8-2 and those improvements for which the applicant proposes to pay the dollar cost.

7-7:3.4

Public Hearing:

A public hearing on an application for Final Approval of a plan, or part thereof, shall not be required, provided the plan, or part thereof, submitted for Final Approval is in substantial compliance with the plan given Preliminary Approval.

7-7:3.5

Minor Differences Between Preliminary & Final Plans:

The burden shall be upon the applicant to show the Approving Board good cause for any variation between the plan granted as Preliminary Approval and the plan as submitted for Final Approval. In the event a public hearing is not required for Final Approval, and the application for Final Approval has been filed, together with all drawings, specifications and other documents in support thereof, and as required by the Resolution of Preliminary Approval, the Approving Board shall within 45 days of the filing, grant the plan Final Approval.

7-7:3.6

Major Differences Between Preliminary & Final Plans:

In the event the plan as submitted for Final Approval is not in substantial compliance with the plan as given Preliminary Approval, the Approving Board, shall within 45 days of the date that the application for Final Approval is filed, shall notify the applicant in writing, setting forth the particular ways in which the plan is not in substantial compliance. The applicant may:

- (a) Treat this notification as denial of Final Approval;
- (b) Refile his plan in a form which is in substantial compliance with the plan given Preliminary Approval;
- (c) File a written request with the Approving Board that it hold a public hearing regarding the application for Final Approval.

If the applicant shall electe either alternative, (a) or (b), he may refile his plan or file a request for a public hearing, as the case may be, on or before the last day of the time within which he was authorized by the Resolution granting Preliminary Approval to file for Final Approval, or 30 days from the last date he receives notice of the refusal, whichever date shall occur last.

Any such public hearing shall be held within 30 days after request for the hearing is made by the applicant, and public notice thereof shall be given. Within 45 days or such further time as may be consented to by the applicant after the conclusion of the hearing, the Approving Board shall by resolution either grant Final Approval or deny Final Approval to the plan.

7-7:3.7 Abandonment

7-7:3.7.1 Abandonment of Plan

In the event that a plan, or a section thereof, is given Final Approval and thereafter the applicant shall abandon that plan or the section thereof has been finally approved, and shall so notify the Approving Board, in writing, or in the event the applicant shall fail to commence the Planned Development within 24 months after final approval has been granted, then and in that event, the final approval shall terminate and be deemed null and void unless the 24 month time period is extended by the Approving Board upon written application of the applicant.

7-7:3.7.2 Abandonment at Late Date

If at any time following the commencement of a Planned Development, the applicant has done no work, or filed no application for the next scheduled stage, for a period exceeding 24 months, the Approving Board may schedule a meeting with the applicant, and at any time after the date of that meeting, may terminate the Final Approval.

7-7:3.8 Effect of Final Approval:

7-7:3.8.1

The zoning requirements applicable to the Preliminary Approval first granted and all other rights conferred upon the applicant, whether conditionally or otherwise, shall not be changed for a period of two (2) years after the date of Final Approval; provided that in the case of Major Subdivisions, the rights conferred by this Section shall expire if the plan has not been duly recorded within the time periods provided herein. If the applicant has followed the standards prescribed for Final Approval, and in the case of a Subdivision, has duly recorded the plan as required, the Approving Board may extend such period of protection by extension of one year provided that there are not more than three (3) such extensions. Notwithstanding any other provisions of this Ordinance, the granting of Final Approval terminates the time period of Preliminary Approval for that section of the subdivision that has been granted Final Approval.

7-7:3.82

In the case of a Planned Development of 50 acres or more or conventional Subdivision or Site Plan for 150 acres or more, the Approving Board may grant the rights referred to herein for such period of time, longer than two years, as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and non-residential floor area permissible under final approval, (2)

economic conditions and (3) the comprehensiveness of the development. The developer may apply for thereafter, and the Approving Board may thereafter grant an extension of Final Approval for such additional period of time as shall be determined by the Approving Board to be reasonable taking into consideration (1) the number of dwelling units and non-residential floor area permissible under final approval, (2) the number of dwelling units and non-residential floor area remaining to be developed, (3) economic conditions and (4) the comprehensiveness of the development.

SECTION 8 PERFORMANCE AND MAINTENANCE GUARANTEES

8-1 On-Tract Improvements

Prior to the granting of Final Subdivision or Site Plan Approval, the applicant shall furnish performance guarantees for the final construction and installation of the following ontract improvements:

8-1:1 Streets

All streets to be constructed by the applicant in accordance with the requirements of the ordinance and the Township Engineer.

8-1:2 Curbs, Sidewalks, Bikeways, Open-Space Pathways

Curbs and sidewalks shall be installed along all on-tract roadways unless specifically waived by the Approving Board. Bikeways and open-space pathways shall be installed as required by the Township Planner and Township Engineer.

8-1:3 Street Signs, Other Signs and Pavement Markings

Street name signs shall be installed at each intersection; other traffic safety signs shall be installed as may be required by the Township Planner and Regulatory Agencies. The size, shape and construction of the signs shall be determined by the Township Engineer. In general, all traffic safety signs and permanent markings shall conform with the Manual on Uniform Traffic Control Devices.

8-1:4 Landscaping

All on-tract landscaping (trees, shrubs, ground covers, and other plantings) as may be required for street trees, erosion control, screenings, buffer areas, slope protection, ditch linings, etc. shall be approved by the Township Planner in accordance with the requirements of Section 14. This work shall be part of the on-tract performance and maintenance bond, and shall include the cost of the plant, its installation, and a guarantee for replacement should the plants die within the life of the bond.

8-1:5 Shade Trees

The applicant shall deposit with the Shade Tree Commission an amount sufficient to cover the guarantee of planting of shade trees in accordance with the provisions of Section 14. The amount of deposit shall be determined

by the Shade Tree Commission, the price of the trees, the cost of planting and a guarantee for one replanting should any of the trees die. The latter amount shall not be included in the applicant's performance bond.

8-1:6

Street Lighting

The applicant shall install street and parking lot lighting facilities within and abutting the Sub-division or Site Plan as required by the Township specifications and/or as approved by the Township Engineer and Township Planner.

8-1:7

Survey Monuments

Monuments shall be installed of the size, shape and location as required by the Map Filing Law.

8-1:8

Utilities

All utilities and their service lines shall be installed underground in accordance with all applicable standards.

8-1:9

Storm Sewers, Culverts, Channels, Detention/Retention Ponds and Other Storm Drainage Facilities

All storm drainage control facilities and appurtenances shall be installed in accordance with the Township specifications and with the approval of the Township Engineer.

8-1:10

Water Supply Lines and Fire Hydrants

Location, size and depth of water lines shall be as determined by the Municipal Utilities Authority and in accordance with their requirements. Fire hydrants shall be provided in accordance with the Township requirements and the recommendations of the Bureau of Fire Prevention and the Township Fire Marshall. The size of the water mains may be increased if the Fire Marshall requires such action for the welfare and safety of the general public. All performance and maintenance guarantees for the water supply system shall be furnished to the M.U.A.

8-1:11

Sanitary Sewers

The sewer system shall be constructed in accordance with the requirements of the Sewerage Authority and all performance and maintenance guarantees shall be furnished to the same.

If a public sewer system is not accessible, a sewage disposal system shall be installed in accordance with the requirement of the State Department of Health. If such public sewer facilities are not accessible, but will become so within a reasonable period as determined by the plans developed by the Township Sewerage Authority, sanitary sewers together with all

necessary laterals extending from the main sewer to the street curb shall be installed and capped. In such event the owner shall also install on-site disposal units, subject to the requirements and approval of the Township Department of Health and the State Department of Health, in such a manner as to permit the easiest and least expensive connection to the sewer when it becomes useable. No underground sewer installation shall be covered until inspected and approved. The cost of the sewer line and future connection shall be included in the guarantees.

8-2

Off-tract Improvements

Pursuant to N.J.S.A. 40:55D-42, an applicant is required to pay, as a condition of approval of a Subdivision, Site Plan, or Planned Development, a pro-rata share of the cost of providing reasonable and necessary street improvements and drainage facilities located outside the property limits of the Subdivision or Site Plan development.

The methodology except for trip generating factors and facility improvement costs contained in a document entitled - Methodology for Off-Tract Pro-Rata Analysis for the Township of Old Bridge, by Louis Berger Associates, August, 1980, as revised is hereby declared to be expressly incorporated herein and made part of this chapter. A copy of this document is available for inspections in the office of the Township Engineer.

8-2:1

Determination of the Drainage Pro-Rata Share

The drainage pro-rata share is intended to apportion the costs of improving culverts and cleaning stream channels in relation to the degree to which a specific development cause the existing culverts and stream channels to become over utilized.

Pro-rata share is defined as the sum of labor, material and engineering design cost needed to increase the capacity of particular culverts above the level needed to accommodate existing development. Labor and material cost for cleaning that portion of the stream channel within the drainage area of any one culvert included. Pro-rata share shall vary with the size and the type of the proposed development, the total amount and type of development within a particular culverts' drainage area and the number of culverts down-stream of the proposed development. Pro-rata shall be calculated in accordance with the following formula:

Pro-Rata Contribution	<u>(Acres of Land Type) Runoff Weight for Land Type</u>
-----------------------	---

The sum of all weighted acres for all developable undeveloped land types upstream of the first affected culvert =  
Cost of Improvement to First Affected Culvert

(Acres of Land Type) (Runoff Weight for Land Type)

The sum of all weighted acres for all developable undeveloped land types upstream of the second affected culvert =

Cost of Improvement to Second Affected Culvert

(Acres of Land Type) (Runoff Weight for Land Type)

The sum of all weighted acres for all developable undeveloped land types upstream of the third affected culvert =

Cost of Improvement to Third Affected Culvert

(Acres of Land Type) (Runoff Weight for Land Type)

The sum of all weighted acres for all developable undeveloped land types upstream of the last affected culvert =

Cost of Improvement to Last Affected Culvert

8-2:2

Determination of Transportation Pro-Rata Share

The transportation pro-rata share is intended to apportion the cost of making roadway improvements, the need for which is caused by new development.

The amount of contributions of a new development is determined in relation to its absolute size and the relative amount of trips produced by the development type.

Pro-rata share is defined as the sum of base cost and adjusted base cost. Base cost consists of the land, labor material and engineering design cost associated with the construction and/or installation of all traffic improvements needed to increase the capacity of the Township roadways to handle the traffic volumes which will be generated by new developments.

Adjusted base cost is the product of the base cost minus the value of benefits accruing to existing property owners by virtue of the proposed traffic improvements. Pro-rata share shall be calculated in accordance with the following formula:

$$\text{Pro-Rata Contribution} = \frac{\text{(Number of Units of Land Type) (Trip Factor for Land Type) / Total trips produced by all currently vacant developable land in the District.}}{\text{Adjusted base cost of all Traffic improvements in the District.}}$$

8-3

PERFORMANCE GUARANTEE

The applicant shall be required to provide, as a condition for final approval, a performance guarantee as follows:

- (a) If the improvement is to be constructed by the applicant under a formula for partial reimbursement or at the total expense of the applicant, a performance bond with surety, cash escrow deposit, securities, or clean irrevocable letter of credit in an amount equal to the estimated cost of improvement, or as to any part of said improvement that is required to be installed by the Township.
- (b) If the improvement is to be constructed by the Municipality as a general improvement, a cash deposit equal to the amount of the excess of the estimated cost of the improvement over the estimated total amount by which all properties, including the development property, will be specially benefitted thereby; and
- (c) If the improvement is to be constructed by the Municipality as a local improvement, a cash deposit equal to the amount referred to in the paragraph immediately above, plus the estimated amount by which the development property will be specially benefitted by the improvement.

8-3:1

General Requirements

For the purpose of assuring the installation and maintenance of on-tract and off-tract improvements, the Approving Board shall require a Performance Guarantee and a Maintenance Guarantee as a condition prior to recording of final Subdivision Plans or approval of final Site Plans in accordance with the standards of this Section.

8-3:2

Determination of Guarantee

8-3:2.1

The Approving Board shall require the furnishing of a Performance Guarantee in favor of Old Bridge Township in an amount not to exceed 120% of the cost of installation for improvements it may deem necessary or appropriate, including streets, grading, pavement, gutters, curbs, pathways, sidewalks, street lighting, street trees, surveyor's monuments, as shown on the final map and required by the Map Filing Law, culverts, storm sewers, channels, ponds, sanitary sewers, or other means of sewage disposal, drainage structures, erosion control and sedimentation control devices, public improvements of open space and all other on-site improvements and landscaping as the Board may deem necessary to promote a desirable visual environment and good civic design and arrangement.

8-3:2.2

The applicant may elect to present his own cost estimate for the construction and installation of all on and off-tract improvements, or he may elect for the Township Engineer to prepare the estimate. In any case, the Township Engineer shall have final approval as to what constitutes a fair and reasonable cost of the improvements.

8-3:2.3 For purposes of this Ordinance, a Performance Guarantee may include any security accepted by the Municipal Attorney, including cash, surety bond, cash escrow deposit, securities or clean irrevocable letter of credit, provided that the total Performance Guarantee shall include a minimum of ten percent cash, certified check, or cash escrow deposit. In the event of default, the ten percent cash deposit shall be first applied to the completion of the requirements and the remaining guarantee shall thereafter be resorted to, if necessary, for the completion of the requirements.

8-3:2.4 The Township Council shall, by resolution, release or declare in default each performance guarantee. Such performance guarantee shall run for a period of two year, during which time all work is to be completed by the applicant. However, on the request of the applicant and the accompanying consent of the surety, if there be one, the Township Council may, by resolution, extend the time during which the work is to be completed.

As a condition of any such extension, the amount of performance guarantee shall be increased or reduced to an amount not to exceed 120% of the cost of installation.

Upon substantial completion of all required improvements and connections to public systems, obligor may notify the governing body with a copy to the Township Engineer who shall inspect and file a detailed report in writing indicating approval, partial approval or rejection.

Thirty percent (30%) of the amount of the performance guarantee may be retained to insure completion of all improvements. The ten percent (10%) cash fund shall not be released until after all improvements have been installed and approved by the Township Engineer.

If any improvements have not been installed in accordance with the performance guarantee, the obligor and surety shall be liable thereon to the Township of Old Bridge, for the cost of improvement as listed on the Township Engineer's Bond Estimate for Site Improvements for those improvements that have not been installed and upon receipt of the proceeds thereof, the Township shall install such improvements. The Township shall also have all other remedies as may be lawfully available.

8-3:3 Conditions for Building Permits and Certificate of Occupancy.

8-3:3.1 Site Development Plans - Non-Residential

8-3:3.1.1 Building permits for commercial and industrial projects, which are approved as Site Development Plans, will be issued when all of the conditions set forth in the Resolution of Approval by the Approving Board have been met.

- 8-3:3.1.2 A certificate of occupancy shall be issued only upon a determination by the Construction Official that the building meets the requirements of Section 5:23-2.7 of the Uniform Construction Code, Chapter 23, N.J. Title 5, and that the conditions of the Site Development Plan approval render site and the building thereon serviceable for its intended use or activity without endangering the health, safety, and welfare of the occupants and the general public. This is intended to include all installation of curbing, utilities in or under the street cartway; functioning water supply and waste water disposal facilities; necessary underground and/or surface storm facilities to insure proper drainage of the site; approved soil erosion and sediment control plan; the parking lot and driveway sub-base affording an all weather traversable surface; painting of parking stall lines, crosswalks, fire zones, etc., solid waste storage facilities and lighting facilities.
- 8-3:3.1.3 All landscaping, paving of the final course on the parking lot and driveways, and any and all work remaining to be performed shall be completed by July 1 of the first growing season, immediately following the issuance of the first certificate of occupancy in a building or at the end of the two year performance guarantee period as set forth in Section 8-3:2.4 whichever comes first.
- 8-3:3.1.4 The Township Engineer shall also determine to what extent improvements within the development but outside the limits of the particular subsection or stage, must also be completed as a prerequisite for certificates of occupancy in the initial subsection or stage, in order to provide for the health, safety and welfare of the individuals who will occupy, and/or use the building or buildings in such subsection or stage.
- 8-3:3.1.5 The developer shall request and the Construction Official shall receive favorable reports from all appropriate utility companies and inspection officials and the Township Engineer, or Township Planner, certifying the conditional acceptance for use subject to minor punch list repairs and final acceptance by the Township Engineer where appropriate, of necessary installed improvements.
- 8-3:3.2 Site Development Plans - Residential:  
The issuance of building permits for residential projects which are approved as Site Development Plans shall be governed by the requirements for Minor and Major Sub-division and Planned Developments in Section 8-3:3.3.
- 8-3:3.3 Minor and Major subdivisions and Planned Developments
- 8-3:3.3.1 If a developer elects not to post performance bond at the start of construction, building permits for six (6) model units if multi-family, and one (1) single family detached dwelling and such other foundation permits deemed appropriate by the Construction Official in the first section shall be issued on commencement of construction of the improvements listed in Section 8-3:3.3.3. No additional permits shall be issued until all of the improvements are completed according to the procedure described herein.

- 8-3:3.3.2 If a developer elects to post a performance bond at the start of construction, the Construction Official shall issue all building permits for the approved section, or subsection or stage. No certificates of occupancy shall be issued until all of the improvements are completed according to the procedure described herein.
- 8-3:3.3.3 The improvements to be installed in satisfaction of the condition set forth in Section 8-3:3.3.1 or in satisfaction of the condition set forth in Section 8-3:3.3.2 are described as follows:
- Curbing, utilities in or under the street cartway; functioning water supply and waste water supply and waste water disposal facilities, necessary underground and/or surface storm facilities to insure proper drainage of the site; functional soil erosion and sediment control plan; the parking lot and roadway sub-base affording an all weather traversable surface; painting of parking stall lines, crosswalks, traffic control warning, informational and street name signs, fire zones, etc., solid waste storage facilities, rough grading of all lots, required buffer plantings; sidewalks, all recreational facilities except as otherwise specified as to staging in the resolutions of approval, and removal of all constructions debris so as to permit safe and free access to and from the dwelling proposed for occupancy.
- 8-3:3.3.4 Landscaping shall be completed for the immediate vicinity including all foundation and parking lot landscaping of any townhouse, patio home, cluster home or garden apartment, or other type of multi-family dwelling structure, by July 1, of the first growing season immediately following the issuance of the first Certificate of Occupancy.
- General landscaping of the common open space, street lighting and the final paving course of the roadway and parking lots shall be completed by the end of the two year performance guarantee period as set forth in Section 8-3:2.4.
- 8-3:3.3.5 The Township Engineer shall also determine to what extent improvements within the development but outside the limits of the particular subsection of stage, must also be completed as a prerequisite for certificate of occupancy in the initial subsection or stage, in order to provide for the health, safety and welfare of the individuals who will occupy and/or use the building or buildings in such subsection or stage.
- 8-3:3.3.6 The developer shall request and the Construction Official shall receive favorable reports from all appropriate utility companies and inspection officials; the Township Engineer and the Township Planner certifying the conditional acceptance for use subject to minor punch list repairs, and final acceptance by the Township Engineer, where appropriate, or necessary installed improvements prior to the issuance of subsequent building permits and Certificates of Occupancy.

8-8:3.3.7 Failure to comply with the provisions of the Section 8-3 shall constitute a violation of this ordinance and penalties will be assessed in accordance with provisions of Section 2-7.

8-4 MAINTENANCE GUARANTEES

The Approving Board may require the furnishing of a maintenance guarantee in favor of Old Bridge Township for a period not to exceed two (2) years after final acceptance of the improvement, in an amount not to exceed 15% of the cost of the improvement. For purposes of this section, a maintenance guarantee includes any security other than cash, as approved by the Township Attorney, for the maintenance of any improvement required by this section.

8-5 DUPLICATION

In the event that any other municipal agency or public utility will automatically own the utilities to be installed or the improvements are covered by a performance or maintenance guarantee to another municipal agency, no performance or maintenance guarantee, as the case may be, shall be required by the Approving Board for such utilities or improvements.

8-6 RELEASE

Provisions for the reduction or release of performance or maintenance guarantees shall conform with N.J.S.A. 40:55D-53b, 53c, 53e, 53f, 53g, and 53h.

8-7 INSPECTION

All the improvements required by on-tract and off-tract requirements shall be further subject to inspection and approval by the Township Engineer who shall be notified by the developer at least forty-eight (48) hours prior to the start of construction. No underground installation shall be backfilled and covered until it has been inspected and approved.

Inspection fees shall be determined in accordance with Section 2-8:7.

SECTION 9 PLANNED DEVELOPMENTS

9-1 STATEMENT OF OBJECTIVES

The intent of the Planned Development regulations is to permit greater flexibility and, consequently, more creative and imaginative design for the development of residential and non-residential areas than generally is possible under conventional zoning regulations. It is further intended to promote more appropriate patterns of commerce and industry; harmonious variety and inter-mixture of housing choices, a higher level of urban amenities and preservation of natural scenic qualities of open space.

9-2 PRIORITY OF REGULATIONS

9-2:1 Notwithstanding Sections 2-4 and 2-7:1, all Planned Developments are subject to the following standards and design provisions which standards shall govern in the event of a conflict with any other Section of this Land Development Ordinance.

9-3 DEFINITIONS

9-3:1 Gross Project Area

Gross Project Area shall include the total land area contained within the outbounds of the tract that is zoned PD, PD/CR or PD/SD, plus an amount of adjacent or inclusive land area within the outbounds of the subject tract that is zoned WS and owned by the applicant, except that WS zoned land that is in excess of 10% of the PD zoned land shall be excluded.

Gross Project Density

Gross Project Density (DU/AC) shall be the quotient of total dwelling units (DU's) divided by the gross project area.

9-3:2 Gross Residential Parcel Area

Gross Residential Parcel Area shall mean all acreage within the Gross Project Area that is designated for residential land uses. Gross Residential Area shall not include required PD open space, non-residential acreage, or primary roadway rights-of-way. Gross residential area shall be divided into one or more parcels that correlate with Residential Land Density categories in Section 9-5:3.

9-3:3 Gross Residential Parcel Density

Gross Residential Parcel Density (DU/AC) shall be the quotient of dwelling units (DU's) within a particular PD land use parcel (LD, LMD, MD, MHD) divided by the Gross Residential Area of that land use parcel.

9-3:4 Primary PD Roadway

For purposes of this section, Primary PD roadway shall include minor arterials, major arterials and expressways as defined in Section 11-2.

9-4 CLASSES OF PLANNED DEVELOPMENTS

Planned Developments shall be of the two classes namely, Class I PD and Class II PD, and shall meet the size criteria set forth herein.

9-4:1 Class I PD

Class I PD shall mean a Planned Unit Residential Development served by public water/sewer, with not less than 25 acres nor more than 300 acres in Gross Project Area that, in addition, meets the qualifying criteria contained in Section 9-4:1.1 of this Ordinance. The Class I PD shall be developed as a single entity according to a plan, which may contain one or more residential clusters or Residential Planned Unit Developments and one or more public or quasi-public areas as permitted herein.

9-4:1.1

Qualifying Criteria - Class I PD

By definition, a Class I PD must provide at least the following three (3) public benefits:

- (a) Provide for a mix of residential housing types.
- (b) Provide for a mix of residential housing densities in order to provide open space and recreational land areas.
- (c) Provide for required PD open space and recreational facilities to be integrated throughout the planned development. Acreage for such open space uses shall comprise not less than 23% of the Planned Development's Gross Project Area. Of this minimum area, applicant may agree to convey for public and private community service uses suitable sites equal to 3.0% of the PD's Gross Project Area in the manner outlined in Section 9-8:3.1.

9-4:2

Class II Planned Development

Class II PD shall mean a Planned Unit Development served by public water and sewer of not less than 300 acres in gross project area that meets all of the qualifying criteria contained in Section 9-4:2.1 of this Ordinance.

9-4:2.1

Qualifying Criteria - Class II PD

By definition, a Class II PD shall provide at least the following four (4) public benefits:

- (a) Provide for a mix of residential housing types as well as provide for open space and recreational, commercial, and office/industrial land uses.
- (b) Provide for a mix of residential housing densities in order to provide open space and recreational land area.
- (c) Provide for required open space and recreational facilities to be integrated throughout the Planned Development. Acreage for such open space uses shall comprise not less than 23% of the Planned Development's Gross Project Area. Of this minimum area the applicant may agree to convey for public and private community service uses suitable sites equal to 3.0% of the PD's gross project area in the manner outlined in Section 9-8:3.1.
- (d) The acreage provided for such commercial, office or industrial land uses shall not be less than 10% of Gross Project Area.

9-5

PROJECT DENSITIES

9-5:1

Gross Project Density

Gross Project Densities for a PD shall be calculated on the basis of:

- (a) Fulfillment of qualifying criteria: (by-right density); and, at the applicant's further option.
- (b) Fulfillment of optional residential density benefit standards.

9-5:1.1 Maximum Gross Project Density: Class I PD

Gross Project Density for a Class I PD shall not exceed

- (a) Fulfillment of qualifying criteria (9-4:1.1):  
2.2 DU/AC
- (b) Fulfillment of all optional density benefits including 10% non-residential benefit (9-5:2):  
3.4 DU/AC

9-5:1.2 Maximum Gross Project Density: Class II PD

Maximum Gross Project Density for a Class II PD shall be:

- (a) Fulfillment of qualifying criteria (9-4:2.1):  
3.4 DU/AC
- (b) Fulfillment of optional density benefits (9-5:2):  
4.0 DU/AC

9-5:2 Optional Residential Density Benefits

Optional Residential Density Benefits are only available to a PD when specifically requested by the applicant. They are based on the premise that Planned Developments in particular, and the Municipality in general, have public needs that are beyond the scope of legislative development requirements. To encourage the voluntary inclusion of such public benefits and to offset the additional costs thereto, it is deemed appropriate to increase the permitted residential density in consideration for the provision of such public benefit (s).

It is recognized that all the standards of a density benefit may not be fulfilled during the GDP approval process. The applicant's commitment to abide by such standards shall constitute provisional fulfillment for purposes of calculating density.

Maximum Benefits Available:

Class I PD  
1.1 - 1.2 DU/AC

Class II PD  
0.5 - 0.6 DU/AC

9-5:2.1 Schedule of Standards For Optional Residential Density Benefits.

9-5:2.1.1 Ground Water Recharge:

Class I PD  
0.1 - 0.4 DU/AC

Class II PD  
0.1 - 0.4 DU/AC

Where the site specific recharge analysis as provided for in Section 15-3:3.2 has been performed and establishes the parameters of ground water recharge augmentation, credit shall be given for an agreement by the applicant to provide said recharge augmentation in accordance with the following schedule:

- (a) If recharge augmentation is between 10% - 24% exceeding pre-development recharge: 0.1 DU/AC
- (b) If recharge augmentation is between 25% and 39% exceeding pre-development recharge: 0.2 DU/AC
- (c) If recharge augmentation is above 40%, exceeding pre-development recharge: 0.4 DU/AC



9-5:2.1.3  
(continued)

Said sites shall contain basic and supporting facilities including water and sewer.

The provision of Affordable Housing shall comply with the following schedule which relates building permits or concept approval by Federal or State Agency of Affordable Housing as a percentage of all housing:

<u>Total Housing Building Permits</u>	<u>Minimum Affordable Housing Building Permits</u>
25%	0%
50%	25%
75%	50%
90%	75%

9-5:2.1.4 Non-residential uses

Credit may be given for development of 5% or 10% of Class I PD Gross Project Area as commercial or office/industrial uses:

	<u>Class I PD</u>	<u>Class II PD</u>
(a) 5% Gross Project Area	0.3 DU/AC	N/A
(b) 10% Gross Project Area	0.6 DU/AC	N/A

In determining the applicability of this density benefit the Approving Board shall make the following two findings of fact:

- (a) That the proposed commercial or office/industrial uses are compatible with the surrounding land uses and are consistent with the goals and objectives of the Master Plan.
- (b) That said proposed commercial or office/industrial uses shall be constructed in accordance with the Staging Performance Schedule set forth in 9-10:2 unless varied by the Approving Board.

9-5:3 Gross Residential Parcel Densities

Gross residential parcel densities within a PD shall correlate with residential land use parcel categories as specified in Sections 9-5:3.1, 9-5:3.2, 9-5:3.3 and 9-5:3.4 below.

9-5:3.1 Low Density /LD

- a. Density range: 1 - 4 DU/AC.
- b. Average parcel density: 3 DU/AC.
- c. Permitted Housing Types:
  - Single Family Detached (SFD)
  - SFD/Cluster
  - Patio Home

9-5:3.2 Low Medium Density/LMD

- a. Density range: 3 - 9 DU/AC
- b. Average parcel density 6 DU/AC
- c. Permitted housing types:
  - Single Family Detached (SFD)
  - SFD/Cluster
  - Patio Home
  - Duplex
  - Triplex
  - Quadruplex
  - Townhouse

9-5:3.3

Medium Density/MD

- a. Density range: 6 - 15 DU/AC
- b. Average parcel density 10 DU/AC
- c. Permitted housing types:

- Duplex
- Triplex
- Quadruplex
- Townhouse
- Maisonette
- Multiplex
- Patio Home

9-5:3.4

Medium High Density/MHD

- a. Density range: 15 - 25 DU/AC
- b. Average parcel density 20 DU/AC
- c. Permitted housing types:

- Triplex
- Quadruplex
- Townhouse
- Maisonette
- Multiplex

9-5:3.5

Density Averaging Distribution

Density averaging may be used in distributing Gross Residential Parcel Densities from one Land Use Parcel to another within the same overall Land Use Category (LD, LMD, MD, MHD), provided that the average density and maximum number of dwelling units permitted in the given Land Use Category is not exceeded within each section embraced by the Preliminary Plan submission. The Approving Authority shall approve all applications for density averaging during Preliminary Plan submission.

9-6

PERMITTED LAND USES

Permitted Land Uses for both Class I and Class II PD's are itemized in Section 4-3, "Schedule of Permitted Uses". In addition, the following standards in the Residential Land Density Categories shall apply.

9-6:1

Residential Land Density Categories

In order to encourage a variety of residential densities the total number of residential units shall be developed according to the following schedule:

	<u>Class I PD</u>	<u>Class II PD</u>
LD		
Low Density	30% Min.	15% Min.
LMD		
Low Medium Density	50% Min. 70% Max.	20% Min. 35% Max.
MD		
Medium Density	0% Min. 0% Max.	25% Min. 35% Max.
MHD		
Medium High Density	0% Max.	10% Min. 20% Max.

9-6:1.1

Variety of Residential Housing Types

A mixture of residential housing types within each of the density categories shall be provided by the applicant and approved by the Approving Board according to the following standards:

9-6:1.1 (a) Any single housing type as set forth in Section 9-5:3 shall not dominate within any mixture of housing types in each section for Preliminary Approval and in the entire Planned Development.

(b) No less than fifty (50%) percent of the patio homes referenced in Section 9-7 shall be on lots larger than the 4,500 square feet stated minimum.

(c) Housing types within any land use parcel shall be arranged in residential clusters that maximizes the use of open space separation, bicycle/pedestrian pathways, buffers or other visual separations.

(d) Variety shall be provided within residential clusters by use of building massing, harmonious mixtures of materials, setbacks, landscaping and varied topography.

9-6:2 Non-Residential Land

9-6:2.1 Class I PD:

In a Class I PD, the applicant may, in accordance with the provisions of Section 9-5:2.1.4 apply for a density benefit of .3 Du/acre in exchange for developing five (5) percent of the gross project area for commercial, office/ industrial uses, or .6 Du/acre in exchange for developing ten (10) percent of the Gross Project Area as commercial office/industrial.

9-6:2.2 Class II PD:

In a Class II PD, the minimum percentage of Gross Project Area which must be developed for commercial/office/ industrial uses shall be ten (10) percent except where the underlying zones of PD/CR, PD/SD3, PD/SDS exceeds said 10% in which case the greater amount of land so zoned shall be developed for the aforementioned land uses

9-6:2.2.1 In the PD/SD and PD/CR zones, the applicant may apply for Preliminary and Final Subdivision and/or Site Development Plan Approval without applying for approval of a General Development Plan. The applicant may also elect to develop in these zones on a conventional basis in which case, the requirements referred in Section 4-5 shall apply.

As an alternative to conventional development in the PD/S zones, the applicant may elect to apply as a Planned Industrial/Office Park, in which case the following minimum standards shall apply:

- (a) Minimum tract size: 10 acres.
- (b) Minimum individual lot size: 3 acres; the lot size may be reduced to one (1) acre if the Approving Board finds that drainage circulation and parking, and landscaping is integrated and compatible with the remainder of the tract.
- (c) Minimum front yard setback for tract: 75 feet.
- (d) Minimum side yard setback for tract: 25 feet.
- (e) Minimum rear yard setback for tract: 50 feet.
- (f) Minimum lot width: 200 feet.
- (g) Maximum lot coverage: 40%.
- (h) Minimum building separation: 30 feet.
- (i) Maximum building height: 65 feet in the PD/SD-5 zone; 45 feet in the PD/SD-3 zone.
- (j) Building arrangement, lot and bulk standards: Lot sizes and dimensions and yard sizes may be freely disposed and arranged, provided that the development conforms to a Site Development Plan with Final Approval.



9-6:2.2.2 The applicant may either include the Planned Industrial/ Office Park with the application for Preliminary Approval of a Planned Development, Section 7-7:2, or file separately under Section 7-5:1 for Preliminary Subdivision Approval. Applications for Final Approval of a Subdivision and/or Site Development Plan may proceed concurrently with either of the aforementioned alternatives.

9-7 SCHEDULE OF AREA, HEIGHT, SETBACK AND SUBDIVISION STANDARDS

The attached schedule of standards for permitted housing types is incorporated herewith and made part of this section. It shall be deemed to be the minimum requirements in each instance of their application. Compliance with said schedule is required as follows:

9-7:1 Subdivision of Land Subject to Approved General Development Plan

Lots may be subdivided without regard to the standards contained in this section for the purposes, and following the procedures and conditions set forth in Section 7-7:1.4.1

9-7:2 Building Spacing Between Residential Structures of Similar Types

The minimum spacing between residential structures of similar types, including townhouses, triplexes, quadruplexes, maisonettes and multiplexes, shall be as follows: except where more specific standards apply:

- (a) End wall to end wall =  $\frac{1}{2}$  height of highest wall (minimum 15 feet).
- (b) Any building face to street curb = height of highest wall (minimum 20 feet).
- (c) Any building face without garages or driveways to parking area =  $\frac{1}{2}$  height of highest wall (minimum 12 feet).
- (d) Any building face with garages or driveways = height of highest wall (minimum 20 feet).
- (e) End wall to window wall =  $1\frac{1}{2}$  height of highest wall (minimum 30 feet).
- (f) Window wall to window wall = 3 times height of highest wall (minimum 75 feet).

As a condition of Preliminary and/or Final Plan Approval, the Approving Board may waive the above standards in order to facilitate innovation, flexibility, economy and environmental soundness or accommodate site specific conditions, as permitted by Section 2-17. In no event shall said waiver of building separation be less stringent than BOCA code Table 502, Exterior Wall Fire Resistance Rating Requirements.

9-7:3 Entrances

Separate exterior front entrances shall be provided to townhouses, triplexes, quadruplexes, maisonettes and multiplexes, except in the case of three (3) story multiplexes which may have interior access.

9-7:4 Building Offsets

The maximum number of dwelling units on the same set back

9-7:4 (continued) line referenced in Column 10 "Schedule of Area, Height, Setback and Subdivision Standards: shall require a minimum offset of four (4) feet.

9-7:5 Off-Street Parking

The requirements for off-street parking shall be in accordance with Section 12-2:3.1.

9-7:6 Outdoor Recreation Space

The requirements for Useable Outdoor Space in Column 12 shall include a minimum of 5 feet in any dimension with a total square footage of 100 square feet, designed to create a patio surface, or wood deck area or other hard surface for the recreational use of the occupants of the dwelling unit.

Adequate visual screening from neighboring dwelling units, patios, adjacent parking areas and roadways shall be provided and may consist of plantings, masonry structures or wood fencing. Architectural elements such as masonry walls and fences shall be compatible in both style and materials with the dwelling unit of which it is a part. These requirements apply only to Patio Homes Duplexes, Townhouses.

9-7:7 Buffers

Buffer zones are designed to minimize the impact of new developments on existing development or to screen the development from potentially adverse surrounding influences. Buffers and/or screening shall be required as set forth below, and in accordance with Section 14 "Landscaping".

9-7:7.1 Major Arterial Frontage

A buffer of 50 feet measured from the right-of-way or equivalent in design efficiency, shall be designated along the entire frontage of a residential tract abutting a major arterial.

Minor Arterial Frontage

A buffer of 25 feet wide measured from the right-of-way, or equivalent in design efficiency, shall be designated along the entire frontage of a residential tract abutting a minor arterial.

9-7:7.2 Residential Developments:

A buffer 50 feet wide or equivalent in design efficiency shall be designated between any new attached residential uses and any existing single family detached residential dwellings abutting thereto.

9-7:8 Accessory Structures and Facilities

9-7:8.1 Individual rooftop antennae in multi-family structures are specifically prohibited. Multi-family dwelling units shall be served by a master antennae system, individual attic antennae, or cable system.

9-7:8.2 Multi-family projects served by rural postal service shall have clustered roadside mailboxes as part of appropriate street furniture. Individual free-standing mailboxes are specifically prohibited.

9-6:2.2.2 The applicant may either include the Planned Industrial/ Office Park with the application for Preliminary Approval of a Planned Development, Section 7-7:2, or file separately under Section 7-5:1 for Preliminary Subdivision Approval. Applications for Final Approval of a Subdivision and/or Site Development Plan may proceed concurrently with either of the aforementioned alternatives.

9-7 SCHEDULE OF AREA, HEIGHT, SETBACK AND SUBDIVISION STANDARDS

The attached schedule of standards for permitted housing types is incorporated herewith and made part of this section. It shall be deemed to be the minimum requirements in each instance of their application. Compliance with said schedule is required as follows:

9-7:1 Subdivision of Land Subject to Approved General Development Plan

Lots may be subdivided without regard to the standards contained in this section for the purposes, and following the procedures and conditions set forth in Section 7-7:1.4.1

9-7:2 Building Spacing Between Residential Structures of Similar Types

The minimum spacing between residential structures of similar types, including townhouses, triplexes, quadruplexes, maisonettes and multiplexes, shall be as follows: except where more specific standards apply:

- (a) End wall to end wall =  $\frac{1}{2}$  height of highest wall (minimum 15 feet).
- (b) Any building face to street curb = height of highest wall (minimum 20 feet).
- (c) Any building face without garages or driveways to parking area =  $\frac{1}{2}$  height of highest wall (minimum 12 feet).
- (d) Any building face with garages or driveways = height of highest wall (minimum 20 feet).
- (e) End wall to window wall =  $1\frac{1}{2}$  height of highest wall (minimum 30 feet).
- (f) Window wall to window wall = 3 times height of highest wall (minimum 75 feet).

As a condition of Preliminary and/or Final Plan Approval, the Approving Board may waive the above standards in order to facilitate innovation, flexibility, economy and environmental soundness or accommodate site specific conditions, as permitted by Section 2-17. In no event shall said waiver of building separation be less stringent than BOCA code Table 502, Exterior Wall Fire Resistance Rating Requirements.

9-7:3 Entrances

Separate exterior front entrances shall be provided to townhouses, triplexes, quadruplexes, maisonettes and multiplexes, except in the case of three (3) story multiplexes which may have interior access.

9-7:4 Building Offsets

The maximum number of dwelling units on the same set back

9-7:4 (continued) line referenced in Column 10 "Schedule of Area, Height, Setback and Subdivision Standards: shall require a minimum offset of four (4) feet.

9-7:5 Off-Street Parking

The requirements for off-street parking shall be in accordance with Section 12-2:3.1.

9-7:6 Outdoor Recreation Space

The requirements for Useable Outdoor Space in Column 12 shall include a minimum of 5 feet in any dimension with a total square footage of 100 square feet, designed to create a patio surface, or wood deck area or other hard surface for the recreational use of the occupants of the dwelling unit.

Adequate visual screening from neighboring dwelling units, patios, adjacent parking areas and roadways shall be provided and may consist of plantings, masonry structures or wood fencing. Architectural elements such as masonry walls and fences shall be compatible in both style and materials with the dwelling unit of which it is a part. These requirements apply only to Patio Homes Duplexes, Townhouses.

9-7:7 Buffers

Buffer zones are designed to minimize the impact of new developments on existing development or to screen the development from potentially adverse surrounding influences. Buffers and/or screening shall be required as set forth below, and in accordance with Section 14 "Landscaping".

9-7:7.1 Major Arterial Frontage

A buffer of 50 feet measured from the right-of-way or equivalent in design efficiency, shall be designated along the entire frontage of a residential tract abutting a major arterial.

Minor Arterial Frontage

A buffer of 25 feet wide measured from the right-of-way, or equivalent in design efficiency, shall be designated along the entire frontage of a residential tract abutting a minor arterial.

9-7:7.2 Residential Developments:

A buffer 50 feet wide or equivalent in design efficiency shall be designated between any new attached residential uses and any existing single family detached residential dwellings abutting thereto.

9-7:8 Accessory Structures and Facilities

9-7:8.1 Individual rooftop antennae in multi-family structures are specifically prohibited. Multi-family dwelling units shall be served by a master antennae system, individual attic antennae, or cable system.

9-7:8.2 Multi-family projects served by rural postal service shall have clustered roadside mailboxes as part of appropriate street furniture. Individual free-standing mailboxes are specifically prohibited.

9-7:8.3 Dumpsters or other large solid waste containers shall be prohibited except for Multiplexes. All other multi-family housing shall provide for solid waste disposal facilities within individual dwelling units or garages, or clustered in appropriate street furniture.

9-7:9 Aesthetic Considerations

9-7:9.1 Design Features

Old Bridge Township specifically encourages innovative and efficient design of Planned Developments. In such a design, the Township also recommends that natural features such as lakes, rocks, outcrops, streams, topsoil, trees, shrubs and understory shall be preserved and incorporated into the landscaping and site design of the PD to the maximum extent feasible.

Attention in design shall be given to enhancement of views, vistas, panoramas and focal points.

Architectural design and building construction shall be consistent, complementary and harmonious. Approval of designs and exterior changes and additions may be recommended by an Architectural Review Committee to the Approving Board. A PD shall have the option of establishing its own Architectural Review Committee and appropriate standards prior to submission of preliminary or final plans, or being included under provisions for a Township-wide advisory committee. Architectural Review Committees shall pay particular attention to facade treatments, materials, color scheme, neighborhood or "village" character, fencing and landscaping, accessory structures, signage and street furnishings.

9-7:9.2 Landscaping

Landscaping shall be provided and installed by the developer in accordance with Section 14.

9-7:9.3 Protective Features

Site planning in the PD shall provide protection of the development from potentially adverse surrounding influence, and protection of surrounding areas from potentially adverse influence within the development.

9-8 OPEN SPACE

For purposes of this Ordinance, open space shall be of two general types: required PD Open Space (OS) and Public Open Space (POS).

9-8:1 Required PD Open Space (OS)

- (a) Required PD Open Space shall be of two kinds: Developed Open Space (DOS) and Undeveloped Open Space (UOS).
- (b) As noted in Qualifying Criteria for PDs (Sections 9-4:1.1 and 9-4:2.1) at least 23% of the PD Gross Project Area shall be required PD Open Space.
- (c) Required PD Open Space (OS) shall be owned and maintained by a Homeowner's Association in accordance with Section 43 of the New Jersey Municipal Land Use Law and Section 18, except that the applicant may dedicate to the Township such tracts of required PD Open Space (OS) as shall be accepted by the Township Council. However, nothing in this Section shall be construed to require that a golf course and related facilities be owned and maintained in accordance with Section 18, or be dedicated to the Township.

9-8:1 Required PD Open Space (OS)  
Continued

Required PD Open Space that is owned and maintained in accordance with NJSA 40:55D-43, accepted for public dedication, or privately owned and operated (e.g. golf course) shall be counted toward meeting the 23% minimum required PD Open Space standard.

9-8:1.1 Developed Open Space

Developed Open Space (DOS) is intended to provide outdoor residential living space and sites for recreational facilities, and to enhance aesthetic appeal. DOS may include, but shall not be limited to: landscaped lawn areas, golf course, which may include ancillary features of ground water recharge, walkways, pedestrian bicycle paths, paved terraces and sitting areas, and recreational facilities such as playfields, playgrounds, tot lots, swimming pools, sports courts, community center and ancillary roadways and parking.

9-8:1.2 Undeveloped Open Space

Undeveloped Open Space is intended to preserve lands in a natural state for groundwater recharge, aesthetic appeal, recreation and conservation purposes. UOS may include wetlands, woodlands, wildlife preserves, man-made and natural bodies of water, scenic areas, woodland trails, hedgerows and treelines, natural wooded areas around golf courses, and access roads and ancillary parking for UOS sites.

Development in UOS shall be limited to the following: foot path, jogging trail, bridle path, bicycle path, nature walk, nature preserve, bird sanctuary, ecological study or alternative energy area, nursery for trees, shrubs and other plants to be used in the PD, access roads and ancillary parking for UOS sites, and lighting, retaining walls and other features necessary to protect the land or people who will use the Undeveloped Open Space.

9-8:2 Open Space Performance Standards

Minimum size criteria for areas for developed and undeveloped PD open space shall be in accordance with standards promulgated by the National Recreation and Park Association and "Recreation Standards and Public Open Space (Municipal/County Requirements)" contained in Middlesex County Adopted Interim Master Plan.

9-8:3 Public Open Space (POS)

An applicant may agree to provide for public and quasi-public open space and community facilities. Such public open space (POS) may include two types:

- (a) Public community services uses;
- (b) Private community services uses.

Such areas shall be designated in the Old Bridge Township Master Plan and official map, and shall be credited as required PD Open Space.

9-8:3.1 Public Community Service Uses:

- (a) Public Community Service Uses include, but are not limited to: schools, libraries, fire stations,

9-8:3.1  
continued

Public Community Service Uses:

first aid and rescue squad stations, municipal offices or quasi-governmental offices, public recreational amenities and public parks, play areas or other facilities. Such uses, generally but not necessarily operated by or under the control of Old Bridge Township or related agencies, shall supplement and be generally consistent with Land Uses throughout the PD.

9-8:3.2

Private Community Service Uses:

- (b) Such lands shall be offered directly to the prospective users. Upon the written acceptance of such lands by the private community service user, the Approving Board shall formally approve the inclusion of such uses for credit as Public Open Space.

9-9

TRAFFIC AND VEHICULAR CIRCULATION

Streets, drives, parking and service areas shall provide safe and convenient access to dwelling units and project facilities and for service and emergency vehicles, and streets shall neither be so laid out as to encourage outside traffic to traverse the PD on minor streets, nor occupy more land than is required to provide access, nor create unnecessary fragmentation of the PD into smaller blocks. In general, block size shall be the maximum consistent with use and shape of the site and the convenience and safety of the occupants.

9-9:1

Vehicular Access into a PD

Vehicular access into a Planned Development shall be in accordance with the following schedule:

- (a) Class I PD:  
At least one (1) major arterial and one (1) minor arterial, or two (2) minor arterials.
- (b) Class II PD:  
At least two (2) major arterials or equivalent.

9-9:1.1

Wherever feasible, all Planned Developments shall have two or more points of access at all times, one of which may be temporary. Access points shall be designed to encourage smooth traffic flow with controlled turning movement and minimum hazards to vehicular or pedestrian traffic. Merging and turnout lanes as well as traffic dividers shall be provided where existing or anticipated heavy flows indicate need. In no case shall streets within a Planned Development connect to streets outside the development in such a way as to encourage use of minor streets for through traffic.

9-9:2

Vehicular Access Within a PD

Vehicular traffic to minor streets from off-street parking and service areas may be directly from the street. Vehicular access to other streets from off-street parking and service areas shall be combined, located and controlled as to channel traffic from and to those areas conveniently, safely, and in a manner which minimizes marginal traffic friction and promotes free traffic flow.

9-9:2.1

Conformity with Official Map or Master Plan:

The proposed street system shall conform to the proposals

9-9:2.1  
continued

Conformity with Official Map or Master Plan:

and conditions shown on the Official Map and Master Plan of Old Bridge Township, except as they may be modified as provided by law.

9-9:3

Pedestrian and Cyclist Circulation

9-9:3.1

Pedestrian and Cyclist Ways Within a PD:

Designated walkways shall form a logical, safe and convenient system for pedestrian access to all dwelling units, project facilities and principal off-site pedestrian destinations. Where appropriate, pedestrian pathways and bikeways may replace sidewalks.

Design walking distance in the open between dwelling units and parking spaces, delivery areas and trash and garbage storage areas intended for use of occupants shall be minimized.

Walkways to be used by substantial numbers of children as play areas or routes to school or other destinations shall be so located and safe-guarded as to minimize contacts with normal automotive traffic. If substantial bicycle traffic is anticipated, bicycle paths shall be incorporated in the circulation system.

Major street crossings shall be held to a minimum on the walkways, and shall be located, designed, and appropriately marked for safety. Walkways may be combined with other easements and used by emergency or service vehicles, but shall not be used by other automotive traffic.

9-9:3.2

Pedestrian and Cyclist Access into PD:

Routes for pedestrians and cyclists entering or leaving the PD shall be arranged to provide safe and convenient access. Pedestrian crossings at edges of the PD shall be safely located, marked and controlled and fences or other barriers may be used to restrict crossings where there is substantial exposure of pedestrians to automotive traffic at PD access points. Bicycle and/or bridle path if provided, shall be coordinated with the pedestrian walkway system so that bicycle, equestrian, and pedestrian street crossings are combined wherever feasible.

9-10

STAGING SCHEDULE OF NON RESIDENTIAL DEVELOPMENT

9-10:1

Applicability

As permitted by 40:55d-45(e) of the Municipal Land Use Law, the applicant for a Planned Development that contemplates construction over a period of years shall submit a schedule as provided in Section 9-10:2.1.

9-10:2

Timing and Balance of Non- Residential Development

9-10:2.1

Staging Performance Schedule:

Residential housing units and acres of non-residential uses that may be developed in a Class I or Class II PD shall be timed at intermediate points following the Staging Performance Schedule outlined below. The Staging Performance Schedule shall be established for the entire development at the time of approval of General Development Plan by the Approving Board.

The Staging Performance Schedule shall relate maximum percentage of dwelling units (expressed as the maximum number of construction permits issued) to the minimum percent of acres of non-residential uses that must be improved with public water and sewer facilities, and minimum assessed valuation of building space under construction devoted to non-residential uses.

The Approving Authority shall review each application at Preliminary Approval for conformance with the Staging Performance Schedule and may establish bench marks within intermediate points as a condition for Final Approval of sections.

Maximum Dwelling Units	Minimum Commercial and Office/Industrial Acreage (Deed-restricted & served by water/sewer)	Minimum Ratables as % Total Assessed Valuation of Commercial Office/Industrial as Defined at GDP
10%	10%	0%
25%	25%	10%
40%	40%	25%
60%	60%	45%
85%	85%	65%

Affordable housing units approved as part of the General Development Plan pursuant to Section 9-5:2.1.3 shall not be counted as residential housing units and shall be excluded from the Staging Performance Schedule requirement.

9-10:2.2

Enforcement:

Unless otherwise waived by the Approving Board, construction permits may be withheld for noncompliance. The performance shall be judged on a project-wide basis and shall not be limited to sections.

9-10:2.3

Old Bridge Township encourages completion of approved stages that are substantially self-functioning and self-sustaining with respect to traffic circulation, access, utilities, off-street parking and loading, open space and other PD requirements before development proceeds for new stages.

9-11

OFF TRACT IMPROVEMENTS

Pursuant to Section 8-2, Off-Tract Improvements, an applicant for a Planned Development shall be required to pay the off-tract pro rata share of the cost of providing reasonable and necessary street improvements and drainage facilities located outside of the Gross Project Area of the Planned Development.

The applicant, as a condition of Final Approval, shall either commit to construct said off-tract improvements or pay the dollar cost of said improvements in accordance the the provisions of Section 8-2.

SECTION 10

GENERAL DESIGN STANDARDS

Nothing in this Section shall be construed to be in conflict with the Standard Specifications and Details of the Township of Old Bridge which document is on file with the Township Engineer.

All Subdivision, Site Development Plans and Planned Developments shall comply with the requirements established

SECTION 10  
continued

GENERAL DESIGN STANDARDS

herein. In reviewing the aforementioned types of land development, the Approving Board shall consider the following general requirements which are more specific set forth in Sections 11 to 19, inclusive:

(a) Pedestrian and vehicular traffic movement within and adjacent to the site with particular emphasis on the provision and layout of parking areas, off-street loading and unloading, movement of people, goods and vehicles from access roads within the site, between buildings and between buildings and vehicles.

(b) The Approving Board shall ensure that all parking spaces are useable, safely and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.

(c) The design layout of buildings and parking areas shall be reviewed as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection, impact on surrounding development and contiguous and adjacent buildings and lands.

(d) Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be a type approved by the Approving Board. Directional lights shall be arranged so as to minimize glare and reflection on adjacent properties.

(e) Buffering shall be located around the perimeter of the site to minimize headlights of vehicles, noise, light from structures, the movement of people and vehicles, and to shield activities from adjacent properties when necessary. Buffering may consist of fencing, evergreens, shrubs, bushes, deciduous trees or combinations thereof to achieve the stated objectives.

(f) Landscaping shall be provided as part of the overall site plan design and integrated into building arrangement, topography, parking and buffering requirements. Landscaping shall include trees, bushes, ground cover, perennials, annuals, plants, sculpture, art and the use of building and paving materials in an imaginative manner.

(g) Signs shall be designed so as to be aesthetically pleasing, harmonious with other signs on the site, and located so as to achieve their purpose without constituting hazards to vehicles and pedestrians.

(h) Storm drainage, sanitary waste disposal, water supply and garbage disposal shall be reviewed and considered. Particular emphasis shall be given to the adequacy of existing systems, and the need for improvements, both on-site and off-site, to adequately carry run-off and sewage, and to maintain an adequate supply of water at sufficient pressure and quality.

(i) Garbage disposal shall be reviewed to ensure frequent collection, vermin and rodent protection, and aesthetic considerations. All systems shall meet Township specifications as to installation and construction.

SECTION 10  
continued

GENERAL DESIGN STANDARDS

(j) Environment elements relation to soil erosion, preservation of trees, protection of water courses, and resources, noise, topography, soil and animal life, air quality, floodplains, wetlands, preservation of trees and vegetation, coastal zones, and groundwater resources, shall be reviewed and the design of the plan shall minimize any adverse impact on these elements.

SECTION 11 STREETS AND SIDEWALKS

11-1 General Requirements

11-1:1 Classifications of Streets:

In any Major Subdivision or Site Plan, it shall be the duty of the Approving Board to classify proposed streets according to their types. In making a determination as to the classification of a particular street, the Board shall take into consideration the provisions of the Master Plan and the existing and proposed conditions within the Subdivision.

11-1:1.1 Major Arterials:

The major arterial provides for inter-regional and inter-Township traffic movements and serves as a connection between the minor arterials and the expressways. Design characteristics include freer access than the expressways but it should not be unrestricted; grade intersections with reasonable distances in between; no parking permitted on shoulders.

11-1:1.2 Minor Arterials:

Minor arterials are the backbone of the Townships circulation system providing short length connections between the neighborhood collector streets and the major arterials. Direct connections with the expressways are necessary in many instances. Design characteristics include two lanes with wide shoulders; relatively unrestricted access; moderate speeds; and no parking permitted.

11-1:1.3 Collector Streets:

Collector streets provide the primary means of access into residential developments. They serve as a connection between the minor or local streets and the major and minor arterials. Of equal importance is the provision of access to abutting lots. Both functions result in collector streets becoming an important design element in the community.

11-1:1.4 Minor Streets:

Minor streets provide the primary means of conducting traffic to and from dwelling units to other streets in the hierarchy. They may be public or private, dead end or through and provide for limited on-street parking to serve the abutting residential units.

11-1:2 Topography and Arrangement:

11-1:2.1 Roads shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many as possible of the

11-1:2.1 building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the design standards of these regulations

11-1:2.2 All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated right-of-way as established on the official Map and/or Master Plan. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses.

11-1:2.3 Minor or local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.

11-1:2.4 The rigid rectangular gridiron street pattern is discouraged and the use of curvilinear streets, cul-de-sacs or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

11-1:2.5 Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Approving Board such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development or adjacent tracks.

11-1:2.6 In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.

11-1:3 Blocks:

11-1:3.1 Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, or waterway

11-1:3.2 The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed one thousand two hundred (1,200) feet nor be less than four hundred (400) feet in length.

11-1:3.3 In long blocks, the Approving Board may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic.

11-1:4 Lots Abutting Expressways and Major Arterials:

In a Subdivision or Site Plan abutting major expressways and arterials, one of the following shall be required:

(a) A marginal service road shall be provided along such expressways and arterials and shall be separated from it

11-1:4  
continued

Lots Abutting Expressways and Major Arterials:

by a raised divider strip at least eight (8) feet in width.

(b) The frontage shall be reversed so that the lots contiguous to such expressways and arterials will front on an internal street, with a buffer strip at least fifty (50) feet in width for planting provided along the arterial or major road.

(c) Such other means of separating through and local traffic and of providing a suitable buffer shall be provided as the Planning Board may determine to be appropriate.

11-1:5

Street Names:

Street names and subdivision names shall not duplicate or nearly duplicate the names of existing streets or subdivision in the township or surrounding communities and shall be subject to the approval of the township council. The continuation of an existing street shall have the same name.

11-1:6

Construction of Streets and Dead End Streets:

11-1:6.1

Construction of Streets:

The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities, and where such continuation is in accordance with the Master Plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall, except where reserved, be extended to the property line.

A cul-de-sac turn-around, and/or a T or L shape turnabout shall be provided on all temporary dead-end streets, with the notation on the subdivision plan that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Approving Board may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

11-1:6.2

Cul-De-Sacs

Where a street does not extend to the boundary of the subdivision and its continuation is not required by the Approving Board for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Approving Board may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with the construction standards and specifications. For greater convenience to traffic and more effective policy and fire protection, permanent dead-end streets shall, in general, be limited in length at the discretion of the Approving Board.

11-2

Design Standards

In order to provide for streets of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, snow removal, sanitation, and road-maintenance equipment,

11-2  
continued

Design Standards

and to coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties the design standards for roads, set out in the Schedule "Required Street Dimensions" are hereby required. (Road classification shall be as indicated on the Master Plan, or if not shown, it shall be as determined by the Approv Board.)

11-2:1 Schedule of Public Street Dimensions:

	Cul- de-Sac	Minor	Col- lector	Minor Art.	Major Art.	Express- way
R.O.W. (Right- of-Way)Widths	50'	50'	60'	66'	80'	120'
Paving Widths	30'	30'	36'	40'	48'	-
Number and Width of Traffic Lanes	2@ 11'	2@ 11'	2@ 11'	2@ 12'	2 to 4 @12'	4 to 6 @12'
Width Shoulder or Parking Lane	1@ 8'*	1@ 8'*	2@ 7'	2@ 8'	2@ 10-12'	2@ 13'
Width of Divider	-	-	-	-	-	6' to 30'
Curb Radii at Intersections	20'	20'	20'	25'	25'	--
Tangents Between Reverse Curves	--	100'	200'	200'	300'	300'
Radii to Inside Curb on Curves	100'	250'	500'	850'	1000'	1200'
Sight Dist. at Centerlines	200'	200'	275'	350'	400'	475'
Maximum Center Line Grades	8%	8%	8%	6%	5%	5%
Minimum Center Line Grades	0.75%	0.75%	0.75%	1%	1%	1%
3% Maximum Grade at the following distances from Intersections	50'	50'	100'	100'	100'	100'
Cul-De-Sac Paving Diameter	100'	--	--	--	--	--

\*Parking on one side of street only.

The Approving Board may consider waiving right-of-way widths, and paving widths for private streets in multi-family developments where it can be demonstrated that such waivers would not create adverse conditions with regard to traffic movement, on street parking, and traffic safety.

11-2:2 Street Intersections:

11-2:2.1 Angle of Intersections:

No more than two streets shall cross the same point. Street intersections shall be at right angles wherever possible and intersections of less than sixty (60) degrees measured at the centerline of streets, shall not be permitted.

11-2:2.2

Spacing:

Only one point of ingress and egress may be allowed each lot except where the lot has a road frontage of at least two hundred (200) feet.

11-2:2.3

Intersection Spacing:

Two streets which do not cross at the same points shall be offset (center intersection) by at least one hundred and fifty (150) feet.

11-2:2.4

Driveway Spacing:

No driveway shall be located closer than fifty (50) feet from the sidelines of the intersection of two streets.

11-2:2.5

Approaches:

Approaches of any collector street to any intersection of another collector street or major street shall follow a straight line course within one hundred (100) feet of the intersection.

11-2:2.6

Extra Widths:

Where a non-residential collector or a collector street serving more than one hundred (100) lots intersect with another collector street or major street, both the right-of-way and the pavement shall be widened by twenty-four (24) feet for a distance of two hundred (200) feet back from the intersection of the centerlines of both streets.

11-2:2.7

Sight Triangles:

Easement for sight rights at intersections in the shape of triangles and in a form approved by the Approving Board Attorney shall be dedicated to cover the area bounded by the right-of-way lines and a straight line connecting "sight points" on the street center lines which sight right easement dimensions shall be determined in accordance with the Transportation and Traffic Engineering Handbook. Within these sight easements, planting shall be restricted to low-spreading varieties of plants and shrubs of not more than eighteen (18) inches in height at maturity or trees with the lowest branches ten (10) feet above the ground or higher.

11-3

Sidewalks:

11-3:1

Sidewalks shall be constructed along all streets whether public or private as shown in the following schedule:

Type of Street	Residential			Non-Res.
	Low Density Under 2 D.U./ Acre	Medium Density 2-3 D.U./Acre	High Density 4 & Over D.U./Acre	Bus./Ind.
Cul-de-Sac	-	-	One Side	Both Sides
Minor Street	-	One Side	Both Sides	Both Sides
Collector Street	One Side	Both Sides	Both Sides	Both Sides
Minor Arterial	One Side	Both Sides	Both Sides	Both Sides
Major Arterial	Discretionary with Approving Board	Discretionary with Approving Board	Discretionary with Approving Board	Discretionary with Approving Board

11-3:2

Sidewalks may be waived, replaced by pedestrian/bicycle system, or standards modified as part of the approval of

overall pedestrian/bicycle access system.

11-3:3 One-family dwellings less than five hundred (500) feet distant from an existing sidewalk on the same side of the street shall be required to have a sidewalk constructed along its entire street frontage prior to the issuance of a Certificate of Occupancy.

11-3:4 Pedestrian Accesses Easements

The Approving Board may require easements of a suitable width to facilitate pedestrian access from public or private streets to schools, parks, playgrounds, or other nearby streets. Such easements shall be indicated on the final plan of the Subdivision or Site Development Plan.

SECTION 12 OFF STREET PARKING AND LOADING

12-1 General Provisions

All off-street parking, loading and driveways shall conform to the standards of this section.

12-1:1 Dimensions:

Each off-street parking space shall consist of a rectangular area with dimensions in accordance with the following standards:

Stall Angle	Stall Width	Curb Length Per Car	Stall Depth	Driveway Width
0	10'0"	23'0"	10'0"	12'0"
45	10'0"	14'2"	20'6"	13'0"
60	10'0"	11'6"	20'6"	18'0"
90	10'0"	10'0"	20'0"	24'0"

12-1:2 Handicapped Spaces:

Parking spaces, ramps, etc., shall be provided for the physically handicapped, in accordance with the New Jersey Barrier-Free Design regulations.

12-1:3 Location:

Off-street parking space, together with appropriate access thereto, shall be provided on the same lot as the building it is intended to serve. Parking facilities may be located in any yard space except where specifically prohibited but shall not be closer than five (5) feet from any side yard or rear yard property line.

12-1:4 Separation from Walkways and Street:

Off-street parking spaces shall be separated from walkways sidewalks, streets, or alleys by a wall, fence, or curb or other approved protective device, or by distance so that vehicles cannot protrude over publicly owned areas.

12-1:5 Entrances and Exits:

Not more than two (2) driveways of not less than twenty (2) feet or more than thirty (30) feet in width for means of ingress and egress for such parking areas shall be permitted for each three hundred (300) feet of frontage upon a street. No driveway shall be located closer than one hundred (100) feet from the intersection of two streets.

12-1:5  
continued

Entrances and Exits:

Acceleration and deceleration lanes shall be provided. Also angle of intersection shall not be less than sixty (60) degrees.

12-1:6

Drainage and Grade:

Each parking space shall consist of a suitably graded, drained and unobstructed rectangular area in the plane of which no straight line shall have a grade in excess of six (6%) percent or less than one (1%) percent.

12-1:7

Surface and Marking:

Parking areas shall be surfaced with bituminous paving or concrete pavement the design of which shall be approved by the Township Engineer and clearly marked by painted lines or curbs or other means to indicate individual parking spaces. These provisions shall not apply to the construction of single-family detached dwellings as defined herein.

12-1:8

Lighting:

Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged and installed to minimize glare on property in a residential district.

12-1:9

Back-up Areas:

Back-up areas with a minimum depth of ten (10) feet shall be provided in all parking lots where there are dead-end aisles.

12-2

Parking Islands

12-2:1

Location:

Islands shall be located at both ends of each parking row. Intermediate islands shall be installed within each parking row whenever there are more than twenty (20) parking spaces in the row and subsequently shall be constructed whenever more than ten (10) parking spaces are intervening in that parking row. Islands constructed to channelize traffic flow within the parking lot shall also be landscaped.

12-2:2

Construction Criteria:

Planting beds shall have a minimum width of five (5) feet.

Wherever planted material is likely to interfere with vehicular parking, island width shall be increased by two (2) feet and that area covered with mulch.

Single island parking length shall be a minimum of nineteen (19) feet, double island parking length shall be a minimum of thirty-eight (38) feet, to protect the vehicles parked in each parking row.

All planting islands shall be enclosed by a poured concrete curbing or railroad ties meeting Township Engineering standards.

Curb return radii adjacent to traffic flow shall be a minimum of five (5) feet.

Proper sight distance should be provided at the intersection of ingress and egress driveways by establishing "sight triangles" in accordance with the current Township standard specifications. Within these sight triangles, plantings should be restricted to low spreading varieties of plants, and shrubs of not more than eighteen (18) inches in height at maturity.

12-3 Number of Required Parking Spaces

Schedule of Use Requirements:

Except as otherwise provided in this Ordinance, when any building or structure is hereafter erected or structurally altered, or any building or structure hereafter erected is converted, accessory off-street parking spaces shall be provided as follows:

USE OR USE CATEGORY	OFF-STREET PARKING SPACES REQUIRED
Single Family Detached and Two Family Dwellings (3 bedrooms or less)	2.0 per dwelling unit
Single Family Detached and Two Family Dwellings (4 bedrooms or more)	3.0 per dwelling unit
Multi-family Dwellings and other types of Semi-Detached and Attached Single Family Dwellings	
Efficiency unit	1.25 per dwelling unit
1 - Bedroom unit	1.75 per dwelling unit
2 - Bedroom unit	2.00 per dwelling unit
Mobile Home Parks:	2.0 per mobile home
Each additional Bedroom over 2 Bedrooms	0.25 per bedroom
Elementary & Junior High School	1 per each classroom + minimum 1 per each teacher & staff
High School	1 per each classroom + minimum 1 per each teacher & staff + 1 per each 10 students. The number of students shall be defined by the optimum number of students by school.
Day Care Center	1 per each 600 square feet GFA
Nursery School	1 per each employee + 4 for visit
Churches, Temples & Synagogues & Other Similar Public Auditoriums & Places of Assembly, Stadiums & Racetracks	1 per each 3 seats
Library, Museum, Art Gallery, Community Center	1 per each 200 square feet GFA
Theater, Movie Theater	1 per each 2 seats (1 per each 4 seats in shopping centers)
Other Public Buildings	1 per each 400 square feet GFA

USE OR USE CATEGORY	OFF-STREET PARKING SPACES REQUIRED
Motel, Hotel, Guest Home	1 per unit + 1 per each 2 employees
Convalescent or Nursing Home	1 per each 4 beds + 1 for each employee of larger working shift
Hospital	1 per each 2 beds + 1 per each 1.5 employees of largest working shift
Veterinarian Hospital	6 per each examination room or doctor, whichever is more.
Medical Office or Clinic	1 per each 150 square feet GFA 10 spaces minimum for a clinic
Funeral Home	1 per each 50 square feet GFA excluded storage + work areas, 30 spaces minimum
<hr/>	
Restaurants Including Restaurants with Bars	1 per each 3 seats
Fast Food Establishments	1 per each 30 square feet GFA or 1 per 3 persons of the legal occupan load of the premises, whichever is greater
Bars & Nightclubs (Exclusive)	1 per each 2 seats
Amusement Place, Dance Hall, Skating Rink, Exhibiting Hall Without fixed seats	1 per each 100 square feet GFA or gross yard
Marinas	1.2 per each berth provided at facility
Swimming Facilities	1 per each 3 persons
Public Recreation Areas & Golf Courses	$\frac{1}{4}$ space per each 1 acre devoted to such use.
Outdoor Tennis	3 per court
Indoor Tennis and Other Court Games	4 per court
Bowling Alley	4 per alley
Roadside Stands	1 for each 200 square feet of GFA but in no case less than 10 spaces
Parking Requirements for other recreational and sports facilities will be determined by the Approving Board.	
<hr/>	
Retail & Personal Services (2 or less stores)	1 per each 300 square feet GFA
Shopping Center (3 or more stores)	5 per each 100 square feet GFA
Furniture or Appliance Store, Auto & Truck Sales	1 per 300 square feet display + sales area
Gas Station	4 per bay + work area
Car Wash	8 per washing land

USE OR USE CATEGORY	OFF-STREET PARKING SPACES REQU
Public Utility Installations	1 per each 1.5 employees durin normal weekday
Offices & Financial Institutions with Public Service (Heavy on Clerical)	1 per each 150 square feet
Offices with little Public Services (Light on Clerical)	1 per each 250 square feet
Professional Office as Home Occupancy	1 per each 100 square feet GFA in addition to home use, minimum 4 spaces
<hr/>	
Research	1 per each 1000 square feet GF, or 1 per each employee whichever is greater
Manufacturing	1 per 800 square feet GFA or 1 employee, whichever is greater
Warehouse, Shipping, Receiving	1 per each 5000 square feet GF/ or 1 per each employee, whichever is greater
Lumber & Contractors Yard	10 spaces minimum

12-3:1 Similar Uses:

The parking space requirements for a Use not specifically listed in the chart shall be the same as for a listed Use of similar characteristics.

12-3:2 Exceptions:

The Approving Board may determine parking requirements for any use not listed in Section 12-2:3.1.

12-3:3 Fractional Numbers:

Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.

12-3:4 Joint Use:

Up to fifty (50) percent of the parking spaces required for (a) theaters, public auditoriums, bowling alleys, dance halls, and night clubs, and up to one hundred (100) percent of the parking spaces required for a church auditorium may be provided and used jointly by (b) banks, offices, retail stores, repair shops, service establishments and similar uses not normally open, used or operated during the same hours as those listed in (a), and up to one hundred (100) percent of parking spaces required for schools may be provided and used jointly by a church auditorium; provided, however, that written agreement thereto is properly executed and recorded as specified in Section 12-3:5.

12-3:5 Off-Tract Facilities:

Where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use and shall be reserved as such through an encumbrance on the title of the property to be designated as required parking space, such encumbrance to be valid for the total period of the Use of Uses for which the parking is needed are in existence.

12-4 Loading Requirements

12-4:1 Truck loading and unloading areas shall be provided for the uses set forth in this Section pursuant to the schedule herein, and if not included, loading and unloading areas for other Uses shall be provided in sufficient amount to permit the transfer of goods and products in other than a public street or public parking area and shall be adequately screened.

USE

LOADING SPACES REQUIRED

Public Library, Museum, Community Center, Convalescent Home, Offices, Retail and Sales Establishments

1 space per first 10,000 SF plus 1 space per next 40,000 SF; plus 1 space per each additional 50,000 SF or fraction thereof.

Warehouse, storage, dry cleaning, laundry, printing and publishing establishments, manufacturing and hotels.

1 space per 5,000 SF and 1 for each additional 10,000 SF of gross floor area.

12-4:2 Access to a Standing Truck:

Loading and unloading space shall be provided directly from a street that will not interfere with public convenience and that will permit orderly and safe movement of truck vehicles.

12-4:3 Exclusive of Off-Street Parking:

Loading space required under this section shall be provided as area in addition to off-street parking space and shall not be considered off-street parking space.

SECTION 13 LAND DISTURBANCE

13-1 Purpose

13-1:1 The purpose of this section is to reduce the danger from storm water runoff, to retard non-point pollution from sediment, to prevent a decrease in the fertility of the soil, to conserve and protect land, water, air and other environmental resources of the Township and to implement Section 10 of Public Law, 1975, c. 251.

13-1:2 To provide for the protection, preservation, proper maintenance and use of trees and woodlands located in this Township in order to minimize disturbance to them and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat.

13-2:10 Soil Erosion and Sediment Control Plans:

A scheme which indicates land treatment measures, to minimize soil erosion and sedimentation; including a Sequence of Development List with the proposed starting date of each phase in the sequence and the proposed date to complete each phase of development.

13-2:11 Standards:

Standards for soil erosion and sediment control in New Jersey as promulgated by the State Soil Conservation Committee in the review of soil erosion and sediment control plans.

13-2:12 Stripping:

Any activity which significantly disturbs vegetated or otherwise stabilized soil surface including clearing and grubbing operations.

13-2:13 Tree:

Any living tree having a trunk of a diameter greater than four (4) inches D.B.H. (Diameter Breast High) or any living Dogwood (Cornus Florida) or American Holly (Ilex Opaca) tree having a diameter of one (1) inch or greater D.B.H.

13-2:14 Tree Removal:

Removal of a tree means any act which causes a tree to die within a period of two years, including, but not limited to damage inflicted upon the root system by machinery, storage of materials, and soil compaction, changing the natural grade above the root system or around the trunk; damage inflicted on the tree permitting infection or pest infestation; excessive pruning, paving with concrete, asphalt or other impervious material within such proximity as to be harmful to the tree.

13-3 Activities Requiring Permits

13-3:1 General - Private Lands:

- (a) No clearing, grading, soil removal, excavating, landfill stripping or the filling or alteration of any natural or man-made drainage ways, or other land disturbance area of more than five thousand (5,000) square feet of surface area of land or the filling of any natural or man-made drainage ways regardless of the surface area or the destruction, cutting or removal of any trees or shrubs as herein defined, shall be undertaken in the Township of Old Bridge until a Land Disturbance permit has been issued by the Township Construction Official unless the activity is exempt from the requirements of this Section as provided in Section 13-3:3 or unless the Township Construction Official has granted a waiver pursuant to the provisions of Section 13-5.
- (b) Successive incidences of land disturbance of less than five thousand (5,000) square feet at any one time which results in an accumulative land disturbance area of greater than five thousand (5,000) square feet within any two (2) year period is expressly prohibited and constitutes a violation under this Section.

13-3:2

General - Public Highways:

No person, firm or corporation shall plant any tree or shrub or cause harm to be done to any tree or shrub upon a public highway or within a right-of-way, within the Township of Old Bridge, unless a Land Disturbance permit has been issued by the Township Construction Official.

13-3:3

Exemptions:

The following activities are specifically exempt from this Section:

- (a) Land disturbance associated with the existing single-family homes, including gardening for home consumption or the construction of a single-family dwelling unit except where the proposed disturbance is within one hundred (100) feet of a stream or drainage ditch.
- (b) Agricultural use of lands when operated in accordance with a Farm Conservation Plan approved by the local Soil Conservation District.
- (c) Lots of two (2) acres or less upon which a residence already resides and not located within a Major Sub-division or Planned Development currently under development.
- (d) Land from which the removal of trees is necessary for agricultural use.
- (e) Any tree grown on property actually being used as a nursery, garden center, Christmas tree plantation, or orchard.
- (f) The removal or trimming of dead, diseased, and/or damaged trees or other woody vegetation, provided that the damage resulted from a non-human cause and provided further that the removal or trimming is accomplished through the use of standard forestry practices and techniques.

13-4

Requirement for Approved Activity

Any person not exempt under Section 13-3:3 shall, prior to any activity as described in Section 13-3 possess a valid land disturbance permit.

13-4:1

Protection Standards:

The limit of clearing for all streets and structures shall be kept to a minimum and shall be clearly shown on the plan

- (a) Removal of existing trees which form part of a planted greenbelt or buffer strip is prohibited.
- ✓ → (b) Removal of trees which are unique by virtue of history unusual size of the like, shall be prohibited.
- (c) Removal of trees near utility sub-stations transmission towers, warehouses, junkyards, other similar uses or structures shall be prohibited except where public safety requirements require removal.
- (d) No living tree having a trunk diameter greater than twelve (12) inches D.B.H. within one hundred (100) feet of any stream carrying water on an average of

13-4:1  
continued

Protection Standards:

six (6) months of the year shall be removed, except when necessary to accommodate detention basins or other storm drainage facilities, and/or roads and other utility crossings approved by the Township Engineer.

13-4:2 Submission of Application

Every applicant shall, prior to the removal of trees, as defined herein, submit to the Township Construction Official an application for a Land Disturbance Permit which shall include four (4) copies of Soil Erosion and Sediment Control Plans..

13-4:2.1 Prior to applying for a L.D.P., the applicant must have certified Soil Erosion and Sediment Control Plans from the local Soil Conservation District based upon standards promulgated by the N.J. State Soil Conservation Committee, Department of Agriculture, pursuant to the Soil Erosion and Sediment Control Act (NJS 4:24 39 et. seq.)

13-4:2.2 If the application requires approval from the Township Planning or Zoning Board, one of the following must apply prior to or simultaneous with LDP approval:

- (a) Preliminary Approval of a Major Subdivision Plan, Planned Development or Site Development Plan (Residential).
- (b) Final Approval of a Site Development Plan (Non-Residential).

13-4:2.3 The Construction Official shall take no action until reports have been received from the Environmental Commission, Township Engineer and Township Planner. However, in no case shall the Construction Official delay more than thirty (30) days after receipt of an application to approve or deny the requested permit. In the event that the Construction Official shall deny a permit, he shall specify to the applicant in writing the reason for this action. If no final action with respect to the application is taken within the required thirty (30) days, the application shall be deemed to have been approved.

13-5 Waiver of Plans or Requirements:

The Township Construction Official may waive any or all of the requirements herein for any tree removal activity upon written finding that there is no apparent danger to the environment and related natural resources.

13-5:1 Performance

- (a) The applicant shall be required to have the approved plan on site during construction.
- (b) A Stop Construction Order is authorized if an action is not being executed in accordance with the approved plans.
- (c) The Township Construction Official may require the reforestation and the replacement of any and all trees that have been removed in violation of the requirements

13-5:1  
continued

Performance

herein and/or the approved tree removal woodland protection plan which he deems appropriate and necessary under the particular circumstances.

- (d) When an approved plan is required, no Building Permit or Certificate of Occupancy shall be issued unless the terms and conditions of the approved plan are being complied with.
- (e) A Land Disturbance Permit allows only tree removal and rough grading subsequent to Preliminary Approval of a Major Subdivision, Site Development Plan or Planned Development. If the applicant wishes to install any or all utilities prior to Final Approval, he shall submit all detailed construction drawings for the aforesaid improvements to the Approving Board for their approval. The level of required detail of the drawings shall be subject to the approval of the Township Engineer.

13-5:2

Fees

- (a) Every applicant shall, prior to the issuance of a Land Disturbance Permit, pay a fee of ten (\$10) dollars for the first ten (10) acres and an additional ten (\$10) dollars per one hundred (100) acres or any part thereof.
- (b) In the event of rejection of an application, fees in excess of ten (\$10) dollars shall be refunded.
- (c) If the applicant also requires Subdivision or Site Development Plan Approval, the fees under this Section shall be waived; however, a portion of the Engineering Inspection Fee may be required at the time a Land Disturbance Permit is issued.

SECTION 14

LANDSCAPING

14-1

Purpose and Scope

The purpose of this Section is to provide proper guide lines and specifications for landscaping of all residential, commercial and industrial development. Landscaping shall be defined as the means of improving the aesthetic value of a project or project sites through the use of grass, ground covers, plantings, shrubs and trees in a coherent manner consistent with good design practices. It is specifically intended to accomplish the following purposes:

- (a) To improve the aesthetics of a building site by the blending together various unrelated elements into a harmonious whole.
- (b) To reduce air and sound pollution; regulate solar radiation and wind control; to provide flood control.
- (c) To influence the type and speed of pedestrian and vehicular traffic flow.
- (d) To reduce visual discomfort by screening out glare and reflection.
- (e) To stabilize soils by preventing soil erosion and otherwise restore a building site to a balanced environment wherever a project causes excessive removal of existing vegetation.

Definitions

The following definitions shall apply in the interpretation of this Section unless otherwise specifically stated:

- (a) Berm: A mound of soil on a site used as a view obstruction either natural or man-made.
- (b) Buffer: An area within a property or site generally adjacent to or parallel with the property line, consisting of either natural existing vegetation or created by the use of trees, shrubs, fences and/or berms designed to continuously limit view of the site from adjacent sites or properties.
- (c) Caliper: The diameter of a tree trunk shall be measured at ground level for trees up to twelve (12) inches in diameter and measured breast high for trees over twelve (12) inches in diameter.
- (d) Chemical Pre-emergence Non-selective Herbicide: A chemical compound dry or liquid which kills or permanently inhibits the germination of plant seeds but has no effect on existing plant material or plants installed after application of such compound when used according to directions.
- (e) Deciduous Trees: Plants that drop leaves before becoming dormant in winter, not evergreen.
- (f) Ground Cover: Low growing plants or sod that in time form a dense mat covering the area in which they are planted preventing the growth of unwanted plants while holding the soil in place. Examples: Rose species, Ajuga species, Contoneaster species, Euyonymus species, Ivy species, Juniper species, Honeysuckle species, Pachysandra species, Vines species and sod.
- (g) Landscape: The total area of a site or property excluding the area occupied by building(s) but including other structures. The harmonious blending of these building(s) and structures within the site and with adjacent property by the use of the existing topography or alterations to the existing topography trees, shrubs, ground cover and/or mulches.
- (h) Mulch: Any covering placed on soil to conserve moisture, eliminate weed growth and protect plants from extremes of heat and cold.
- (i) Screen: A structure of planting providing a continuous view obstruction within the site or property consisting of fencing, berms, and/or evergreen trees or shrubs.
- (j) Shrubs: Any plant(s) deciduous or evergreen generally multi-stemmed, classified and sold by height or spread, measured in inches or feet, listed in "Standards" set forth by the American Association of Nurserymen.

Requirements for Approved Landscaping PlanGeneral

All Major Subdivisions, Site Development Plans and Planned Developments which are required to submit Landscape Plans and/or Tree Removal and Woodland Protection Plans, and/or Soil Erosion and Sediment Control Plans shall conform to the requirements contained herein.

14-3:2

Submission of Plans:

A separate detailed plan, drawn to the scale of the original Development Plan, but in any event no less than 1"=100' of all proposed landscaping, buffering, screening and existing trees and all of the following items.

- (a) A listing of proposed plantings including the common and scientific name of each as well as the quantity of each.
- (b) The location of the proposed plantings shall be shown on the plans. For large projects in which certain plant groupings repeat, a "typical" detail may be shown rather than drawing the individual plantings throughout. Symbols and a legend are desirable.
- (c) Size of material to be planted, deciduous trees by caliper; evergreens, small flowering and ornamental fruit trees according to American Association of Nurserymen Standards. List ultimate size of each plant and time to reach maturity.
- (d) Methods to be used in welling, staking and guying, mulching and wrapping according to Township standards.
- (e) Ground covers to be used in design, which may be indicated as a mass planting, but spacing must be defined in plant list.
- (f) Indication of screening and buffer plantings required by Ordinance.
- (g) Such details and information as required in accordance with Section 13, Land Disturbance may also be included on the Landscape Plans.

14-4

General Design Standards for all Developments

All improved areas in all residential, commercial and industrial developments; parking lots in all types of developments; private or common open space in Planned Developments; stream valleys and other water features; shall be appropriately landscaped in conformity to the requirements contained herein.

14-4:1

Concept:

On slopes, the landscape plan shall recommend plantings that prevent erosion. Along major roads, the plantings should buffer from noise and lights; on north slopes, it should serve as a wind screen; and to the south, the landscaping should provide shade from the hot summer sun.

The overall landscaping plan should "break up" long buildings and screen off parking, service, and utility areas. The plan should provide for a variety of different species to protect against disease attacking all the trees. A variety should be selected with consideration for various seasons and of different colors, textures, shapes, blossoms, and foliage.

The plan should be particularly sensitive to local soil conditions, lack of or overabundance of water, topography and climatological factors.

14-4:2

Plant Selection:

Two important considerations in plant selection are that plants grow and plants die. Proposed plant types should have growth habits which fit the circumstances into which they will be placed.

14-4:2  
continued

Plant Selection:

A landscape scheme can take several years to mature and the landscape plan should anticipate this in its selection of plant size and growth rate, as well as plant type. A plant should be selected, not just because it is within the budget and easily available, but because it will do well in that location and is appropriate for the particular function it is expected to serve.

14-4:3

Plant Size:

The size of the plantings are as important as the type of plant. The smaller the plant, the less its chances for survival, and at best it will be many years before the desired effect is reached. It would be preferable to have fewer larger specimens than more smaller ones.

The following sizes of trees and shrubs are the permitted minimums except as otherwise approved by the Approving Board:

Street Trees: 1½ - 1 ¾ inches DBH or 10-12 feet tall, whichever is greater

Specimen & Foundation Trees: 1½ - 1½ inches B & B or 5 - 6 feet tall whichever is greater

Shrubs: 2 - 2½ feet tall.

14-4:4

Plant Type:

The type of tree, shrub, or ground cover selected for a particular site should be based on expert advice as to the most appropriate species for the particular weather, soil conditions, and proposed function of the plant. As a very general guide, however, for plants that will do well under various weather conditions, the United States Department of Agriculture has prepared a map of "hardiness zones", referring to the temperature zones found throughout the United States and Canada.

For New Jersey, most of the State falls within zones 6 and 7. Zone 6 has a minimum temperature range of from zero (0) to ten (10) degrees (F) and includes Mercer and Middlesex Counties and those counties to the north. Zone 7 has a minimum temperature range of ten (10) to zero (0) degrees and includes Burlington and Monmouth Counties and all counties to the south.

14-4:5

Changes in Grade Levels:

Changes of grade levels may be achieved by any combination of the following methods, and minimum standards shall be found in the Township Construction Specifications.

- (a) Raised flower beds constructed with timber, railroad ties, brick, brick veneer, pre-cast stone, rock, stone or similar materials.

Pre-cast planters, as well as planters constructed on-site shall have properly designed drainage or weeping holes and shall incorporate proper footings where required.

- (b) Terracing: Shall be designed to prevent soil erosion.

- (a) Turf - by grade levels of soil with turf providing grade differential. Installation of underground sprinkling systems or alternate systems may be required to prevent soil erosion and assure maximum maintenance.

14-4:5  
continued

Changes in Grade Levels:

- (b) Raised terrace of flagston, brick, pre-cast stone, pre-cast concrete, cobblestone or installed concrete slab.
- (c) Wood decking over footing.
- (d) Below-grade terracing with low retaining walls.
- (c) Retaining Walls - with properly installed weeping and drainage holes, on proper footings, with approved anchorage and supports. Materials may be of, but not limited to: timber, railroad ties, brick, cinder block, brick veneer, rock, stone, pre-cast stone, pre-cast concrete with veneered surfaces or any similar materials approved by the Township Engineer.

Other Techniques:

- (a) Rock gardens, reflecting pools, artificially cycled fountains, water falls, formal and/or informal sunken gardens.
- (b) Landscaped swales and depressed walkways of tan bark, wood chips, pine needle, pebbles or sand.
- (c) Incorporation of Berms: mounding of soil on-site, either natural or man-made, may be used to achieve changes of grade provided it is properly landscaped with turf or ground cover.
- (d) Ravine slopes, drainage and swale slopes, steep stream banks - properly landscaped with permanent ground cover, or dry-wall rock or similar material or rock gardening so as to prevent soil erosion and promote plant growth. May be terraced or slope grade.

14-4:6

Playgrounds, Tot-lots and other Active Recreation Facilities

Suggested guidelines for the development and landscaping of active recreation facilities are contained in Chapter XXVI, Standards of Design and Construction, Revised General Ordinances of the Township of Old Bridge.

14-4:7

Landscape Requirements for Buffer Zone:

In all developments including both residential and non-residential, where buffer areas are required, the depth of said buffer and the type of plantings shall be a function of the existing vegetation. In all instances where there is a stated minimum depth, the applicant may elect, subject to the discretion of the Approving Board, to substitute design efficiency for depth.

14-4:7.1

Open Field Areas (unwooded)

- (a) Where a 50 foot buffer is required, the applicant may elect to develop said buffer a minimum of 50 feet in width with 4 foot high berms and one evergreen tree 25 feet O.C. and one deciduous tree 25 feet O.C., or any of the alternatives listed under (b).
- (b) Where a 25 foot buffer is required, the applicant may elect to develop said buffer a minimum of 25 feet in width with one evergreen tree 15 feet O.C. and a dense evergreen or deciduous tree on the property line

or

14-4:7.1.  
continued

Open Field Areas (unwooded)

one evergreen tree 20 feet O.C. with a 4 foot high berm near the property line,

or

one evergreen tree 25 feet O.C. with a deciduous shrub 4 feet O.C. to fill the voids.

- (c) Where a minimum 15 foot buffer is required, the applicant may elect to develop said buffer with a minimum of 15 feet in width with one evergreen tree 10 feet O.C.,

or

a combination six foot high fence and evergreen trees 5 feet O.C.,

or

a solid six foot high fence at the property line.

14-4:7.2

Wooded Areas

- (a) Where a 25 foot buffer is required, the applicant may elect to develop said buffer a minimum of 25 feet in depth with no additional plantings,

or

a minimum of 15 feet in width with voids planted with evergreen trees or flowering trees and shrubs.

14-4:7.3

All plant materials required herein shall be of such size at the time of initial planting as to produce with two growing seasons a general height of six (6) feet or greater. All plantings of trees and shrubs in the required buffer area shall provide for a 5 foot offset in order to create an asymmetrical design. The design efficiency of all buffer areas shall be approved by the Township Planner.

14-5

General Design Standards for Residential Developments

Landscaping Plans for all Major Subdivisions, Site Development Plans and Planned Developments involving single-family detached homes, patio homes, cluster homes, townhouses and garden apartments shall conform to the following design standards.

14-5:1

Foundation Plantings:

With the exception of single-family detached homes, which will be left to the discretion of the developer, all other types of housing shall be provided with appropriate foundation plantings including a mixture of evergreen and deciduous plantings.

14-5:2

Street Trees:

All residential developments shall be provided with street trees of at least one and one half (1½) to one and three quarters (1-¾) inches caliper at a point six (6) inches from the ground, balled and burlapped and/or twelve (12) feet high, and planted at the following intervals:

Large Trees - 50 to 70 feet  
Small to Medium Trees - 40 to 50 feet.

14-5:3

Cul-de-Sacs:

In all residential developments which involve open space organizations, cul-de-sacs shall be constructed with appropriately landscaped, low-maintenance islands.

14-5:4

Private Open Space:

In all residential developments which involve Private Open Space and recreation areas required under other sections of this Ordinance, such Private Open Space shall be appropriately landscaped including as a minimum in all instances, selective thinning and restorative plantings.

14-5:5

Existing Vegetation:

In all residential developments, it shall be required to preserve as much of the existing vegetation as possible. All applicable provisions of Section 13, Land Disturbance shall be stringently adhered to. The preservation of existing healthy trees along roadways may reduce the requirements for the planting of additional street trees.

14-5:6

Buffer Areas:

The Approving Board, at its discretion, may require buffer areas along all or part of the perimeter of a residential development, where potentially adverse influences exist either from within the proposed development or from outside the development.

14-6

General Design Standards for Non-Residential Developments

Landscaping plans for all Major Subdivisions, Site Development Plans and Planned Developments involving commercial and industrial buildings shall conform to the following design standards.

14-6:1

Foundation Plantings and Yard Area:

The periphery of all buildings and the yard areas, not covered by parking and not subject to other special landscaping requirements contained herein, shall be suitably landscaped. Such landscaping shall employ low-maintenance hardy shrubs, hedges, ground covers and trees as well as gravel, mulches, decorative concrete and brick.

14-6:2

Peripheral Coverage:

- (a) Peripheral landscaping shall be required along any side of a parking lot of twenty (20) or more spaces that abuts adjoining property that is not a right-of-way.
- (b) A landscaping strip at least five (5) feet in width shall be located between the parking area and the abutting property lines.
- (c) One tree for each fifty (50) linear feet shall be planted in the landscaping strip.
- (d) In addition to the required trees, a wall, hedge or other durable landscape barrier shall be planted or installed. The height of any such hedge shall be no less than three (3) feet and no more than seven (7) feet. The height of any wall or other durable landscape barrier shall be no less than five (5) feet and no more than seven (7) feet.
- (e) One shrub or vine for each ten (10) feet of non-living durable barrier shall be planted between the parking lot and the barrier, and the barrier and the abutting property line.

14-6:3 Street Coverage:

- (a) Street landscaping shall be required along any side of a parking lot of twenty (20) or more spaces that abuts the right-of-way of any street, road or highway.
- (b) A landscaping strip at least ten (10) feet in depth shall be located between the abutting right-of-way and the parking lot.
- (c) One tree shall be planted for each fourth (40) linear feet of the landscaping strip.
- (d) A hedge wall or other durable landscape barrier of at least two and one half (2½) feet shall extend the entire length of the landscaping strip. The first twenty-five (25) feet on both sides of any accessory driveway pavement is excluded from this requirement.
- (e) One shrub or vine for each ten (10) feet of non-living durable barrier shall be planted between the barrier and the street, and between the barrier and the parking lot.

14-6:4 Buffer Areas:

Buffers twenty-five (25) feet in depth must be provided when a commercial or industrial property abuts a residential zone minimizing the impact of the more intensive Use by providing privacy.

14-7 General Design Standards for Parking Lots

All parking lots of twenty (20) or more spaces for both residential and non-residential developments to be constructed, enlarged or reconstructed shall conform to the following design standards.

14-7:1 Design Criteria:

- (a) All parking lot landscaping shall be of such quality as to improve and enhance the site and its surrounding areas. Appropriate places for landscaping include the raised walkways or sidewalk areas, at the end of bays, and in specific planting islands established throughout the lots. In narrow islands, plant low spreading and low maintenance plants such as english ivy, creeping juniper, myrtle or pachysandra. Where more space is available, use yews, juniper, or forsythia.
- (b) The primary landscaping materials used in parking lots shall be trees which provide shade or are capable of providing shade at maturity. Shrubbery, hedges and other planting material may be used to complement the tree landscaping but shall not be the sole contribution to the landscaping. Effective use of earth berms and existing topography is also encouraged as a component of the landscape plan.
- (c) The landscaping and planting areas shall be reasonably dispersed throughout the parking lots. Trees should be a mixture of flowering, decorative, evergreens and deciduous. Trees in parking areas should be clumped at critical corners or areas to break up the mass of cars apparent to the eye. They should also be located with care so as not to obstruct the vision of the driver.

14-7:1  
continued

Design Criteria:

- (d) The interior dimensions of any planting area or planting median shall be sufficient to protect the landscaping materials planted therein and to insure proper growth.
- (e) In those instances where plant material exists on a parking lot site prior to its development, such landscape materials may be used if approved as meeting the requirements of this Ordinance.

14-7:2

Interior Requirements:

Not less than six (6%) percent of the interior of any parking lot, except where higher standards are set forth herein, shall be landscaped. The percentage of landscaped area shall be based upon the gross parking area (number of required spaces multiplied by two hundred and ten (210) square feet). Such landscaping is separate and apart from the Peripheral and Street Coverage requirements previously set forth herein.

Special interior landscaping within off-street parking areas of more than twenty (20) spaces shall be provided in the following zones: AF, AR, CN, CC, CM, CR, OG, SD, and TCD, PD.

<u>10% in Zone</u>	<u>15% in Zone</u>	<u>20% in Zone</u>
AR	CC	CR
AF	CM	TCD
CN	OG	PD
	SD	

Shade trees of not less than one and one half (1½) inches caliper measured at a point six (6) inches from the ground shall be planted seventy (70) feet on center as part of the landscape requirements in all parking lots.

14-8

General Design Standards for Stream Valleys and other Water Features:

The objective of landscaping of stream valleys and other water features is to protect adjacent, upstream and downstream, private and public lands from direct and substantial increased flood damage from:

- (a) Increased flood heights and velocities due to obstructions in waterways.
- (b) Increased siltation caused by erosion.
- (c) Increased run-off.
- (d) Incompatible land uses adjacent to brooks or springs, streams, creeks or estuaries, of both tidal and fresh water.

14-8:1

Specific Requirements:

All streams, estuaries, creeks, brooks, tributaries and flood plains (hereinafter referred as streams), are subject to the following:

- (a) All streams shall be properly de-snagged of all extraneous debris, dead and decaying vegetation.

14-8:1  
continued

Specific Requirements:

- (b) All banks shall be protected from erosion caused by run-off and flooding or wind damage. Protection against erosion may be achieved, but not limited to, the use of permanent ground cover, vegetation, dry-wall construction or any approved combination of the same. The encouragement of plants, ferns and shading vegetation, is required.
- (c) A conservation area of a minimum of fifty (50) feet in depth from the centerline of said stream shall be clear of all extraneous debris, dead and decaying vegetation. This area may incorporate appropriate approved selective thinning, the result of which will encourage the healthy woodland growth of existing trees and shrubs which enhances the degree of recharge. No removal of trees, shrubs, etc. on the list of New Jersey protected trees will be permitted.

Landscaping of this buffer zone is permitted in keeping with a natural setting. The type and amount of vegetation cover shall encourage the stabilization of the soil and prevent erosion and increased run-off.

14-9

Suggested Trees and Shrubs for Special Purposes:

A list of plant materials recommended for planting in the Township of Old Bridge is on file in the Department of Planning and Development.

14-9:1

Minimum Specifications for New Plantings of Trees and Shrubs:

- (a) All plant materials must conform to the horticulture standards as set forth by the American Association of Nurserymen.
- (b) Planting holes must be a minimum of twelve (12) inches larger in diameter and six (6) inches deeper than the soil ball or root mass, excluding ground covers and backfilled with a planting mixture incorporating a minimum of twenty-five (25) percent organic matter, by volume.
- (c) Each tree planted in residential areas must be tagged with a durable label bearing the following information:
  - (1) Genus, species, variety, and Plant Patent number if a Patented tree.
  - (2) Cultural requirements including watering and fertilization.
- (d) Trees shall be staked in the following manner:
  - (1) Two stakes shall be driven a minimum of two (2) feet into undisturbed soil outside the planting hole.
  - (2) Stakes when driven must be one-half ( $\frac{1}{2}$ ) to two-third ( $\frac{2}{3}$ ) the height of the tree measured from ground level.
  - (3) Stakes shall be two (2) inches diameter minimum at the thick end.
  - (4) Stakes shall be placed in line with prevailing winds.

14-9:1  
continued

- (5) Stakes shall be attached to the tree with twelve (12) gauge galvanized wire covered with rubber or plastic hose. Where wire is likely to come in contact with tree trunk, an alternate may be any of the commercially available materials designed for staking trees with the approval of the Township Engineer. The loop in contact with the tree shall be loose enough to permit growth and prevent girdling for two years but shall be tightly bound to the stake to prevent slipping.
- (e) Wrapping - Each tree shall be wrapped with an expandable paper or cloth treated to last at least one year.
  - (1) This wrap shall extend from the ground level up the trunk to the first branches.
  - (2) This wrap to prevent sun scald shall be attached or fastened at each end with a material that will permit tree growth without girdling.
- (f) Saucer - A ring of packed soil shall be placed around the finished planting hole of each tree.
  - (1) The saucer shall be a minimum of six (6) inches higher than the finished grade.
  - (2) Saucers placed on slopes shall be level at the top and perpendicular to the tree trunk.
- (g) Plant material used should not be of the exotic variety requiring substantial maintenance or material highly subject to pollution, salt damage along highways and current insect disease manifestations.
- (h) Trees and shrubs must be planted only when the soil is frostfree and friable.

14-9:2

#### Ground Covers

- (a) All planting beds must be covered and type to be used noted on the site plan. Where mulches are used, a layer of black, four (4) mil polyethylene or its equivalent must be used to reduce weed growth. Minimum required depth of placement is four (4) inches. An approved chemical pre-emergence non-selective herbicide may be used in lieu of the polyethylene. Chemical to be used must be specified on the site plan and used according to directions.
- (b) Ground covers are required in place of grass in small restricted areas such as tree and shrub planters.
- (c) All planted beds surrounded by grass must be edged by a physical edging, in accordance with Township standard specifications, flush with the soil to permit mowing.
- (d) Sod is to be used in place of seeding for more rapid establishment and effect except, for areas exceeding two (2) acres. In any area exceeding two (2) acres, at least two (2) acres must be sodded, the location of which is to be determined by the Township Engineer.
- (e) Ground cover areas and steep banks greater than fifteen (15%) percent must be planted with an approved ground cover and an approved mulch.
- (f) If wood chips are to be used as a mulch, they must follow Township standard specifications.
- (g) All seed mixtures and sod types must meet the approval of the Township Engineer.

14-9:3

Protection of Existing Trees and Shrubs:

- (a) Trees designed to remain on the construction site are to be protected with physical barrier in accordance with Township standard specifications. The barrier shall be installed before a Tree Removal Permit will be granted and/or before any excavation or construction is begun.
- (b) The grade of land located within six (6) feet of a tree shall not be raised or lowered more than six (6) inches unless compensated by welling or retaining methods herein described.
- (c) Tree wells are to be constructed around each tree or group of trees before any grades are increased. Wells are to be constructed of uncemented stone, block or any other suitable material. This well should be a minimum of three (3) feet in diameter for four (4) inches or less caliper tree with the wall located 18" from the trunk with the construction starting on existing grade so as not to disturb roots with foundation construction. For trees of more than four (4) inches caliper there should be added one (1) foot to the diameter of the well for each inch caliper over 4" and measured twelve (12) inches above natural ground level.
- (d) Retaining walls are to be constructed around each tree or group of trees immediately after grade is lowered. This retaining wall is to be constructed of railroad ties, or any other suitable material subject to approval by the Township Engineer.
- (e) Any cleaning within six (6) feet of tree trunks must be done by hand. No equipment is to be over this area and no building materials are to be attached against the tree or within the area of the barrier.
- (f) No tree is to support any scaffolding, signs, temporary utility or any other device. Top soil is to be stockpiled in an area at least eight (8) feet from any tree designated to remain.

14-10

Top Soil Protection

No top soil shall be removed from the site or used as spoil. Top soil moved during the course of construction shall be redistributed so as to provide as nearly equal amounts to all areas of the subdivision and shall be stabilized by seeding or planting on all slopes up to ten (10) percent as shown on the final grading plan. All slopes and minor drainage swales over ten (10) percent shall be sodded. All major drainage swales shall be sodded or stabilized by fiber mats. Before construction of the development has begun, selected samples of the existing top soil at various locations of the site shall be taken as directed by the Township Engineer and shall be sent to Rutgers University for analysis and classification. During the course of construction as lots are finished as to grading, seeding, etc., selected samples shall again be taken as directed by the Township Engineer and sent to Rutgers University for analysis, classification and comparison with the original sample of the general area to determine whether top soil has been properly preserved and redistributed.

SECTION 15

STORM DRAINAGE, SANITARY SEWERAGE, WATER FACILITIES AND UTILITIES

15-1

Storm Drainage

15-1:1

General Requirements:

All Subdivisions, Site Plans, and Planned Developments

15-1:1  
continued

General Requirements:

shall incorporate appropriate storm water facilities that will maintain the rate of storm water run-off that leaves the site in its pre-development condition unless otherwise determined by the Township Engineer. All measures used to control storm water run-off shall comply with the drainage provisions of this Ordinance as well as the Storm Drainage Guidelines of the Township of Old Bridge and the section which regulates soil erosion and sediment control in the Township Specifications and Details.

Before Final Approval of any Subdivision, Site Plan or Planned Development, the applicant shall have submitted a drainage plan and hydrological calculations. All proposed drainage systems must be approved by the Township Engineer.

15-1:2

Submission of Drainage Design and Calculations:

All projects shall be submitted with detailed drainage plans and calculations which shall include but not necessarily be limited to the following:

- (a) Identification and analysis of the run-off generated by the project site prior to development.
- (b) Analysis and calculations of the run-off generated by the project site after the development is completed. (Run-off generated from adjoining properties flowing onto the project site shall be included in the computations).
- (c) Analysis of the possible impact on upstream and downstream drainage facilities and adjoining properties.
- (d) A detailed topographic map with two (2) foot contours, at a scale equal to the development plans or in any case a minimum scale of 1" = 100', showing the proposed project and the layout of the proposed drainage system. Each drainage area (including "offsite" areas) flowing to an inlet, ditch, or other point of collection or discharge shall be outlined on the map indicating the acreage of the drainage area, the pre-development and post development run-off and capacities of existing and proposed pipes.
- (e) The drainage system is to be designed in accordance with Storm Drainage Guidelines of the Township of Old Bridge, on file in the office of the Township Engineer.
- (f) Surface flow of water from high points to swales, curbs, ditches, streams, inlets and other points of collection shall be shown by small arrows.
- (g) At the determination of the Township Engineer, additional information may be required to complete the drainage plan.

15-1:3

Nature of Storm Water Facilities:

15-1:3.1

Location:

The applicant may be required by the Approving Board to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in

15-1:3.1  
continued

Location:

perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the construction standards and specifications.

15-1:3.2

Accommodation of Upstream Drainage Areas:

A culvert or other drainage facility shall in each case be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside the site. The Applicant's Engineer shall determine and identify to the Approving Board the necessary size of the facility, based on the provisions of the construction standards and specifications assuming conditions of maximum potential watershed development permitted by present zoning.

15-1:3.3

Effect on Downstream Drainage Areas:

The Applicant's Engineer shall also determine and identify to the Approving Board, the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Local government drainage studies together with such other studies as may be required or requested of the developer, as shall be appropriate, shall serve as a guide to needed improvements. On-site detention/retention facilities shall be the preferred means of reducing downstream effects. Other means may include dry wells, roof-top water detention, swales, trenches and french drainage.

The applicant shall also be liable for his off-tract pro-rata share of the cost of improving downstream drainage facilities in accordance with the provisions of Section 8.2.

15-1:3.4

Flood Plain Areas:

The Approving Board shall when it deems it necessary for health safety, or welfare of the present and future population of the area and necessary to the conservation of the drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the flood plain of any stream or drainage course, and the provision thereof of any clearing and grading.

15-2

Dedication of Easements:

15-2:1

Conservation And/Or Drainage Easements

The Approving Board may require easements along drainageways, natural water courses, steep slopes and other unique botanical, historical, geological and paleontological areas located therein or adjacent to a proposed development.

The easement shall be indicated on the plan and shall be marked on the land by iron pipes at angle points and/or property corners at sufficient locations to enable the easements to be surveyed.

In such cases, the Township Planner and Township Engineer after conferring with the Environmental Commission, shall determine the required shape and size of the easement. The easement shall be in a form approved by the Township Attorney and shall include provisions assuring the following:

- (a) Preservation of the channel of the water course, including the right to clean, desnag and all such work necessary to maintain the shape, slope and water flow of the water course.

- (b) Prohibition of any removal of trees and other cleaning and grading not directly related to the preservation of the channel of a water course.
- (c) Right to the Township to install and maintain any drainage facilities necessary for the health and safety of the public.
- (d) Right-of-entry to the Township to install and maintain any drainage facilities therein.

15-3            Aquifer Recharge

15-3:1        General Requirements:

All Subdivisions, Site Plans and Planned Developments shall incorporate appropriate recharge methods or devices that will maintain the rate of recharge of underground aquifers in its pre-development condition. In support thereof all applicants shall submit a Recharge Capability Assessment in accordance with the provisions of Section 15-3:3.1. If the applicant wishes to qualify for the Recharge Augmentation Density benefit in Section 9-5:2.1.1, a Recharge Augmentation Assessment shall be conducted in accordance with the provisions of Section 15-3:3.2.

15-3:2        Recharge Methods and Maintenance Measures:

Appropriate recharge methods or devices may include, but are not necessarily limited to any or all of the following:

- (a) Recharge basin or ponds.
- (b) Injection wells.
- (c) Dry wells
- (d) Swales, trenches, or french drains, or perforated drainage systems.

The proposed land development project shall also incorporate appropriate recharge maintenance measures, and impermeable surface coverage limitations as necessary and approved by the Approving Board and Township Engineer, with input by the Environmental Commission, to maintain the amount of recharge. The document entitled, Ground Water Recharge Maintenance Handbook prepared by the Lower Raritan/Middlesex County Water Resources Management Program, March 1981, as revised, is hereby declared to be expressly incorporated herein and made part of this Ordinance. A copy of this document is available for inspection in the office of the Township Engineer.

15-3:3        Recharge Analysis:

15-3:3.1      Recharge Capability Assessment

In order to determine the potential for the natural recharge of a site, the applicant shall submit a preliminary feasibility study to the Approving Board based upon such findings as may evolve from the following documents:

- (a) General Recharge Characteristics Map (Prepared by the Lower Raritan/Middlesex County Water Resources Management Program, March 1981 as amended).
- (b) USDA Soil Survey.
- (c) N.J. Geological Survey

and other pertinent hydrological data, all of which shall be specifically referenced as to source.

15-3:3.2

Recharge Augmentation Assessment

Where the Recharge Capability Assessment discloses a favorable potential for recharge augmentation, the applicant shall conduct a site specific Recharge Augmentation Assessment to include at least the following:

- (a) Identification of surface soils and subsurface geology present on the site through an appropriate number of borings approved by the Municipal Engineer.
- (b) Identification of percolation rates.
- (c) Depth to watertable.
- (d) Determination of rate of flow in gallons per day per acre and total gallons per day of recharge to the aquifer system for the site in its existing pre-development condition utilizing site run-off and infiltration calculation methods approved by the Municipal Engineer.
- (e) At the discretion of the Township Engineer, additional hydrological data may be required in order to assess the feasibility of achieving the recharge augmentation levels proposed by the applicant.

15-4

Water Facilities

15-4:1

General Requirements:

- (a) Necessary action shall be taken by the applicant to extend or create a water supply district for the purpose of providing a water supply system capable of providing water for domestic use and fire protection.
- (b) Where a public water main is accessible, the subdivider shall install adequate water facilities (including fire hydrants) subject to the specifications of the State or local authorities. All water mains shall be at least eight (8) inches in diameter, except lines for domestic service only may be six (6) inches. All water lines are to be looped wherever practical to provide for a continuous flow.
- (c) Water main extensions shall be approved by the Municipal Utilities Authority of the Township.
- (d) To facilitate the above, the tentative location of all fire hydrants and water lines shall be shown on the Preliminary and Final Plan.

15-4:2

Individual Wells and Central Water Systems

- (a) At the discretion of the Approving Board, if a public water system is not available, individual wells may be used or a central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Water samples shall be submitted to the Health Department for its approval, and individual wells and central water systems shall be approved by the appropriate health and permitting authorities. Copies of all approvals shall be submitted to the Approving Board. The Fire Department reserves the right to utilize the individual wells and central water system for fire fighting purposes and protection of the general health and welfare of the public.

- (b) If the Approving Board requires that a connection to a public water main be eventually provided as a condition to approval of an individual well or central water system, the applicant shall make arrangements for future water service at the time the plan received Final Approval. Performance or cash bonds shall be required to insure compliance.

15-4:3 Fire Hydrants

- (a) Fire Hydrants shall be required for all development projects. Fire Hydrants shall be located no more than six hundred (600) feet apart and within three hundred (300) feet of any structure and shall be approved by the Township Fire Marshal. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed before any final paving of a street shown on the subdivision plan.
- (b) Where more than one (1) hydrant connects to a water line, the water line shall be a minimum of eight (8) inches in diameter up to the next-to-last hydrant. The last section of water line to the last hydrant may be six (6) inches. In the event that the water line may be extended in the future, then the water line shall be of eight (8) inches in diameter to its terminus.

15-5 Sewerage Facilities

15-5:1 General Requirements:

The applicant shall install sanitary sewer facilities in a manner prescribed by the Township Sewerage Authority construction standards and specifications. All plans shall be designed in accordance with the rules, regulations, and standards of the Township Sewerage Authority Engineer, Health Department, and other appropriate agency. Plans shall be approved by the above agencies.

15-5:2 High-Density Residential and Non-Residential Districts:

Sanitary sewerage facilities shall connect with public sanitary sewerage systems. Sewers shall be installed to serve each lot and to grades and sizes required by approving offices and agencies.

15-5:3 Low - and Medium-Density Residential Districts:

Sanitary sewerage systems shall be constructed where a public sanitary sewerage system is reasonably accessible. The applicant shall connect with same and provide sewers accessible to each lot in the subdivision.

15-5:4 Individual Disposal System Requirements:

If public facilities are not available and individual disposal systems are proposed, minimum lot areas shall conform to the requirements of this Ordinance and percolation tests and test holes shall be made as directed by the Township Health Officer. The individual disposal system including the size of the septic tanks and size of the tile fields or other secondary treatment device, shall also be approved by the Health Officer.

15-5:5 Alternate Sewerage Treatment Facilities

An applicant may consider the use of domestic sewerage for

15-5:5  
continued

Alternate Sewerage Treatment Facilities

spray irrigation where appropriate to conserve use of potable water and recharge the aquifer especially in open space areas and on golf courses subject to the approval of the NJDEP.

15-6

Utilities

15-6:1

Location:

All utility facilities except major transmission lines including but not limited to gas, electric power, telephone, and CATV cables, shall be located underground throughout the development. Wherever existing utility facilities are located aboveground, except where existing on public roads and rights-of-way, they shall be removed and placed underground. All utility facilities existing and proposed throughout the subdivision shall be shown on the Preliminary and Final Plan.

15-6:2

Easements:

Easements for water and sewer lines and other utilities shall be provided and be of the size and form required by the respective utility or authority.

SECTION 16

SIGNS

16-1

Scope and Applicability

Notwithstanding any other provision or Ordinance, in all zoning districts, signs may be erected, altered, maintained, used and removed only when in compliance with the provisions of this Section.

All signage in all zoning districts shall be designed to fit the use as provided for in the following major categories:

- (a) Exempt signs - Section 16-4
- (b) Permitted signs - Section 16-5
- (c) Residential - Section 16-5:1
- (d) Offices - Section 16-5:2
- (e) Commercial - Section 16-5:3
- (f) Industrial - Section 16-5:4
- (g) Special Regulations - Section 16-5:5
  - Gas Stations - Section 16-5:5.1
  - Sales & Rental - Section 16-5:5.2
  - Single Family & Multi-Family Developments - Section 16-5:5.3
  - Roadside Produce & Nursery Products - Section 16-5:5.4

16-2

Governing Authority

The approval provisions of this Section shall be administered by the Construction Official and the Approving Board, as hereinafter provided.

16-3

Definitions

- (a) Animated Display Sign: shall mean a display sign with actions or motion, chasing, scintillating, flashing or color changing, requiring electrical energy, electronic or manufactured sources of supply, but not including wind actuated elements such as flags, or banners. Effects such as time or temperature, revolving, changeable copy or public information displays are not included.

- (b) Add-On-Signs: shall mean those signs such as credit card insignias, arrows, etc., which are attached to existing mounting structures and/or signs.
- (c) Canopy Sign: shall mean a sign mounted on and supported by a canopy and may be found either above the canopy or hanging beneath the canopy but in all cases mounted perpendicular to the building.
- (d) Display Surface: is the total area made available, by sign structure or otherwise, upon, against or through which the message of the sign is exhibited.
- (e) Electrical Sign: shall mean any sign which has characters, letters, figures, designs, facts, backgrounds or outlines illuminated by incandescent or fluorescent lamps or luminous tubes as part of the sign proper, these light sources being either external or internal.
- (f) External Illumination: shall mean a sign illuminated by flood or spot lights affixed to the exterior of the sign, its supporting structure or the ground.
- (g) Facia Sign: shall mean any sign which is in any manner affixed to any exterior wall of a building and which projects not more than eight (8) inches from the building facade and does not extend about the parapet, eaves or building facade.
- (h) Freestanding Sign: shall mean a sign, which is supported by one or more columns, poles, uprights or braces in or upon the ground, which are not a part of the building and which usually require a building permit.
- (i) Mobile Signs: are all signs other than temporary signs not permanently attached to real estate or buildings and which are incapable of self-propulsion. This includes signs upon motorless vehicles such as wagons, trailers and flatbeds and also includes signs on vehicles with motors if the motors become inoperable and unable to propel the vehicle.
- (j) Official Sign: shall mean any sign, symbol or device erected and maintained by the Federal, State or County or Local Governmental Agency for the purpose of informing or guiding the public; or for the protection of health, safety, convenience and general welfare.
- (k) Outdoor Advertising Sign: shall mean a painted bulletin or standard poster panel installed primarily for the purpose of advertising a product, event, service, person or other subject and usually off the premises of that which it advertises.
- (l) Painted Wall Sign: shall mean a sign or illumination painted on a building but which may or may not advertise a product or subject not necessarily attainable to that location.
- (m) Projecting Wall Sign: shall mean a sign other than a facia sign suspended from or supported by a building or structure or steel column and projecting out therefrom. Projection means distance by which a sign extends over public property or beyond the property line.

- (n) Roof Mount Sign: shall mean any sign erected, constructed or maintained wholly upon or over the roof of any building with the principal support on the roof structure.
- (o) Structural Trim: shall mean the molding, battens, cappings, nailing strips, latticing, platforms and letters, figures, characters or representations in cut-out or irregular form which are attached to the sign structure.
- (p) Temporary Signs: any sign which is used for a short period of time and is not securely affixed to a structure nor imbedded in concrete. Such a sign is capable of being transported and may include such items as flags, pennants, banners, streamers, paper, cardboard or cloth signs.
- (q) White or Unused Space: refers to any space other than that which is occupied by typography or a company symbol on a sign including the space between words and between lines of words stocked one over the other right on out to the edge of the sign on all sides.

16-4

Exempt Signs in All Districts

The following signs are authorized in any zoning district without a permit as long as they conform to the standards contained herein:

- (a) Sales and rental signs subject to the special regulations contained in Section 16-5:5.2.
- (b) A sign indicating the name and/or address of the occupant provided that the sign shall be no larger than one (1) square foot in area. A permitted home occupation or professional office may be included with the name of the occupant. Only one sign per principal dwelling unit is permitted and it may not be illuminated.
- (c) Window stickers denoting organizational affiliations, credit card availability, burglar system, pet restrictions, hours of operation, etc.
- (d) Signs indicating the private nature of a road, driveway or premises may be erected and maintained provided that the area of such sign shall not exceed seventy-two (72) square inches and shall not exceed three (3) feet in height.
- (e) Signs prohibiting or otherwise controlling fishing, hunting, etc., upon particular premises may be erected and maintained provided that the area of any such sign shall not exceed two (2) square feet.
- (f) Special signs serving the public convenience such as "Notary Public", "Public Rest Rooms", "Public Telephone" or words of similar import. The area of each sign shall not exceed seventy-two (72) square inches.
- (g) Non-illuminated traffic control directional signs identifying parking areas, loading zones, entrances, exits and similar locations. The signs shall not exceed two (2) square feet in area, and three (3) feet in height.
- (h) Temporary signs for advertising public functions or fundraising events for charitable or religious organizations for a period of thirty (30) days prior to and during the event but shall be removed within five (5)

days after the event. The sign shall be non-illuminated, not larger than twelve (12) square feet in area, not exceeding six (6) feet in height and may be erected flat against the building or freestanding.

- (i) Temporary non-illuminated political signs shall be removed ten (10) days after an election provided that:
  - (i) They shall not be erected within the public right-of-way or on a utility or directional sign pole.
  - (ii) Such signs shall contain the name and address of the sponsor, individual or organization.
  - (iii) The Construction Official shall remove the sign after the ten (10) day period and impose a penalty of one (\$1.00) dollar per sign against the sponsor, individual or organization.
- (j) Historical tablets, cornerstones, memorial plaques and emblems which do not exceed six (6) square feet in area and which are installed by government agencies, civic or religious organizations.
- (k) Temporary signs which are in the nature of traditional holiday or seasonal greetings or decorating not advertising a specific product, service or establishment and not exceeding forty-five (45) days duration.
- (l) Flags or emblems of religious, educational, civic or governmental organization.
- (m) Signs posted by governmental agencies or pursuant to governmental statute, order or regulation.
- (n) Signs which are an integral part of vending machines including gasoline pumps, and milk machines, provided they do not exceed two (2) square feet in area.
- (o) Temporary window posters when posted inside commercial establishments provided they do not occupy more than twenty (20) per cent of the total area of said window.
- (p) Temporary promotional or special sales signs when erected in conjunction with a commercial establishment provided they do not exceed sixteen (16) square feet and they are restricted to not more than four (4) non-successive seven (7) day periods within a calendar year.
- (q) Temporary overhead banners spanning a street or roadway advertising public functions or fund-raising events for charitable or religious organizations for a period of thirty (30) days prior to and during the event but shall be removed within five (5) days after the event or at anytime if the sign is damaged or becomes a hazard.
- (r) Temporary construction signs located on the lot shall be removed within seven (7) days after the completion of the construction work. The total area of all such signs on a lot shall not exceed twenty-four (24) square feet and six (6) feet in height, and shall not be illuminated except for construction safety lights placed in hazardous areas.

16-5

Permitted Signs

In all Zoning Districts:

In all zoning districts, the following signs are authorized but require a permit to be issued by the Construction Official upon application thereto:

- (a) Signs advertising produce or nursery products of roadside stands in accordance with the Special Regulations Section 16-5:5, subparagraph 16-5:5.4.
- (b) Two (2) freestanding signs or bulletin boards identifying churches, private clubs, lodges, hospitals, schools, libraries, museums, parks and playgrounds and public utility installations on each public street to which the Use abuts. Such signs shall not exceed twenty (20) square feet in area and six (6) feet in height.
- (c) One (1) freestanding sign on each public street to which the Use adjoins, advertising a permitted golf course.
- (d) Temporary project signs shall not exceed fifteen (15) feet in height or width or exceed one hundred fifty (150) square feet in area and shall include border, trim, cutouts, and extensions but excluding supports. Signs may be double-faced, back to back or V-type. Sign may be illuminated. Not more than one (1) sign will be allowed on any one street frontage. A temporary project sign may be erected after Final Approval has been granted by the appropriate Approving Board and shall be removed within seven (7) days after the final Certificate of Occupancy has been issued.

16-5:1

Permitted Signs in Residential and Apartment Zoning Districts

The following signs are authorized in conjunction with permitted and non-conforming residential and apartment uses:

- (a) Personal signs shall meet the requirements of Section 16-4 (b) and are exempt.
- (b) Signs for a permitted professional in a home (Ref. Section 4-4:6.2) shall not exceed four (4) square feet.
- (c) All multi-family conditions shall meet the requirements set forth in the Special Regulations Section, subparagraph 16-5:5.3.

16-5:2

Permitted Signs in Office Zoning Districts

The following signs are authorized in conjunction with permitted and non-conforming office uses:

- (a) One (1) fascia sign placed or inscribed upon the front wall of a building containing only the name of the building and/or the type of use therein and the street address and no other advertising material. Such sign shall not exceed an area equal to five (5%) percent of the facade of the building.
- (b) One (1) freestanding sign not to exceed the height of the principal building in the complex or eighteen (18) feet, whichever is lesser and shall not exceed forty (40) square feet in area and subject to the following criteria:
  - (i) Office buildings with a single occupant may

use the signage permitted.

- (ii) Office buildings with a maximum of three (3) occupants---each occupant may be permitted a maximum of ten (10) square feet of sign space. The masthead portion of the sign shall not exceed ten (10) square feet. Company logotypes must fit within the allowed square footage of sign space.
  - (iii) Office buildings with more than three (3) occupants---shall not allow any occupant identification on the freestanding sign.
  - (iv) Signs may include time and temperature displays.
  - (v) Signs may include the name of the building and the street address.
- (c) However, if the building is located on a corner lot, a second freestanding sign, indirectly illuminated, may be erected provided that the area of the second sign does not exceed one half ( $\frac{1}{2}$ ) of the area and one half ( $\frac{1}{2}$ ) of the height of the primary sign erected on the major street.
- (d) At each entrance to the building, one (1) directory sign attached to the building and listing the occupants therein. Such sign shall not exceed eight (8) square feet in area.

16-5:3

#### Permitted Signs in Commercial Zoning Districts

The following signs are authorized in conjunction with permitted and non-conforming commercial uses.

- (a) One (1) fascia sign which may be internally illuminated, placed or inscribed upon the front wall of a building or on each storefront in the case of a shopping center, containing only the name of the store and/or the type of use therein and no other advertising material. Such sign shall not exceed an area equal to ten (10) percent of the facade of the storefront. All such signs must be of the same area and dimension for similar stores but the content or color may vary. Such sign may incorporate a time and temperature display.
- (b) Three or more stores: one (1) freestanding sign, which may be internally illuminated which may state the name of the shopping center or commercial activity, the street address, occupants and no other advertising material. Such sign shall not exceed a total area of ten (10) square feet for each store in the complex or 75 square feet, whichever is lesser. However, if the building or complex is located on a corner lot, a second freestanding sign, illuminated or not, may be erected provided that the area of the second sign does not exceed one half ( $\frac{1}{2}$ ) of the area and one half ( $\frac{1}{2}$ ) of the height of the primary sign erected on the major street. Such sign may incorporate a time and temperature display.
- (c) Two stores or less: one freestanding sign, which may be internally illuminated which may state the name of the shopping center and/or commercial activity, the street address, the name and primary business of each of the occupants and no other advertising material.

16-5:3 Permitted Signs in Commercial Zoning Districts  
continued

Such sign shall not exceed forty (40) square feet, and not to exceed the height of the principal building in the complex or eighteen (18) feet whichever is lesser. However, if the building or complex is located on a corner lot, a second freestanding sign, illuminated or not, may be erected provided that the area of the second sign does not exceed one half ( $\frac{1}{2}$ ) of the area and one half ( $\frac{1}{2}$ ) of the height of the primary sign erected on the major street. Such sign may incorporate a time and temperature display.

- (d) One (1) canopy sign, in the case of a shopping center, wherein walkways are roofed over with a permanently installed rigid canopy or other structural device, a sign may be hung vertically from the underside of said canopy for each storefront in the center. Such sign shall not be less than eight (8) feet above the walkway and may not exceed eight (8) square feet.
- (e) One (1) sign in the valance of an awning containing only the name of the store and no other advertising material. The area of such sign shall not exceed eight (8) square feet.
- (f) One (1) freestanding directory sign for every ten thousand (10,000) square feet of gross floor area, which may state the name of the occupants of the building or complex and other advertising material at the discretion of the Approving Board. Such signs shall not exceed four (4) square feet in area and six (6) feet in height.
- (g) One (1) freestanding sign at each driveway which provides a means of ingress to or egress from the off-street parking facilities on the premises. Such signs shall bear only the names of the shopping center and appropriate traffic instructions; shall not exceed eight (8) square feet in area and four (4) feet in height.
- (h) Freestanding signs within the parking areas to identify particular areas or sections of said parking lot provided that not more than one (1) such sign shall be permitted for each parking area and further provided that such signs shall not exceed three (3) square feet in area on any one side nor exceed a height of twenty (20) feet. In addition, freestanding signs may not be erected at each end of a parking aisle for identification purposes provided that such signs shall not exceed one (1) square foot in area nor exceed a height of four (4) feet.

16-5:4 Permitted Signs in Industrial Zoning Districts

The following signs are authorized in conjunction with permitted or non-conforming Industrial Uses.

- (a) One (1) facia sign placed or inscribed upon the front wall of the building containing only the name of the company or division and the type of product manufactured or produced and no other advertising material. Such sign shall not exceed an area equal to five (5) percent of the facade of the building.
- (b) One (1) freestanding sign, which may state the name of the company or division and the type of product manufactured or produced, the street address and no other advertising material. Such sign shall not exceed an area of twenty-four (24) square feet and the height shall not exceed one-half ( $\frac{1}{2}$ ) of the building height measured at its highest point on the frontage street of the property.

16-5:5 - Special Regulations

The following types of signs should be designed as close as possible to meet the design criteria for signage.

16-5:5.1 Gas Stations:

- (a) One freestanding sign which may be internally illuminated and not exceed eighteen (18) feet in height or forty (40) square feet in area on any one side. Rotation units are permitted.
- (b) Two add-on signs pertaining to the products or services offered by the gasoline service station may be displayed on the freestanding sign. Each sign shall not exceed four (4) square feet.
- (c) One freestanding "A" frame or add-on sign indicating prices, goods or services; not illuminated and not to exceed six (6) feet in height or three (3) feet in width.
- (d) The use of all flags, windmills, banners and any flashing or animated signs shall be prohibited. However, the use or pennants may be utilized for the purpose of advertising the opening of a new station, but shall be restricted to a thirty (30) day period.
- (e) All signs or parts thereof, the structures supporting same or parts thereof, shall be within the owner's property line and at no time project into or over the public right-of-way.

16-5:5.2 Sales and Rental Signs

Signs advertising the sale or rental of the premises upon which they are located are permitted in all zoning districts in accordance with the following schedule:

- (a) The sign may be double-faced and the maximum size shall be in accordance with the following schedule:
  - (i) Single-family homes, regardless of the zoning district. Six (6) square feet and only one (1) sign per lot and shall not exceed six (6) feet in height.
  - (ii) Commercial and Industrial Uses and Offices, regardless of the zoning district:
    - Lot area smaller than one (1) acre - only one (1) sign per lot not more than thirty-two (32) square feet and not more than ten (10) feet in height.
    - Lot area larger than one (1) acre - one (1) sign per lot sixty-four (64) square feet and not more than twelve (12) feet in height.
  - (iii) Vacant land regardless of the zoning districts including pre-construction signs of an approved project.

<u>Lot Size</u>	<u>Height(ft.)</u>	<u>Maximum Size of Each Sign Face</u>
5 acres and under	10	32
5 - 25 acres	12	64
Over 25 acres	15	150

16-5:5.2 Sales and Rental Signs  
continued

- (iv) Whenever the property is bordered by more than one (1) public street, an additional freestanding sign shall be permitted on each major street.
- (b) Such signs shall not be illuminated and shall be situated within the property lines of premises to which it relates.
- (c) All sales and rental signs shall be of a freestanding design and may not be erected upon or attached to any building.
- (d) Such signs shall be removed immediately upon the signing of the lease in the event that the property involved is of a lease or rental nature and the closing date in the event that the property involved is subject of a sale. No Certificate of Use and Occupancy shall be issued until said sales or rental signs are removed.

16-5:5.3 Single Family and Multi-Family Developments

- (a) At the main entrance to the development, one (1) freestanding sign, which may state the name of the development, the street address, the presence or lack of units for sale, rental or lease and no other advertising material. Such sign shall not exceed twenty (20) feet in area and six (6) feet in height.
- (b) At each entrance, other than the main entrance, one (1) freestanding sign, which may state the name of the development, the street address, the presence or lack of units for sale, lease or rental and no other advertising material. Such sign shall not exceed twelve (12) square feet in area or four (4) feet in height.
- (c) At the sales or rental office of the development, one (1) freestanding sign which may be illuminated advertising the office. Such sign shall not exceed four (4) square feet in area and four (4) feet in height.
- (d) At four (4) off-premises key intersections, one (1) freestanding temporary non-illuminated sign directing the public to the development. Each sign shall not exceed four (4) square feet in area and six (6) feet in height. The sign permit shall be issued for a period of six (6) months and shall be renewable for additional periods of six (6) months during the period of construction.
- (e) Non-illuminated directional signs identifying points of ingress and egress, parking areas and similar locations in such numbers as approved by the Approving Board. Such signs shall not exceed four (4) square feet in area and three (3) feet in height.

16-5:5.4 Roadside Produce and Nursery Product Stands

- (a) One (1) non-illuminated freestanding sign which may state the name of the business and the type of products sold therein and no other advertising material. Such sign shall not exceed the height of the building or six (6) feet, whichever is greater.
- (b) One (1) non-illuminated facade sign placed or inscribed upon the front wall of the building containing only the name of the business and the types of products sold therein and no other advertising material. Such sign shall not exceed an area equal to five (5) percent of the facade of the building or seventy-five (75) square feet, whichever is less.

16-5:5.4 Roadside Produce and Nursery Product Stands  
continued

- (c) Three (3) non-illuminated freestanding or facade signs which may specify the particular types of products sold therein. Such signs shall not exceed two (2) square feet in area, and, if freestanding shall not exceed four (4) feet in height.

16-6 General Regulations and Restrictions:

16-6:1 Prohibited Signs and Advertising Devices:

The following signs are specifically prohibited in all Zoning Districts of the Township of Old Bridge:

- (a) Animated display signs except where specifically permitted herein.
- (b) Signs that flash, blink, move or simulate motion.
- (c) Add-on signs of any type.
- (d) Neon tubing signs.
- (e) Signs using red, yellow, green lights placed within one hundred (100) feet of any traffic signal or where sight distance is a problem.
- (f) Projecting wall signs of any type unless classified herein as an exempt sign.
- (g) Roof mount signs.
- (h) Signs using words such as "stop", "look", "danger", etc. which are placed in such a manner or position as to constitute a traffic hazard or otherwise interfere with the free flow of traffic.
- (i) Painted wall signs.
- (j) Outdoor advertising signs.
- (k) Mobile signs.
- (l) Signs with any lighting or control mechanism which may cause radio or television interference.
- (m) Any sign so erected, constructed or maintained as to obstruct or be attached to any fire escape, window, door, or opening used as means of egress and ingress, or for fire fighting purposes, or placed so as to interfere with any opening required for legal ventilation.
- (n) Any sign which is such form, character, or shape as to confuse or dangerously distract the attention of the operator of a motor vehicle or pedestrian.
- (o) Banners, spinners, flags, pennants or any moving object used for advertising purposes whether containing a message or not. This provision does not include flags or pennants attached directly to permanent poles.
- (p) Any advertisement which uses a series of two or more signs or units, placed in a line parallel to the highway, or in similar fashion, or carrying a single advertising message, part of which is contained on each sign.
- (q) Signs which simulate or could be confused with the official signs of the State of New Jersey, County or Municipality, or any railroad, or public utility or similar agency concerned with the protection of the public health or safety.

16-6:1 Prohibited Signs and Advertising Devices:  
continued

- (r) Signs bearing texts of a laudatory nature or including services or product names normally furnished by any such establishment or proprietor, it being the purpose of this Section to limit the use of all signs to identification or directional purposes only. Identification signs allow the principal name of the establishment or proprietor and a brief description of the principal goods or services offered.
- (s) Any sign which, applying contemporary community standards has a dominant theme or purpose which appeals to prurient interest.
- (t) No sign shall be erected, containing information on it which states or implies that a property may be used for any purpose not permitted under the provisions of the Township Zoning Ordinance in the zoning district in which the property to which the sign relates is located.
- (u) Any sign or banner spanning a public street except those advertising or drawing attention to a recognized charitable or fund raising campaign or an official Township function.

16-6:2 Prohibited Location of Signs:

- (a) Signs, other than Municipal, County or State traffic or direction signs, shall not be erected within the right-of-way of any street, nor shall any sign be located as to constitute a traffic hazard, except as otherwise permitted under Section 16-4 (p).
- (b) Signs shall not be painted on or affixed to water towers, storage tanks, smokestacks, rooftops, trees, fences, utility poles, rocks, curbs, walks, lamps, hydrants, benches or bridges, except as otherwise permitted in this Ordinance.
- (c) Signs are prohibited from sight triangle easements unless they are clear of the height limitations; which are from two (2) feet to ten (10) feet above the pavement.

16-6:3 Discontinuance of Use:

Signs advertising a Use no longer in existence or a product no longer available shall be removed within sixty (60) days.

16-6:4 Layout and Arrangement of Special Elements:

All space other than typography or corporate logotype or identification marks, will be considered white space and should be designed to allow optimum readability of the message. Space between lines of copy are also considered to be important and will be considered in the same way.

16-6:5 Computation of Sign Area:

- (a) The size of any sign for the purpose of determining its compliance with the provisions of this Section shall be computed by multiplying its greatest height by its greatest length, exclusive of supporting structures, unless such supporting structure is illuminated or is in the form of a symbol or contains advertising copy. But for the purpose of making such determination, the applicant may block off portions of the sign into not more than three (3) rectangles in order to exclude large areas of open space caused by peculiar design or shape of the sign.

16-6:5 Computation of Sign Area:  
continued

- (b) Multiple-side signs carrying the same message on all sides shall be considered to be of a size equivalent to the size of one face. When there is a different message on any side, then each side will be considered an individual sign.
- (c) Where a sign consists of individual letters or numbers, the area of the sign shall be considered as the total area of the smallest rectangle which can effectively enclose all of the letters or numbers.

16-6:6 Material Specifications:

This Section provides minimum standards of quality and performance for the basic materials used in the construction of signs.

- (a) Design and Construction: Only materials as permitted in State of New Jersey Uniform Construction Code and all conditions set forth in that Code shall be used in the manufacture and installation for all signs.

The latest subcodes approved by the State of New Jersey shall apply. The subcode for Building or Construction is the BOCA Code (Building Officials Conference of America) and for electrical, the National Electric Code.

- (b) Aluminum:

- (1) Structural - structural requirements and allowable stresses shall conform to the requirements of Uniform Construction Code.
- (2) Finishes - anodized finishes shall conform to the "Aluminum Association Standards for Anodically Coated Aluminum Applications".

- (c) Plastic:

- (1) Approved plastic materials - approved plastic materials shall be those meeting the requirements of BOCA Article 14.
- (2) Design and Construction:
  - (i) Plastic materials - the mechanical and thermal properties of plastics vary between manufacturers as well as types of plastics. This fact must be considered when designing sign faces. Manufacturer's recommendations will be utilized when available and applicable.
  - (ii) Wind load requirements - the sign face shall be designed to withstand the wind pressure specified in the Building Code adopted by the Township of Old Bridge.
  - (iii) Flat sign face - flat sign faces shall be designed to limit deflection of the face from damaging internal lighting components or disengagement under positive wind loads, and from disengagement or suckout under negative wind loads without creating stress build-up in the face which will cause fracture or crazing of the plastic. The design must also insure against buckling, and sagging of the face under the weight of the face and the design temperatures and otherwise provide for a visually acceptable appearance of the sign face.

16-6:6 Material Specifications:  
continued

- (iv) Formed sign faces - formed faces shall be designed in accordance with the same criteria specified for flat sign faces. In addition, the plastic manufacturer's recommendations for minimum inside edge and corner radii must be followed.
- (v) Design and construction - the general design and construction of fabricated plastic faces should be in accordance with the plastic manufacturer's recommendation.
- (vi) Qualification - if, in the opinion of the Building Inspector, the sign design does not meet the above standards, a certified record of a physical test of the sign face under design conditions will be submitted by the sign manufacturer to the Township Engineer for approval.
- (vii) Structural steel - structural steel used in the construction of on-premise electrical signs must meet the requirements of BOCA Article 14. Exposed steel shall conform to AISC Specifications for Architecturally Exposed Steel.
- (viii) Miscellaneous - all exposed metal, unless galvanized or non-corroding, shall be painted.

16-6:7 Installation Specifications:

- (a) Wind Loads - Signs and sign structures shall be designed and constructed to resist wind forces as specified in the Uniform Construction Code.
- (b) Seismic loads - signs and sign structures shall be designed and constructed to resist seismic forces as specified in the Uniform Construction Code.
- (c) Combined loads - wind and seismic loads need not be combined in the design of signs or sign structures; only that loading producing the larger stresses need be used. Vertical design loads, except roof live loads, shall be assumed to be acting simultaneously with the wind or seismic loads.
- (d) Allowable stresses - the design of wood, concrete, steel or aluminum members shall conform to the requirements of the Uniform Construction Code. Loads, both vertical and horizontal, exerted on the soil shall not produce stresses exceeding those specified in the Uniform Construction Code. The working stresses of wire rope and its fastenings shall not exceed twenty-five (25) percent of the ultimate strength of the rope fasteners. Working stresses for wind or seismic loads combined with dead loads may be increased as specified in the Uniform Construction Code.
- (e) General - signs and sign structures shall be designed and constructed to resist wind and seismic forces as specified in this Section. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings, the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such a manner as not to overstress any of the elements thereof.

The overturning moment produced from lateral forces shall in no case exceed two-thirds (2/3) of the dead-load resisting moment. Uplift due to overturning shall

16-6:7 Installation Specifications:  
continued

be adequately resisted by proper anchorage to the ground or to the structural frame of the building. The weight of earth super-imposed over footings may be used in determining the dead-load resisting moment. Such earth shall be carefully placed and thoroughly compacted.

- (f) Anchorage - members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil in either direction, horizontal or vertical, shall not exceed the safe values. Braced ground signs shall be anchored to resist the specified wind or seismic load acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance to pullout amounting to a force twenty-five (25) percent greater than the required resistance to overturning.

Anchors and supports shall penetrate to a depth below ground greater than that of the frost line.

Portable ground signs supported by frames or posts rigidly attached to the base will be adequate to resist the wind pressure specified in this Section. Signs attached to masonry, concrete, or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to support safely the loads applied. No wooden blocks or plugs or anchors with wood used in connection with screws or nails shall be considered proper anchorage except in the case of signs attached to wood framing. No anchor or support of any sign shall be connected to, or supported by an unbraced parapet wall unless such wall is designed for seismic zones in the Uniform Construction Code.

- (g) Supports - the supports for all signs and sign structures shall be placed in or upon private property and shall be securely built, constructed, and erected in conformance with the requirements of this Ordinance. All signs shall be of such a design that all framework for the lateral support of the sign shall be contained within the sign's body or within the structures of building to which it is attached in such a manner as not to be visible to any person. Exposed guy wires, chains or other connections should not be made as a permanent support of the sign. Where necessary, the projecting cantilever system shall be used to support signs and the "A" frame system should not be used. No sign nor any guy, stay or attachment thereto shall be erected, placed or maintained by any person on rocks, fences or trees, nor in such a manner as to interfere with any electric light, power, telephone or telegraph wires, or the supports thereof.
- (h) Electrical - all wiring shall be contained in rigid conduit or enclosed in poles or raceways. In no case should the wiring be exposed to the view of the public. All electrical components, connections, and installations shall conform to the New Jersey Uniform Construction Code, Electrical Sub-Code.
- (i) Clearance from high voltage power lines - shall be located not less than six (6) feet horizontally or twelve (12) feet vertically from overhead electrical conductors which are energized in excess of seven hundred and fifty (750) volts. The terms "overhead conductors" as used in this Section, means any electrical conductor either bare or insulated, installed above the ground except such conductors as are enclosed in iron pipe or other material covering of equal strength.

16-6:7 Installation Specifications:  
continued

- (j) Clearance from fire escapes, exits or standpipes - no sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit or standpipe.
- (k) Obstruction of openings - no sign shall obstruct any openings to such an extent that light or ventilation is reduced to a point below that which meets accepted safety standards.

Signs erected within five (5) feet of an exterior wall in which there are openings within the area of the sign shall be constructed of noncombustible material or approved plastics.

16-6:8 Maintenance Specifications:

All signs and displays shall be maintained in good order and repair. In the event that the Building Inspector determines that any sign now or hereafter erected is in a state of disrepair, has become dilapidated or constitutes a safety hazard, the sign owner and property owner shall be given written notice to correct the conditions within twenty (20) days from the date of the mailing of the notice. Failure to correct the condition or file an appeal within the time provided shall constitute a violation of this Section.

The area surrounding ground signs shall be kept neat, clean and landscaped. The owner of the property upon which the sign is located shall be responsible for maintaining the condition of the area. A suggested maintenance schedule for illuminated signs would be as follows:

- (a) Clean signs yearly. The first cleaning should take place in the year following the year of installation.
- (b) Inspect the signs yearly. The inspection should be performed during an annual cleaning.
- (c) Repaint or touch up, as required, all parts which are constructed of materials customarily field painted yearly. The painting should be performed during the annual cleaning.
- (d) Replace all fluorescent lamps during the third cleaning of the sign.
- (e) Perform maintenance on illuminated signs which should include labor, materials and equipment for the replacement or repair of all defective fluorescent lamps, ballasts, sockets and faulty sign interior wiring. Such maintenance (other than scheduled items, i.e., cleaning, inspection, etc.) should be performed within seventy-two (72) hours after a locally assigned maintenance company is notified of the required correction.

16-6:9 Construction of Signs Flat Against Buildings:

Any sign attached flat against the surface of a building shall be constructed of durable material and attached securely to the building with non-rusting metal hardware. When a sign is to be installed on a masonry building, holes shall be drilled in the masonry and proper non-rusting hardware of the expansion type shall be used. The use of wood or fiber plugs is prohibited.

16-6:10 Lot Line Setbacks:

All freestanding signs shall be placed at least ten (10) feet from the street right-of-way or twenty (20) feet from the pavement, whichever is greater unless special circumstances are: Alignment of highway, terrain, existing trees or other natural features, or structures located on other parcels of real property. Before a permit for a sign is granted, its location in relation to blocking visual access to existing signs is also considered.

16-6:11 Height Limitations:

All height limitations shall be measured from ground level to the highest part of the sign or its supporting structure, whichever is higher, but in no event shall any part of the sign exceed eighteen (18) feet in height above the ground level.

16-7 Non-Conforming Signs

16-7:1 Continuance:

Non-conforming signs may be refurbished, rebuilt, structurally altered, enlarged or reduced, extended, decreased or increased in size, moved or relocated by approval of the Approving Board if it determines that any of the preceding activities would tend to improve the appearance and character of the sign itself, or the building and lot upon which the sign is located. Such sign should, as close as possible, meet the design criteria for signage.

Non-conforming signs of two (2) square feet in area, or smaller, whether illuminated or not, shall be removed from the premises within ninety (90) days from the mailing to the owner by the Building Inspector of a written notice to correct.

16-7:2 Destruction:

In the event that any non-conforming sign shall be destroyed by reason of windstorm, fire, explosion or other disaster to an extent of more than eighty (80) percent as determined by the Construction Official, then such destruction shall be presumed to be complete destruction and the sign may not be rebuilt, restored, or repaired except in conformity with the provisions of this Ordinance.

16-8 Administration

16-8:1 Permits:

It shall be unlawful for any person, firm or corporation to erect, alter, relocate, or maintain within the Township of Old Bridge, any sign as set forth and defined in this Section except those herein exempted, without first making application for and obtaining annually, a permit which shall be in addition to any other licenses or permits which may be required by other ordinances. Signs requiring a building permit under this Section shall not be issued a sign permit until the requirements for a Building Permit have been met. Applications for permits shall be made on forms provided by the Building Inspector and shall include the following:

- (a) Name, address and telephone number of the applicant.
- (b) Name of person, firm, corporation or association erecting the sign if new construction.
- (c) Name of owner or property on which sign is located and written consent of owner if other than applicant.

16-8:1  
continued

Permits:

- (d) The dimensions of the sign and where applicable, the dimensions of the wall surface of the building to which it is to be attached.
- (e) Message, color, type style, lighting, structural, anchorage and material specifications.
- (f) The dimensions of the sign's supporting members.
- (g) The maximum and minimum height of the sign.
- (h) The proposed location of the sign in relation to the face of the building, in front of which or above which it is to be erected.
- (i) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated.
- (j) Where the sign is to be attached to an existing building, a current photograph of the face of the building to which the sign is to be attached.
- (k) Other such information as the Construction Official shall require to show full compliance with this and all other ordinances of the Township.

16-8:2

Procedure for Issuance of Permits:

It shall be the duty of the Construction Official, upon the filing of any application for a permit to erect a sign, to examine such plans, specifications and other data submitted to him with the application, and if necessary, the building or premises upon which it is proposed to erect the sign or other advertising structure.

(a) Signs Permitted in All Zoning Districts:

Applications for signs permitted herein under the provisions of Section 16-5 shall be filed in duplicate copies with the Construction Official. If it shall appear that the proposed sign is in compliance with all the requirements of this Ordinance and other laws and ordinances of the Township of Old Bridge, the Construction Official shall then, within ten (10) days, issue a registration for the erection of the proposed sign. If the sign authorized under such permit has not been completed within six (6) months from the date of issuance of such permit, the permit shall become null and void, but may be renewed within ten (10) days from the expiration thereof for good cause upon payment of an additional fee of five (\$5.00) dollars.

(b) Metal Identification Plates:

Upon the issuance of a sign registration, the Township shall issue metal identification plates containing the sign permit number which shall be attached to the sign. On freestanding signs, the plate shall be attached to the supporting structure not less than four (4) or more than six (6) feet above ground level. On all other signs, the plates shall be attached to the front of the sign in the lower righthand corner. Failure to attach, removal, transferring, covering, painting over or mutilation of the plate shall constitute a violation of this Section.

16-8:3

Fees and Expirations:

(a) Registration Fees:

The fee for registrations issued hereunder for new signs shall be fifteen dollars (\$15.00) per sign. The annual

16-8:3 - Registration Fees  
continued

renewal fee shall be fifteen dollars (\$15.00) per sign.

(b) Expirations:

All registrations issued hereunder shall expire in the following year on the last of the month preceding the date of its issuance but shall be renewed upon due application and the payment of the renewal fee unless the provisions hereof or other applicable Township Ordinances have been or are being violated. Registrations may be revoked by the Construction Official, upon a hearing given after due notice for failure to comply continuously with the provisions hereof and all other applicable Township Ordinances and regulations.

16-8:4 Conditions and Standards:

The standards set forth herein shall be construed as maximum parameters; the Approving Board may, depending upon the particular circumstances, prescribe a lesser degree of permissiveness including the size, height, number and type of illumination of signs. In considering and approving signs, the Approving Board shall take into consideration the design concept including the whole sign structure in terms of form and composition color, materials, surface decoration shape, text, letter styles and illuminations; construction; and integration of the sign or signs with the buildings and immediate surroundings.

The Approving Board may attach such conditions and safeguards as a precondition to approval of said sign as in its opinion will further the general purpose and intent of this Section and be in harmony therewith.

The net result of this Section shall be toward the development of a visible Township esthetic standard of design criteria regarding all signage, thereby effecting the highest level of tastefulness which can be achieved for all applications.

16-8:5 Revocation of Registration and Removal of Certain Signs:

(a) No sign, whether new or existing, shall hereafter be erected or altered, except in conformity with the provisions of this Ordinance. However, notwithstanding any provisions contained herein, the sign must be kept clean, neatly painted, and free from all hazards, such as but not limited to, faulty wiring, loose fastenings, and must be maintained at all times in such safe conditions so as not to be detrimental to the public health or safety. In the event of a violation of any of the foregoing provisions, the Construction Official shall give written notice, specifying the names of owners of the land upon which the sign is located, sent to the address as stated in the application for the sign permit, to conform or remove such sign. The sign shall thereupon be conformed by the owner of the sign and the owner of the land within thirty (30) days from the date of receipt of said notice. In the event such sign shall not be conformed within thirty (30) days, the Construction Official shall thereupon revoke the permit, and such sign shall be removed by the named owner of the sign and/or the named owner of the land.

(b) If the Construction Official shall find that any sign regulated by this Ordinance unsafe or insecure, or is a menace to the public, he shall give written notice to

16-8:5  
continued

Revocation of Registration and Removal of Certain Signs:

the named owner of the land upon which the sign is erected, who shall remove or repair the said sign within thirty (30) days from the date of said notice. If the said sign is not removed or repaired, the Constuction Official shall revoke the permit issued for such sign, and shall assess all cost and expenses incurred in said removal or repair against the land or building on which the sign was located.

The Construction Official may cause any sign which is a source of immediate peril to persons or property to be removed summarily and without notice.

SECTION 17 LIGHTING

17-1 General Requirements

All major subdivisions, site development plans and planned developments shall submit lighting plans in accordance with the standards set forth herein.

17-1:1 Required Documentation:

- (a) All lighting plans shall indicate the location of all proposed lighting.
- (b) The plan should note the maximum light intensity expressed in foot candles from each light and the circumference of the minimum required intensity from each light.
- (c) Drawings depicting the standards upon which the lights will be attached as well as the fixtures themselves.

17-2 Design Standards

17-2:1 Lighting should be located along streets, in parking areas, at intersections and where various types of circulation systems merge, intersect, or split. Pathways, sidewalks and trails should be lit using low or mushroom-type standards. Stairways and sloping or rising paths require illumination, as do building entrances and exits. Lighting should also be provided where buildings are set back or offset.

17-2:2 All direct glare is prohibited. The maximum amount of light that would be permitted is that produced by lights on standards that would exceed the maximum height allowed in the zone and shielded to restrict the maximum apex angle of the cone of illumination to one hundred and fifty (150) degrees.

17-2:3 Standards upon which lights are placed should be spaced at a distance approximately equal to four times the height. The maximum height should be in scale with the surroundings and should not exceed the maximum building height permitted.

17-2:4 Spotlights, if used, should not be located on buildings and faced outward. These create dark shadows adjacent to the building and affect security. The glare blinds persons looking at the building and the light is thrown directly on adjacent properties. Spotlights should be put on standards pointing toward the structures.

17-2:5 The standards and style of light should be consistent with the type and style of the architecture of the buildings. The poles should be between twelve (12) and fifteen (15) feet high and arranged to give a fairly uniform lighting pattern of at least 1.0 footcandles throughout the lot.

17-2:6 The fixtures themselves should be capable of being shielded on any side, and the light cone should not exceed one hundred and thirty-five (135) degrees.

17-2:7 Design Standards  
continued

Intersecting, converging and diverging roadway areas at grade require higher illumination than recommended. The illumination in these areas should be at least equal to the sum of the illumination values provided on the roadways which form the intersection.

17-2:8 The lowest footcandle value at any point on the pavement should not be less than one-third (1/3) the average value. The only exception to the requirement applies to residential roadways, where the lowest footcandle value at any point may be as low as one-sixth (1/6) the average value.

17-3 Specific Lighting Requirements

The maximum intensity of illumination permitted on roadways and walkways is as follows:

AVERAGE MAINTAINED HORIZONTAL ILLUMINATION

AREA CLASSIFICATION

Roadway and Walkway Classification	<u>Commercial</u> Foot-Lux candle		<u>Intermediate</u> Foot-Lux candle		<u>Residential</u> Foot-Lux candle	
	<u>Vehicular Roadways</u>					
Freeway*	0.6	6	0.6	6	0.6	6
Major and Expressway*	2.0	22	1.4	15	1.0	11
Collector	1.2	13	0.9	10	0.6	6
Local	0.9	10	0.6	6	0.4	4
Alleys	0.6	6	0.4	4	0.2	2
<u>Pedestrian Walkways</u>						
Sidewalks	0.9	10	0.6	6	0.2	2
Pedestrian Ways	2.0	22	1.0	11	0.5	5

\*Both mainline and ramps

For other critical areas, the minimum footcandles are as follows:

At intersections	2.0 footcandles
Parking areas	1.0 footcandles
Maximum at property lines	1.0 footcandles
Residential areas	.6 footcandles (avg.)
	.1 footcandles (min.)
Plant entrances	2.0 footcandles

SECTION 18 OPEN SPACE ORGANIZATION

If an applicant is required to provide for an Open Space Organization as a condition of development approval, the following shall apply:

18-1 Organization for Common Ownership Required

The applicant shall establish a legally constituted organization for the ownership and maintenance of, (a) all common space, and (b) any streets not proposed for dedication to the Township of Old Bridge. This organization shall not be dissolved nor shall it dispose of any common open space, by sale or otherwise, except to another organization conceived and established to own and maintain the common open space and non-dedicated streets.

18-2

Deed Restrictions

The applicant shall deliver to the Approving Board for its approval appropriate documents establishing deed restrictions prohibiting in perpetuity any land designated for required PD open space as defined in Section 9-8:1 from being used for any other purpose.

18-3

Rules for Organization

Any organization established in accordance with this Section shall:

- (a) Be established before a Certificate of Use and Occupancy has been issued for any dwelling unit in the development.
- (b) Make membership mandatory for each owner of a dwelling unit and any succeeding owner by appropriate legal means.
- (c) Guarantee access to all the open space to all members of the open space organization and limit that access to said members and their guests only.
- (d) Be responsible for liability insurance, taxes and maintenance of the common open space.
- (e) Require owners of dwelling units to pay their pro rata share of costs and provide that an assessment levied by the organization shall have the same force and effect as a debt, or ground rent or lien against the real property.
- (f) Be able to adjust the assessment to meet changing needs.
- (g) Nothing herein shall be construed to require that a golf course and related facilities be owned and maintained by the open space organization. See Section 9-8:1.

18-4

Maintenance Plan Required

The applicant shall furnish to the satisfaction of the Approving Board a feasible plan for the maintenance of all common open space and undedicated streets in the development.

18-5

Notice of Hearing on Failure to Maintain:

18-5:1

In the event that the organization established to own and maintain common open space and undedicated streets; or any successor organization shall at any time after establishment of the development fail to maintain the common open space and undedicated streets in reasonable order and condition in accordance with the plan, the Township Council may serve written notice upon the organization or upon the residents and owners of the development, setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition, and the notice shall include a demand that the deficiencies of maintenance be cured within thirty-five (35) days thereof, and shall state the date and place of a hearing thereon which shall be held within fifteen (15) days of the notice. At that hearing, the Township Council may modify the terms of the original notice as to the deficiencies and may give an extension of time not to exceed sixty-five (65) days within which they shall be cured.

18-5:2

Municipal Entry and Maintenance:

If the deficiencies set forth in the original notice or in the modifications thereof shall not be cured within thirty-five (35) days or any extension thereof, the Township, in order to preserve the taxable values of the properties within the development, and to prevent the common open space from becoming a public nuisance, may enter upon the common open space and maintain it for a period of one (1) year.

18-5:2 - Municipal Entry and Maintenance:  
continued

Entry and maintenance shall not vest in the public any rights to use the common open space except when it is voluntarily dedicated to the public by the residents and owners. Before the expiration of the year, the Township Council shall, upon its initiative or upon the request of the organization, or upon the request of the residents and owners of the development, order a public hearing within fifteen (15) days notice by the Approving Board. At that hearing, the organization or the residents and owners of the development shall show cause why maintenance by the Township shall not, at the election of the Township, continue for the succeeding year. If the Approving Board shall determine that the organization is not ready and able to maintain the common open space in a reasonable condition, the Township may, at its discretion, continue to maintain the common open space during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter. The decision of the Approving Board in any such case shall constitute a final administrative decision subject to judicial review.

18-5:3 Tax Lien for Maintenance Cost:

The cost of maintenance by the Township shall be assessed ratably against the properties within the development that have a right of enjoyment of the common open space, and shall become a tax lien on those properties. The Township, at the time of entering upon the common open space for the purpose of maintenance, shall file a notice of the tax lien in the office of the Middlesex County Clerk upon the properties affected by the tax lien within the development.

The applicant shall furnish three (3) copies of the building plans and specifications, and as built drawings of the Site Development Plan to the Open Space Organization at the time control of the organization is transferred from the applicant to the homeowner.

SECTION 19 HISTORIC SITES AND STRUCTURES

The document entitled, The Historic, Cultural and Architectural Resources of the Township of Old Bridge, Middlesex County, New Jersey, published by the Township of Old Bridge Historic Preservation Commission dated December, 1981, as revised August, 1982, is hereby declared to be expressly incorporated herein and made part of this Section. No building, structure or site listed in the aforementioned document shall hereafter be reconstructed, altered, restored or demolished until an application for a Building Permit shall have been approved as to exterior or architectural features which are subject to view from a public street, way or place. Evidence of such required approval shall be a Certificate of Approval issued by the Approving Board. All applications shall be referred to the Historic Preservation Commission for recommendation of approval or disapproval of the application.

19-1 Standards

The following standards and regulations shall apply to such historic structures and shall be in addition to the standards applicable to the Use or district designated by the zoning map and applicable schedules of limitations for such areas. In reviewing the plan, the Approving Board shall give consideration to:

- (a) The historic or architectural value and significance of the structure and its relationship to the historic value of the surrounding area.

Standards

- (b) The general compatibility of exterior design, arrangement and materials proposed to be used.
- (c) Any other factor, including aesthetic, which the Approving Board deems pertinent.
- (d) The description of the details of design for the period of architecture involved in the particular structure and surrounding neighborhood.
- (e) The Approving Board shall pass only on exterior features of the structure and not consider interior arrangements, nor shall it disapprove applications except in regard to consideration as set forth in the within paragraphs.
- (f) It is the intent of this Section that the Approving Board shall be strict in its judgement of plans for alterations, repairs or demolition of existing structures deemed valuable according to studies, approved by the Township Approving Board, by qualified persons using as the criteria of evaluation those developed by the National Trust for Historic Preservation.
- (g) It is the intent of this Section that the Approving Board shall encourage the alterations or repair to structures built before 1900, to be made in the spirit of their architectural style and that any additions will be made in such a manner as not to detract from the building's original appearance.
- (h) It is intended that demolition of structures built before 1900 should be discouraged as their loss will be a common loss to the Township and the neighborhood.  
  
Moving of such a structure should be encouraged as an alternative to demolition, if there is no other way to save the structure.
- (i) Demolition or removal may be forbidden or postponed for a period of six (6) months, after a public hearing granted to applicant, if desired, and the Planning Board shall then consult civic groups and public agencies to ascertain how the Township may preserve the building or the premises. The Approving Board is empowered to work out, with the owner, feasible plans for preservation of structures where moving or demolition thereof would be a great loss to the public and the Township.
- (j) The Approving Board, in passing on the appropriateness of exterior architectural features, in any case shall keep in mind the purpose set forth in this Section and shall consider among other things, the general design, arrangement, and materials of the building or structure in question and relationship of such factors to similar features of historic structures in the immediate surroundings, and the position of such structures in relationship to the street or public way.
- (k) The Approving Board shall not consider features not subject to public view.
- (l) When it is necessary to move a historic building to another site within the Township to preserve it, upon approval of the relocation plans by the Approving Board, the building may be relocated provided it fulfills the area regulations of the zone as to lot size, setback and yard area.
- (m) Upon approval of the plans, the Approving Board shall cause a Certificate of Approval, dated and signed by the chairman, to be issued to the applicant or affixed to the plans.

19-1  
continued

Standards

- (n) In case of disapproval, the Approving Board shall state its reason, therefore in writing and it may make recommendations to the applicant with respect to appropriateness of design, arrangement, material and the like, of the structure involved.
- (o) Nothing in this Section shall prohibit repairing or rebuilding any structure so as to maintain or return the structure to its original condition prior to deterioration or destruction.

SECTION 20 EXEMPTIONS

WHEREAS, the Planning Board of the Township of Old Bridge has recommended certain zoning amendments for certain areas of the Township due to the proximity of their location to sites approved for Planned Development; and

WHEREAS, it is the intent of this amendatory zoning provision to grandfather Planned Developments formerly identified as Class I PD's, pursuant to the Land Development Ordinance of the Township of Old Bridge of 1978 as amended,

NOW, THEREFORE, be it ordained by the Township Council of the Township of Old Bridge that the current Land Development Ordinance is amended as follows:

20-1

In the Class A (formerly Class I) PD, the property owner or owners of record as of January 1, 1983, of the following specifically designated properties:

<u>Block</u>	<u>Lot</u>	<u>Acreage</u>
14263	6	5.39
14262	11B	18.79
10252	23	12.02
11251	19A	8.13
11251	15	6.72
11251	3	7.60
10252	43A	6.30
11232	3A	7.30

may apply for a conditional Use permitting single family detached dwellings, patio dwellings, townhouses or cluster development with a density not exceeding 3.25 dwelling units per gross acre providing that the subject site is serviced by one minor arterial street or two collector streets, and further provided that the Approving Board finds that:

- (a) The improvement of existing and/or proposed on-tract and off-tract public and/or private roads will substantially improve existing traffic conditions in the surrounding area.
- (b) That design features related to street layout including the harmonious use of materials, colors and textures; architectural styles and varied housing types are superior to standard design practice for each of these areas.
- (c) That the proposed landscaping provides special treatment for streetscapes, plazas, private open spaces, pedestrian ways, recreational areas and parking areas. Special treatment includes the degree of attention paid to the relationship of site design and species of planting.
- (d) That the overall development plan includes unique features such as clubhouse facilities, recreational ponds and lakes, on-site commuter facilities or other similar features, which enhance the value of the Planned Development beyond ordinary Subdivision and Planned Development improvements.

SECTION 21 DISTRICT CHANGES AND ORDINANCE AMENDMENTS

This Ordinance may be amended from time to time by the governing body after the appropriate referrals, notices, hearings, and other requirements of law.

SECTION 22 VALIDITY OF ORDINANCE

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 23 REPEALER

All sections of the Township Code which contain provisions contrary to the provisions of this Ordinance shall be and are hereby repealed.

This Ordinance shall be a substitute for and be included as Chapter XX of the Revised General Ordinances of the Township of Old Bridge.

SECTION 24 EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication according to law.

First Reading: January 17, 1983  
Second Reading: April 5, 1983

AMENDMENTS

First Reading April 21, 1983  
Second Reading May 16, 1983

FIRST READING: January 17, 1983

Moved by Mayor Bush, seconded by Councilman Blackwell and so ordered on the following roll call vote:

AYES: Mayor Bush, Councilmen Azzarello, Blackwell, Fineberg, Miller, O'Connell, Smith.

NAYS: None.

SECOND READING: April 5, 1983

Moved by Mayor Bush, seconded by Councilwoman Smith and so ordered on the following roll call vote:

AYES: Mayor Bush, Councilmen Azzarello, Blackwell, Miller, O'Connell, Smith.

NAYS: Councilwoman Fineberg.

AMENDMENTS

FIRST READING: April 21, 1983

Moved by Mayor Bush, seconded by Councilman Miller and  
so ordered on the following roll call vote:

AYES: Mayor Bush, Councilmen Azzarello, Blackwell, Miller,  
O'Connell, Smith.

NAYS: None.

ABSENT: Councilwoman Fineberg.

SECOND READING: May 16, 1983

Moved by Mayor Bush, seconded by Councilwoman Smith and  
so ordered on the following roll call vote:

AYES: Mayor Bush, Councilmen Azzarello, Fineberg, Miller,  
O'Connell, Smith.

NAYS: None.

ABSENT: Councilman Blackwell.

George J. Bush, Mayor

*Mary V. Brown*  
Mary V. Brown, Clerk

- 13-1:3 To protect the woodlands (including trees and other forms of vegetation of this Township) for their economic support of local property values when allowed to remain uncleared and/or unharvested and for their natural beauty, wilderne character or geological, ecological or historical significance.
- 13-2 Definitions
- The following definitions shall apply in the interpretation and enforcement of this Section, unless otherwise specifically stated:
- 13-2:1 Critical Area:
- A sediment-producing highly erodible or severely eroded area.
- 13-2:2 District:
- A Soil Conservation District organized pursuant to R.S. 4:24-7 et seq.
- 13-2:3 Erosion:
- The detachment and movement of soil or rock fragments by water, wind, ice and gravity.
- 13-2:4 Excavation or Cut:
- Any act by which soil or rock is cut into, dug, quarried, uncovered, removed, displaced or relocated.
- 13-2:5 Land Disturbance:
- Any activity involving the clearing, excavating, storing, grading, filling of land or transporting of soil, surface water channel alteration or any other activity which causes soil to be exposed to the danger of erosion.
- 13-2:6 Mulching:
- The application of plant residue or other suitable material to the land surface to conserve moisture, hold soil in place, and aid in establishing plant cover.
- 13-2:7 Project:
- The disturbance of more than five thousand (5,000) square feet of surface area of land, except that the construction or alteration of a single-family dwelling unit shall not be deemed a "project" unless such unit is part of a proposed Subdivision, Site Plan, Conditional Use, Zoning Variance, Planned Development or building permit application involving two or more such single-family dwelling units.
- 13-2:8 Sediment:
- Solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.
- 13-2:9 Shrubs:
- Native Laurel (*Kalmi Latifolia*) having a root crown of three (3) inches or greater measured at the soil or surface level.