

Old Bridge 1985

U.L. v. Carteret

- Revised copy of Settlement Proposal
Att: Cover letter to convey

pgs. 35

CA000083P

BRENER, WALLACK & HILL

ATTORNEYS AT LAW

2-4 CHAMBERS STREET

PRINCETON, NEW JERSEY 08540

(609) 924-0808

CABLE "PHINLAW" PRINCETON
TELECOPIER: (609) 924-6239
TELEX: 837652* MEMBER OF N.J. & D.C. BAR
** MEMBER OF N.J. & PA. BAR
* MEMBER OF N.J. & N.Y. BAR
** MEMBER OF N.J. & GA. BAR
^ CERTIFIED CIVIL TRIAL ATTORNEYFRY BRENER
NRY A. HILL
HAEL D. MASANOFF**
AN M. WALLACK*
ARD H. HANSON^
LIET D. HIRSCH
CHARLES SHEAK**
WARD D. PENN+
BERT W. BACSO, JR. ^
RILYN S. SILVIA
OMAS J. HALL
ZANNE M. LAROBARDIER+
CKY L. PETERSON
HAEL J. FEEMAN
RY JANE NIELSEN**
SINA CHASE**
OMAS F. CARROLL
RTIN J. JENNINGS, JR.**
BERT J. CURLEY

FILE NO.

October 15, 1985

Jerome J. Convery, Esq.
Township Attorney
Township of Old Bridge
1 Old Bridge Plaza
Old Bridge, New Jersey

Dear Jerry:

Enclosed is a revised copy of the proposal to settle the litigation between the Township of Old Bridge and Olympia and York. We have also enclosed a copy for each member of the Township Council

The changes in the document reflect the continuing dialogue which we have had with the Planning Board, the Master, and the consultants in this case.

With the exception of the engineering standards, which are nearly complete, we believe that this document is now ready for final consideration by the Township.

There are a few areas yet unresolved, including:

- a. The off-tract issue, mentioned in my last letter to you;
- b. The issue of application fees, raised in Tom Norman's letter to me dated October 9; and
- c. The phrasing of the " appeal to the master" issue, also raised in Tom Norman's letter of October 9th.

I understand that the Council and Olympia may wish to address the off-tract issue at a later time, and therefore leave that issue open.

As to the application fees, I have not modified the document as yet. Olympia would be prepared to pay the same fees as the Township levies on all other developers, and is willing to consider modifications as to the appropriate escrow

Mr. Jerome Convery
October 15, 1985
Page 2

amount. We believe that neither the Township nor the developers are willing to contemplate an unlimited review fund, and we cannot possibly sign a "blank check" for the review process. We will be willing to talk with the Council about the appropriate level of review fees and escrow amounts, but think that the language which we have in Appendix B does address the issue. I would like to hear from you on this.

As to the "appeal to the master" issue, we have attempted to articulate this appeal process as a mechanism, available to the developers, triggered by objective events. It is most difficult, as you will recognize, to set up a process which is triggered by subjective events, such as "abuse of process". Please be assured that Olympia intends to work constructively with the Planning Board, and does not contemplate filing appeals with the Master lightly. It would be contrary to Olympia's interests to appeal to the Master unless it is absolutely necessary.

Similarly, we believe that the Planning Board intends to live up to the commitments it has set for itself, including working within the time frames set forth in the agreement and the appendices. Under these circumstances, I do not regard it as necessary to modify the language of the appeal process as set forth at present.

As always, we look forward to working with you to resolve any issues or respond to any questions which you may have.

Sincerely,


Thomas J. Hall

Enclosure

TJH/6

MARKED COPY

OF

REVISIONS

OCTOBER 15, 1985



REVISED TEXT

The Township's Land Development Ordinance shall be amended, substantially in accord with Appendix A, to include a requirement of a ten percent (10%) setaside for housing designed to be affordable to lower income households, which requirement shall be applicable to all residential developments zoned "Planned Development", regardless of size or classification.

III-A.3 Provisions for Lower Income Housing

- (i) Housing units shall be provided which shall be housing affordable to families of low income equal to five (5) percent of the total number of housing units sold or rented within a particular subdivision within the development; and
- (ii) Housing units shall be provided which shall be housing affordable to families of moderate income equal to five (5) percent of the total number of housing units sold or rented within a particular subdivision within the development.

III-A.4 Compliance Status Report

All developers with a lower income housing obligation shall provide the Township Agency with a Compliance Status Report as more fully set forth in Appendix A, attached hereto.

III-A.5 Housing Plan

Developers with a lower income housing obligation shall supply, as part of their initial application for development within any Planned Development to the Old Bridge Planning Board, a "Housing Plan". This obligation to supply a housing plan is deferred, as to Olympia and York and Woodhaven Village, until such time as each of these developers apply for their second application for Major subdivision or Site Plan. This Housing Plan shall set forth the mechanisms whereby the developer will construct lower income housing. Such a Housing Plan shall indicate the approximate sizes, the numbers, types, locations, price ranges, price controls, deed restrictions

IV. LAND DEVELOPMENT STANDARDS

IV-A Ordinance Revisions

The Township of Old Bridge agrees to amend its Land Development Ordinance to meet its constitutional obligations as directed by this Court on July 13, 1984, which amendments will be enacted by the Governing Body of the Township in accordance with a time schedule acceptable to this Court.

IV-A.1 Objectives

The Ordinance Amendments to be adopted by the Township shall have the following objectives:

a. Ensuring the construction of affordable housing, maintained as affordable over time, using procedures substantially in accord with the concepts contained in Appendix A, attached hereto;

b. Ensuring the rapid processing of development applications, using a simplified two-stage subdivision/site plan review process, with procedures substantially in accord with the concepts contained in Appendix B, attached hereto;

c. Eliminating cost-generative standards, using standards substantially in accord with the concepts contained in Appendix C, attached hereto.

NEW
INSERT

REVISED

IV-A-2 Accelerated Review Process:

Developers supplying lower income housing as part of Planned Developments shall have available to them accelerated review procedures, set forth in Appendices A and B.

IV-A-2.1: Accelerated Review Schedule

Under the accelerated review procedure, the Township Planning Board is obligated to review and make decisions with respect to applications for Preliminary Major Subdivision and for Site Plans within ninety-five (95) days of application; and to review and decide applications for Final Major Subdivisions and Minor Subdivisions within forty-five (45) days of application.

In order to accommodate this schedule, the Township Planning Board agrees to hold special meetings for applications which are part of an inclusionary development, and to allocate staff, either Township employees or special consultants, to review such applications on a timely basis.

Developers seeking Township approval of applications under these procedures shall ~~supply~~ *Provide the Township with* such funds as are reasonably necessary to assure competent professional planning and engineering review throughout the application process. Such funds will be placed in escrow, *a Township managed* and invoices for professional services rendered *account* on behalf of the Township for such ~~professional~~ *by the administrator of the ac* reviews will be required prior to release of such funds. Fees charged by consultants to the Township shall not exceed the normal and customary fees charged by such consultants, and the developers shall have an opportunity to review such charges. In the event that a developer regards *the* ~~application~~ review fees as excessive, the developer may appeal such charges to the Court-appointed Master.

The developer shall receive full credit for all application fees paid to the Planning Board as required by Ordinance

IV-A-2.2. Master's Review

Olympia and York and Woodhaven Village shall have available to them a procedure to appeal to the Court-Appointed Master which appeal procedure is more fully set forth in Appendix A.

V. PROVISIONS SPECIFIC TO O & Y AND WOODHAVEN

V-A Vesting

Under the terms of this settlement, O & Y and Woodhaven shall have all the rights and privileges, specific unit counts, specific development rights and specific land development standards set forth herein, vested for a period of twenty (20) years from the date of entry of this Order.

- a) no dwelling unit within a midrise apartment will be made available as a lower income housing unit;
- b) midrise apartments will be limited to those areas designated on the Settlement Plan and will not be permitted in any other location without a specific approval from Planning Board.
- c) the total number of apartment units within all midrise apartments shall not exceed ten percent (10%) of the total number of dwelling units permitted within the development;
- d) no building permit will be issued to construct a midrise apartment until at least twenty-five percent (25%) of the residential units within the development have been built.

V-D Off-Tract Improvements

The Township hereby agrees that the sum of \$ _____ represents the total amount of off-tract improvement obligation to be paid by O&Y. *There* shall be no further obligation by O&Y to pay any additional sums for off-tract improvements unless the total number of residential units as outlined in the concept plan, is increased by more than ten (10%). These funds are to be applied as follows:

(Herein, list the improvements which are the subject of this agreement)

O&Y shall pay \$ _____ at such time as final approval is granted on the first major subdivision submitted by O&Y, and the balance of such funds shall be paid on the basis of \$ _____ paid concurrently with the issuance of each certificate of occupancy for each residential dwelling unit, and \$ _____ for each One Thousand (1,000) square feet of non-residential development.

The Township acknowledges that the construction of the Trans-Old Bridge Connector is a special benefit to the Township and credits O&Y with \$ _____ towards its overall off-tract improvement obligation. *The remaining amount being _____ represents O&Y's total off-tract improvement obligation as*

any other developer, nor shall the Township of Old Bridge be constrained, as a result of this Stipulation, from applying for and using any subsidy funds which may come into existence as a result of new legislation.

In addition, the Township shall be free to pursue whatever avenues are open to it to establish its fair share obligation for years after 1990.

V-F.2 Potential Conflict. It is further provided that if there is conflict between any Ordinance now in existence or passed subsequent to this Order, this Order and the attached Appendices, as affecting the rights of O&Y, Woodhaven or the Township, shall control.

In the event of any conflict between the parties signatory hereto ~~as to any meaning contained herein~~ the parties agree to submit their disputes to the court-appointed Master before seeking redress in the Court.

V-F-3. Upon entry of the Court Order to which this is an attachment, the Township of Old Bridge agrees to begin the process of immediate implementation of this agreement and the appendices attached hereto.

Specifically, the Township Planning Board will schedule a public hearing on the Settlement Plan or Plans, provide the Court with its recommendations in a timely fashion, and thereafter, begin the process of review of all applications submitted by O&Y and Woodhaven.

For: The Township of Old Bridge

For: The Old Bridge Township Planning Board

For: The Old Bridge Township Municipal
Utilities Authority

LIST OF APPENDICES ATTACHED HERETO:

1. Appendix A: Sets forth procedures to enable Old Bridge Township to meet its constitutional obligations regarding lower income housing.
2. Appendix B. Procedural reforms to the Old Bridge Land Development Ordinance, applicable to the signatories of this Agreement, substantially as developed by the Developers-Township working group and reflecting the concepts embodied in Carl Hintz's memo of February 22, 1985.
3. Appendix C. Sets forth substantive reforms as to planning standards, streamlining those set forth in the Old Bridge Township Land Development Ordinance.
4. Appendix D. Sets forth sample engineering standards. Will be modified to reflect those engineering standards acceptable to the parties.
5. Schedule I: List of O&Y Landholdings as of July, 1985:

ADDENDUM REFERENCED HEREIN BUT NOT ATTACHED HERETO:

Addendum I: The Sewer Agreement

ADDITIONAL MATERIAL TO BE SUPPLIED

Plate A: The O&Y Concept Plan (Note: Plate A has been presented to the Old Bridge Township Council)

Plate B: The Woodhaven Concept Plan

Schedule II: List of Landholdings as of July ____, 1985: Woodhaven Village.

ADD "APPENDIX E"

9/30/85-TJH6

A.9

Fee Waivers:

Notwithstanding any ordinance requirement of the Township of Old Bridge, the applicable Township approving agency shall waive the following fees for lower income units ~~within every development which includes lower income housing~~

- (a) Planning Board application fees;
- (b) Engineering review fees;
- (c) Building permit fees;
- (d) Certificate of occupancy fees;
- (e) Inspection fees for all on-tract and fees for off-tract improvements and structures; and
- (f) Any other fees which would otherwise be charged for housing applications.

A.10

Certification Procedures:

Developers constructing lower income housing under these provisions shall report progress to the Township Agency as follows:

A.10.1. Quarterly Report.

Each developer providing lower income housing shall provide the Township Agency with a report at the end of any calendar quarter (defined as the period ending March 31, June 30, September 30 and December 31 of each year) which shall set forth:

- a) the total number of all residential units sold or rented within the development during that particular three-month period;
- b) the total number of low and moderate housing units provided within the development during that particular three-month period;
- c) whether the low income units are rental units or "for sale" units;
- d) the percentage of low and the percentage of moderate income units provided during the three-month period expressed as a percentage of the total number of residential units sold or rented within the development during the same three-month period;
- e) whether there is a surplus or deficit of low and moderate income units provided for during the three-month period measured against the ten (10) percent low and moderate housing requirement for the development;

A. As to Preliminary Subdivision and Site Plan applications:

<u>ACTION TAKEN</u>	<u>CUMULATIVE TIME</u>
i. Application submitted to Board	0 days
ii. Checklist review completed	10 days
iii. Written notice of completeness	15 days
iv. Planning Board Staff reviews (Applicant may submit additional material)	45 days
v. Documentation available to public	46 days
vi. Public hearing to be held	57-81 days
vii. Board action by resolution	95 days

B. As to Minor Subdivision and Final Major Subdivision applications:

<u>ACTION TAKEN</u>	<u>CUMULATIVE TIME</u>
i. Application submitted to Board	0 days
ii. Declaration of completeness	10 days
iii. Staff Reviews	30 days
iv. Public Hearing held	45 days
v. Board action by Resolution	45 days

The applicant may grant extensions of time; but it is anticipated that such extensions will not be routinely sought or granted.

A.11.2 Appeal to the Master

If O&Y and/or Woodhaven shall have complied with all the requirements of the processes set forth in the Order and the appendices thereto, and have not received approvals from the Planning Board within ninety-five (95) days from the date on which the application was deemed complete, they may do the following:

or forty five

depending on the type of application

- a. If the application was not approved within the ninety-five day time period, due to the Board's failure to take action, the applicant may deem the application automatically approved and may immediately apply to the Township Construction Code Official for building permits, which shall not be withheld;
- b. If the application was denied, the applicant may appeal the denial to the Court-appointed master.

In the event of a denial, the actions of the Planning Board are deemed to be presumptively valid.

A.11.3 Independent Professionals

The Master shall arrange to have immediate access, if the need arises, to a Professional Planner, an Architect and a Professional Civil Engineer, all of whom shall be currently licensed to practice their professions in the State

SITE DEVELOPMENT PLAN

B507(c) A key map at a scale of not less than one (1) inch equals eight hundred (800) feet showing the location of the lot, block or parcel to be developed in relationship to its neighborhood for at least one thousand (1,000) feet beyond its boundaries.

B507(d) An outbound survey prepared by a Land Surveyor, currently licensed to practice in the State of New Jersey, which survey shall correspond to the outbounds of the lot, block or parcel, subject of the Site Development Plan application and show the area of the subject lands to the nearest tenth of an acre as well as all public easements or rights-of-way.

B507(e) A site specific soils report prepared by a Soils Engineer currently licensed to practice in the State of New Jersey substantiating that the soils are capable of supporting the proposed structures.

B508 Site Plan Submission Requirements

30" x 42"

TO BE CONSISTENT
WITH OTHERS

Drawings should be contained on sheets ~~24" x 36"~~ and provide the following information:

B508(a) Preliminary architectural drawings of the building(s) including elevations and floor plans.

B508(b) An architectural perspective of the proposed project (optional).

B508(c) A Site Development Plan which shall show:

(i) the location of all structures proposed to be built on the lot, block or parcel being developed, including the ground floor elevation and the proposed grades at the perimeter of the proposed building(s);

(ii) means of access and egress to a public street;

(iii) parking, loading and unloading areas indicated with dimensions, traffic patterns, access aisles, curb radii, acceleration/deceleration lanes, etc.;

(iv) location of existing wooded areas and location of existing trees with a caliper of twelve (12) inches or more;

(v) landscaping showing what will remain and what will be planted and providing botanical and common names of plants, tree and shrub dimensions and sizes, and planting locations;

(vi) location, description and general landscaping treatment of common open space areas, parking areas, street trees, and foundation planting plans;

(vii) location, dimensions and details of all proposed signs, mailboxes, and street furniture, to the extent applicable;

B 506

SITE DEVELOPMENT PLAN

granted by the Approving Board or such exceptions as granted by the Zoning Board of Adjustment), the application will be processed by the Approving Board in accordance with subsection B507, Approval Time, and the provisions of the Accelerated Review and Approval procedures set forth in Appendix A. The Board may grant Final Site Development Plan Approval conditioned; on final engineering drawings being acceptable to the Township Engineer..

B512 Building Permits

If the Approving Board has granted Final Site Development Plan Approval, provided the construction drawings are found to be substantially in conformity with the Site Development Plan, as approved, the Construction Official shall process and issue the Building Permit for the project without further review by the Approving Board.

B513 Variations from Site Development Plan Approval

Major variations in the construction drawings from the Site Development Plan, as approved, shall necessitate a new application and a public hearing. Processing fees for such substantially revised application may be waived or abated at the discretion of the Approving Board.

B514 Multiple Ownership

It is contemplated within Appendices B and C that a parcel may contain a building, or a group of buildings, held or intended to be held in the form of two or more separate descriptive titles including, but not limited to, condominium forms of ownership.

B514(a) In addition to obtaining Site Development Plan Approval, such subdivisions shall be prepared and recorded consistent with the procedures and requirements of a Major Subdivision, Final Approval.

B514(b) Such subdivisions shall, at the option of the applicant, be processed simultaneously with the Site Development Plan application pertaining thereto.

SITE SPECIFIC PROVISIONS

(b) Size

All required parking spaces shall have minimum dimensions of nine (9) feet wide by eighteen (18) feet long.

(c) Access Aisles

Access aisles shall provide for continuous movement of vehicles wherever possible without dead-end aisles and shall have the following minimum dimensions:

<u>Angle of Parking Space</u>	<u>One-Way Aisle</u>	<u>Two-Way Aisle</u>
90 Degrees	18 Feet	24 Feet
60 Degrees	18 Feet	20 Feet
45 Degrees	15 Feet	20 Feet
30 Degrees	12 Feet	18 Feet
Parallel	10 Feet	18 Feet

Where the angle of parking is different on both sides of the aisle, the larger aisle width shall prevail.

(d) Entrances and Exits

Not more than two (2) driveways of not less than twenty (20) 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 and fifty (150) feet from the intersection of two streets. Such driveways shall have an angle of intersection with the street of not less than sixty (60) degrees.

150'

SITE SPECIFIC PROVISIONS

(c) Trans Old Bridge Connector

A buffer twenty-five (25) feet wide measured from the road right-of-way, or equivalent in design efficiency, shall be designated along the entire frontage of a residential tract abutting the Trans Old Bridge Connector.

(d) Composition

Buffers shall consist of densely wooded areas of existing trees and/or tree plantings of various specie suited to the localized conditions, preferably with a predominance of coniferous trees.

(e) Yards

A required side or rear yard may constitute all or part of a required buffer.

(f) Streets

A street may be deemed to constitute a buffer providing the right-of-way is at least fifty (50) feet wide.

C208 Service Stations and Public Garages

Automobile service stations and public garages, where permitted, shall be subject to the following standards:

(a) Lot Size

Minimum Lot Width: Two hundred (200) feet.

or, Minimum Lot Depth: One hundred fifty (150) feet.

Except a public garage where gasoline is not kept for sale, the Minimum Lot Width shall be seventy-five (75) feet.

(b) Location of Pump Islands

(i) Minimum distance of pump from the street line of street upon which the lot fronts shall be twenty-five (25) feet.

(ii) Minimum distance of pump from sight corner shall be ten (10) feet.

SECTION C400 PUBLIC PURPOSE LANDS

C401 P.P. Designated Lands

Those lands designated as Public Purpose on the Development Plans shall be used for the purposes stated in paragraph (a) of subsection C402, Lands for Public Purpose, provided that if the said lands are not used for Public Purpose they shall revert to Residential designation.

C402 Lands for Public Purpose

(a) Extent of Requirement

Sites for major water and sewerage facilities, libraries, police, first aid and fire fighting facilities shall be provided within each of the developments, which sites, in total, shall be equal to, but not required to be in excess of two percent (2%) of the area of the lands designated for residential Use as shown on the Development Plans.

(b) Location

The sites shall be provided to the extent and in the general locations shown on Plates A and B with the specific sites being set aside as blocks within a plan of subdivision at the time subdivisions are processed in an area where such reservation is designated.

(c) Reservation

Blocks designated for Public Purpose shall be held by the developer and reserved for five (5) years after the filing of the plan of subdivision containing such block. At the end of five (5) years, if the Township has not requested delivery of title to the block, the obligation to reserve the block shall be null and the block may thereafter be used for such other development as permitted by these Standards.

PUBLIC PURPOSE LANDS

(b) Lot Frontage

Minimum Lot Frontage: Seventy-five (75) feet.

(c) Yards

Minimum Front Yard: Twenty-five (25) feet.

Minimum Side Yards: Fifteen (15) feet each side.

Minimum Rear Yard: Twenty-five (25) feet.

(d) Building Height

Maximum Building Height: ^{35'}
Twenty-five (25) feet.

(e) Coverage

Maximum Lot Coverage: Forty (40) percent.

(f) Parking

Parking for Public Purpose Uses shall be provided in accordance with the provisions of the Township of Old Bridge Land Development Ordinance.

SECTION C500 RESIDENTIAL GENERAL PROVISIONS

C501 R. Designated Lands

Those lands shown on the Development Plans that are designated as Residential lands may be used for the following purposes:

(a) Residential

Single-family detached housing, single-family cluster housing, patio homes, townhouses, semi-detached housing, triplex housing, quadraplex housing, maisonette housing, multi-family housing and, in specifically designated areas, midrise apartments.

(b) Recreational

Parks, playgrounds, athletic clubs, badminton clubs, lawn bowling clubs, tennis clubs, social clubs, community centers, provided that such parks, playgrounds, clubs and community centers are owned and operated by the Township or a Homeowners Association or a trust or private organization charged with the provision of recreation activities or by the developer with the intent that such facility be transferred to the Township or a Homeowners Association or trust or private organization.

(c) Institutional

Schools, churches, synagogues and parochial schools that are associated with and accessory thereto, ^{licensed} day nurseries, ~~provided that such day nurseries are located in churches, synagogues, or in buildings owned by the Township or~~

~~a Homeowners Association, or in schools owned by the Old Bridge Board of Education,~~ ^{licensed nursing homes, licensed life-care} public libraries, museums and art galleries, provided that such ^{facilities} museums and art galleries are owned and operated by the Township,

Middlesex County of the State of New Jersey. *Permitted institutional*

use shall be subject to the Site Standards of sub-section C-403.

RESIDENTIAL GENERAL PROVISIONS

will not be permitted in any other location without approval from the Planning Board; and

C506(b) the total number of apartment units within all midrise apartments constructed on the lands shown on Plate A shall not exceed ten percent (10%) of the total number of dwelling units permitted within the development; and

C506(c) no Building Permit shall be issued to construct a midrise apartment until twenty-five percent (25%) of the total number of all residential units permitted within the development shown on Plate A have been built; and

C506(d) no dwelling unit within a midrise apartment will be made available as a lower income housing unit.

C507 Schedule of Residential Room Sizes

located on the lands shown on Plate A,

The Schedule of "Minimum Room Sizes" following this subsection shall apply to all new residential developments subject to these Standards.

C507(a) 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 of dwelling unit as indicated by the number of bedrooms.

C507(b) Square footage is to be measured by interior dimensions of rooms.

C507(c) Figures for room sizes are inclusive of closets.

C507(d) Dining Rooms or dining areas may be included in the required living room space.

C507(e) Required utility storage space need not be within the dwelling unit, provided it is within the same structure as the dwelling unit.

C507(f) 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.

C507(g) 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 rooms is fulfilled.

C507(h) Access to any bedroom shall not be through a bathroom or any other bedroom.

SECTION C600 DETACHED SINGLE-FAMILY RESIDENTIAL

C601 Applicability

All detached single-family residential dwellings constructed on the residentially designated lands within the Development Plans shall conform to the following standards.

C602 Site Standards

The following standards shall apply to each detached single-family dwelling unit:

(a) Detached Single-Family Dwelling

Minimum Lot Area: Six thousand (6,000) square feet.

Minimum Lot Frontage:

Fifty (50) feet.

30'

TO ACCOMMODATE
CUL DE SAC

Minimum Lot Width:

Sixty (60) feet.

50'

i.e. 50' x 120' = 6000'

Minimum Front Yard:

Twenty (20) feet.

Minimum Side Yard:

Ten (10) feet, one side.

Minimum Side Yards:

Fifteen (15) feet, total both sides.

Minimum Rear Yard:

Twenty-five (25) feet.

Maximum Lot Coverage:

Thirty-five (35) percent.

Maximum Number of Stories:

Two and one-half (2 1/2).

Maximum Building Height:

Thirty-five (35) feet.

Maximum Number of Dwelling Units: One (1).

(b) Detached Single-Family Cluster Dwelling

Minimum Lot Area:

Four thousand (4,000) square feet.

Minimum Lot Frontage:

Twenty (20) feet.

Minimum Lot Width:

Forty (20) feet.

40'

typo

Minimum Front Yard:

Twenty (20) feet.

Minimum Side Yard:

Seven (7) feet, one side.

DETACHED SINGLE-FAMILY RESIDENTIAL

be erected at a distance from the lot lines not less than that required for the main building.

(ii) If located in the rear yard, an accessory building for a detached single-family dwelling shall be located not less than nine (9) inches from any lot line and, in any case, not less than fifteen (15) feet from any street line.

(b) Part of Main Building

Any accessory building erected as part of a detached single-family dwelling may be located within three (3) feet of a side lot line provided the side lot line is not a street line and provided the wall paralleling the lot line has no openings.

(c) Coverage

Accessory buildings occupying not more than ten (10) percent of the lot area shall not be included in calculating Maximum Lot Coverage.

(d) Height Restriction

No accessory building shall exceed a height of fifteen (15) feet.

INSERT > C609 ACCESSORY FACILITIES
C609 Home Occupation

SAME TEXT AS
C 710

⁶¹⁰
C609(a) The office of a physician, dentist or drugless practitioner located in the single-family detached dwelling used by such physician, dentist or drugless practitioner as his private residence is permitted. Such office may be used for consultation and emergency treatment only and shall and not be in the nature of a clinic or private hospital.

⁶¹⁰
C609(b) Private instruction in music and related music subjects by a teacher of music is permitted in a single-family detached dwelling used by the teacher as his residence provided that only one student is taught at a time.

⁶¹⁰
C609(c) The teaching of academic subjects of a liberal fine arts nature, including mathematics, art, languages and other similar subjects, is permitted in a single-family detached dwelling used by the teacher as his residence provided that:

(i) only one student is taught at a time;

ATTACHED SINGLE-FAMILY RESIDENTIAL

Maximum Building Height: Thirty-five (35) feet.

Maximum Building Length: Two hundred fifty (250) feet.

Maximum Number of Dwelling Units per Building: Sixteen (16).

C703 Frontage on a Street

Parcels containing structures consisting of ~~blocks of~~ ^{several} attached single-family dwelling units shall front on a street. Such parcels may contain one such structure or more than one such structure, however, the individual lots for the individual attached single-family dwellings which are part of such a structure are not required to have street frontage.

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C704 Corner Lots

In the case of an attached single-family residential building on a corner lot, the minimum distance from the side street line shall be equal to the minimum side yard requirement but, in any case, not less than fifteen (15) feet.

C705 Required Parking

Each attached single-family residential dwelling shall provide car parking spaces in accordance with the following:

C705(a) One car parking space shall be provided for each bedroom or two car parking spaces for each dwelling, whichever is the lesser amount.

C705(b) All required parking spaces shall be a minimum of nine (9) feet wide by eighteen (18) feet long and shall be individually accessible.

C706 Parking Where Permitted

Except as permitted by subsection C707, parking of vehicles is not permitted within the minimum required front, rear and side yards. Required parking spaces shall be provided within an accessory building and/or within the yard areas that are in excess of the minimum yard requirements and/or in a parking facility located within a two hundred (200) foot radius of the building for which the parking is designated.

MULTIPLE-FAMILY RESIDENTIAL

C807 Parking Provisions

(a) Restriction

Outside parking of vehicles shall not be permitted within the minimum required project front, rear and side yards.

(b) Parking Areas

Required parking spaces shall be provided in an accessory building and/or within the yard areas that are in excess of minimum requirements and/or in a parking facility located within a three hundred (300) foot radius of the building for which the parking is designated.

C808 Trucks and Maintenance Equipment

No person shall park or store a commercially licensed truck in any multiple-family residential development provided, however, that a maintenance truck for the project, having a capacity of one ton or less, may be parked in an enclosed garage. Provision shall also be made for the storage of maintenance tools and equipment in a fully enclosed area which may be located within the principal building or within an accessory building on the same lot. In the case of more than one principal building on the same parcel, such maintenance storage facility may serve more than one building provided it is located within the parcel.

C809 Refuse Holding Facilities

Each multiple-family building shall have adequate provision for the interim storage of refuse and garbage in ^{an} ~~an~~ enclosed area located ~~either~~ within the main building ^{or within a roofless enclosure} within an accessory building on the same lot. In the case of more than one principal building on the same parcel, such refuse holding facility may serve more than one building provided it is located within the same parcel as the buildings it serves.

RESIDENTIAL MIDRISE APARTMENTS

provisions of these Regulations may be divided into more than one ownership by horizontal and/or vertical demarcation lines and provided the building or group of buildings, in total, remain in compliance, each such ownership so created shall also be deemed to be in compliance.

C906 Parking Provisions

(a) Requirement

One and one-half (1 1/2) parking spaces shall be provided for each apartment unit.

(b) Restriction

Surface
Parking of vehicles shall not be permitted within twenty-five (25) feet of any midrise apartment building.

(c) Parking Areas

Required parking spaces shall be provided within the yard areas that are in excess of twenty-five (25) feet from the building or in a parking facility located within a three hundred (300) foot radius of the building for which the parking is designated.

C907 Trucks and Maintenance Equipment

No person shall park or store trucks in any midrise apartment development provided, however, that a maintenance truck for the project, having a capacity of one ton or less, may be parked in an enclosed garage. Provision shall also be made for the storage of maintenance tools and equipment in a fully enclosed area which may be located within the principal building or within an accessory building on the same lot. In the case of more than one midrise apartment building on the same parcel, such maintenance storage facility may serve more than one building provided it is located within the same parcel as the buildings it serves.

RESIDENTIAL MIDRISE APARTMENTS

C908 Refuse Holding Facilities

Each midrise apartment building shall have adequate provision for the interim storage of refuse and garbage in ^{an} ~~fully~~ enclosed area located ~~either~~ within the main building, ^{or within a roofless enclosure} within an accessory building on the same parcel, such refuse holding facility may serve more than one midrise apartment building provided it is located within the same parcel as the buildings it serves.

C909 Accessory Buildings

(a) Location

Accessory buildings which are not part of the main building, may be erected in the side or rear yards provided that such accessory building is located at a distance from the side and rear lot lines of not less than twenty-five (25) feet.

(b) Part of Main Building

Any accessory building may be erected as part of the main building provided all yard and area requirements applicable to the main building are complied with.

(c) Coverage

Accessory buildings occupying not more than ten (10) percent of the lot area and accessory buildings located entirely below Established Grade shall not be included in calculating Maximum Lot Coverage.

(d) Height

No accessory building shall exceed a height of fifteen (15) feet.

(e) Exterior Facing

All above grade, exterior walls of all accessory buildings shall be constructed of, or faced with, the same materials as those used in the facing of the exterior walls of the main building.

C1003 Storing of Dangerous Materials

No person shall use any land, building or structure and no person shall erect any building or structure for any of the following commercial Uses without the prior approval of the ^{APPROVING} ~~Zoning Board~~ ~~of Adjustment~~ in writing: the storage of or the use in any process of coal oil, rock oil, fuel oil, burning fluid, naphtha, benzole, benzine, gasoline, dynamite, dualin, nitroglycerine or gunpowder, petroleum or other similar combustible or inflammable or dangerous liquid or material.

C1004 Site Standards

All buildings constructed on the lands designated as Regional Commercial within the Development Plans shall conform to the following standards:

Minimum Parcel Frontage	Two hundred (200) feet.
Minimum Project Front Yard:	Seventy-five (75) feet.
Minimum Project Rear Yard:	Fifty (50) feet.
Minimum Project Side Yards:	Fifty (50) feet.
Maximum Building Height:	Fifty (50) feet.
Maximum Lot Coverage:	Thirty-five (35) percent.

Maximum Project Gross Floor Area: One-third (1/3) of Lot or Parcel Area.

C1005 Frontage on a Street

A lot containing a regional commercial development shall front on a public street. In the case of such a development having more than one building on a single parcel, provided the parcel fronts on a public street, the individual buildings that are within such a parcel, are not required to have street frontage.

C1006 Separated Ownership of a Project

Any building being part of a regional commercial development or any group of such buildings, that jointly comply with the provisions of these Regulations may be divided into more than one ownership by horizontal and/or vertical demarcation

lines and provided the building or group of buildings, in total, remain in compliance, each such ownership so created shall also be deemed to be in compliance.

C1007 Required Parking

For all permitted Uses, off-street parking shall be provided in accordance with the following:

comma
C1007(a) Retail stores, service shops, banks, business and professional offices, studios, dry cleaning establishments, automatic laundry shops and custom work shops shall provide one parking space for each three hundred fifty (350) square feet of Gross Floor Area.

C1007(b) Motels and hotels shall provide one parking space for each room providing overnight accommodation plus one parking space for each sixty (60) square feet of banquet area, assembly area, or meeting room area.

C1007(c) Restaurants and taverns shall provide one parking space for each fifty (50) square feet of Gross Floor Area exclusive of food preparation areas.

C1007(d) Theatres and assembly halls shall provide one parking space for each four (4) seats.

C1007(e) Billiard parlors shall provide one parking space for each three hundred (300) square feet of Gross Floor Area.

C1007(f) Bowling alleys shall provide four (4) parking spaces for each alley.

SECTION C1100 COMMUNITY COMMERCIAL

C1101 Permitted Uses

Those lands shown on the Development Plans that are designated as Community Commercial may be used for the following purposes:

C1101(a) All commercial Uses permitted on R.C. Designated Lands with the exception of hotels, motels, taverns, custom workshops, motor vehicle sales rooms, public garages, motor vehicle repair shops, and automobile service stations.

C1101(b) All business shall be conducted within wholly enclosed buildings with the exception that the outside storage and display of shrubs, flowers and other related nursery stock and garden supplies shall be permitted provided that such outside storage and display is in conjunction with a similar commercial Use carried on in an enclosed building on the same lot.

C1101(c) The outside display and sale of fresh fruits and vegetables is also permitted provided that:

(i) Such outside display and sale is in conjunction with a similar commercial Use carried on in an enclosed building, or portion thereof, on the same lot.

(ii) No public sidewalk or road allowance is used for the purpose of such outside display and sale.

(iii) The area used for such outside display and sale does not exceed three hundred (300) square feet.

(iv) The area used for such outside display and sale shall be in addition to and separated from the areas required for parking.

C1102 Storing of Dangerous Materials

No person shall use any land, building or structure and no person shall erect any building or structure for any of the following commercial Uses without the prior approval of the ^{APPROVING} ~~Zoning~~ Board ~~of Adjudication~~ in writing: the storage of or the use in any process of coal oil, rock oil, fuel oil, burning fluid, naphtha, benzole, benzine, gasoline, dynamite, dualin, nitroglycerine or gunpowder, petroleum or other similar combustible or inflammable or dangerous liquid or material.

SPECIAL DEVELOPMENT

(f) Regional Shopping Center

A Regional Shopping Center, subject to the transfer provisions of subparagraph V-C3 of the Stipulation of Settlement and subject to the regulatory provisions of Section B1000, Regional Commercial.

C1202 Automobile Agencies

Motor vehicle sales or leasing facilities shall be housed in a building having a floor area of not less than ten thousand (10,000) square feet.

C1203 Storing of Dangerous Materials

No person shall use any land, building or structure and no person shall erect any building or structure for any of the following commercial or industrial Uses without the prior approval of the ^{APPROVING} ~~Zoning Board~~ ~~at adjustment~~ in writing: the storage of or the use in any process of coal oil, rock oil, fuel oil, burning fluid, naphtha, benzole, benzine, gasoline, dynamite, dualin, nitroglycerine or gunpowder, petroleum or other similar combustible or inflammable or dangerous liquid or material.

C1204 Site Standards

All buildings constructed on the lands designated as Special Development within the Development Plans shall conform to the following standards:

Minimum Lot Frontage:	One hundred (100) feet.
Minimum Front Yard:	Fifty (50) feet.
Minimum Side Yards:	Twenty (20) feet.
Minimum Rear Yard:	Fifty (50) feet.
Maximum Lot Coverage:	Fifty (50) percent.
Maximum Building Height:	Twenty-five (25) feet.
Maximum Gross Floor Area:	One-half (1/2) of the Lot Area.

DEFINITIONS

WORDS AND PHRASES

The term "shall" indicates a mandatory requirement, and the term "may" indicates a permissive action. The word "lot" includes the words "plot", "block" and "parcel". The word "structure" includes the word "building". The word "occupied" includes the phrase "intended to be occupied". The word "Use" includes the phrase "intended to be used".

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.

Adult Community

OMIT - NOT REFERRED TO

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.

Alteration

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.

Approving Board

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

Automotive Service Stations

(See Gasoline Filling Stations).

Basement

That portion of a building which is partly below and partly above grade, and having one-half (1/2) or more of its height above grade (see Cellar).

Block

A lot to be conveyed to the Township, reserved for public purpose, or transferred to a Homeowners Association (see Lot and Parcel).

Building

A combination of materials to form a structure adapted to permanent, temporary or continuous occupancy and having a roof.

APPLICABLE ONLY TO APPENDICES B & C

Building Height

(a) In the case of an office building, industrial building, retail commercial building, public building, midrise apartment building or a house of worship, building height shall mean the distance from the upper face of the ground floor to the upper surface of a flat roof deck or the mean height between the eaves and the ridge in the case of a pitched roof, and a penthouse, tower, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical or electrical equipment of any such building shall be disregarded in calculating the height of such building; or

(b) in the case of all residential buildings other than midrise apartments, building height shall mean the vertical distance between the established grade; and

(i) in the case of a flat roof, the highest point of the roof surface; or

(ii) in the case of a mansard roof the ^{deck} line; or

(iii) in the case of a gabled, hip, or gambrel roof, the mean height level between eaves and ridge.

Building Line

A line formed by the intersection of a horizontal plane at the average median 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.

Cellar

That portion of a building which is partly or completely below grade and having at least one-half (1/2) of its height below grade (see Basement).

Cluster Home

A Cluster Home is one of a 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.

Condominium

A Condominium is ownership of real property 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.

Coverage

See Lot Coverage.

DEFINITIONS

Lot Width

The horizontal distance between the side lot lines measured at right angles to its depth at the building line.

Maisonette

A multi-family housing type similar to a townhouse except for being characterized by a back-to-back configuration.

Median

A value in an ordered set of values below and above which there are an equal number of values.

Motel

See Hotel.

Multiplex

A group of five (5) or more dwelling units combined into one structure by sharing two (2) or more party walls or on top of one another.

Municipal Building Facility and Use

Any building used, or facility owned, operated, subsidized or otherwise assisted by act of the Township of Old Bridge.

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 regulated basis.

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.

Occupancy

The specific purpose for which land or a building is used, designed or maintained.

Open Space

Any ~~part~~ ^{Block} or area of land or water essentially unimproved 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; provided that such areas may be improved with only those buildings,

APPLICABLE ONLY TO APPENDICES B & C

DEFINITIONS

Quadraplex

Four (4) attached dwellings in one (1) structure in which each unit has two (2) exterior exposures and shares one (1) or more walls with an adjoining unit or units.

Quasi-public

A Use owned or operated by a non-profit, religious or eleemosynary institution and providing educational, cultural, recreational, religious or similar type of public programs.

Residential Cluster

An area to be developed as a single entity according to a plan containing residential housing units which have open space as an appurtenance.

Restrictive Covenant

A restriction on the use of land usually set forth in the deed and which is binding upon subsequent property owners.

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.

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.

Story

That portion of a building other than a cellar which ^{is} included between one floor level and the next higher floor level or the roof.

Story, First

The lower story of a building.

Story, Half

That portion of a building situated within the roof and having its floor level not lower than four (4) feet below the line where the roof and outer walls meet.

APPLICABLE ONLY TO APPENDICES B & C

DEFINITIONS

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.

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.

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.

Yard, Front (On a Street)

Where a lot has frontage on a street, the front yard shall be an open, unoccupied space on the same lot as 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.

Yard, Front (Not on a Street)

Where the lot does not have frontage on a street, the front yard shall be an open, unoccupied space on the same lot as with the principal building, extending the full width of the lot and situated between the front line of the lot and the front line of the building projected to the side lines of that lot.

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.

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. ap.

APPLICABLE ONLY TO APPENDICES B & C

DEFINITIONS

ABBREVIATIONS

B.O.C.A.

Building Officials Conference of America

D.U.

Dwelling Unit(s)

DU/Ac.

Dwelling units per acre

G.F.A.

Gross Floor Area

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

S.F.

Square Feet

S.M.S.A.

Standard Metropolitan Statistical Area *AP*

U.S.D.A.

United States Department of Agriculture

U.S.G.S.

United States Geodetic Service

APPLICABLE ONLY TO APPENDICES B & C