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1977

- Plainsboro Twp Subdivision and Site plan Review Ordinance

- Amendment to Zoning ~~Ordinance~~ Ordinance

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Ord 77-2

PLAINSBORO TOWNSHIP

SUBDIVISION AND SITE PLAN REVIEW ORDINANCE

AMENDED JANUARY 27, 1977

TITLE AND ENACTING CLAUSE

AN ORDINANCE CREATING AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND STANDARDS GOVERNING SUBDIVISION AND SITE PLAN REVIEW OF LAND WITHIN THE TOWNSHIP OF PLAINSBORO, IN THE COUNTY OF MIDDLESEX, SETTING FORTH THE PROCEDURES TO BE FOLLOWED BY THE PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT IN APPLYING AND ADMINISTERING THESE RULES, REGULATIONS AND STANDARDS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF," WHICH ORDINANCE IS ALSO KNOWN BY THE SHORT TITLE: "SUBDIVISION AND SITE PLAN REVIEW ORDINANCE OF THE TOWNSHIP OF PLAINSBORO" AND REPEALING AN ORDINANCE ENTITLED: "PLAINSBORO TOWNSHIP MAJOR-MINOR SUBDIVISION ORDINANCE" AND AMENDMENTS THERETO.

BE IT ORDAINED by the Township Committee of the Township of Plainsboro, in the County of Middlesex, that the Ordinance entitled "Subdivision and Site Plan Review Ordinance of the Township of Plainsboro" is hereby enacted:

SUBDIVISION AND SITE PLAN REVIEW ORDINANCE

SECTION 100

SHORT TITLE

This Ordinance shall be known and may be cited as the: "Subdivision and Site Plan Review Ordinance of the Township of Plainsboro."

SECTION 200

PURPOSE

The purpose of this Ordinance shall be to provide rules, regulations and standards to guide land subdivision and site planning in the Township of Plainsboro. It shall be administered to insure orderly growth and development, the conservation, protection and proper use of land, and adequate provisions for circulation, utilities and services in order to assure and promote the comfort, health, safety, convenience and general welfare of the municipality.

SECTION 300

APPROVING AUTHORITY

The provisions of this Ordinance shall be administered by the Planning Board of the Township of Plainsboro in accordance with Article 2 of the Municipal Land Use Law; or, as the case may be, by the Board of Adjustment of the Township of Plainsboro in accordance with Article 9, Section 63 (b) of the Municipal Land Use Law, as provided in Section 1600 of this Ordinance.

SECTION 400

DEFINITIONS

As used in this Ordinance, the term "shall" indicates a mandatory requirement and the term "may" indicates a permissive action, and the following words and phrases shall have the meanings ascribed to them in this section unless the context otherwise requires:

Administrative officer. The secretary of the planning board or board of adjustment, or the clerk of the municipality, as the case may be, according to which of said agencies is involved in a particular instance.

Adverse effect. Conditions or situations creating, imposing, aggravating or leading to impractical, unsafe

or unsatisfactory conditions on a subdivided property or adjacent property such as improper circulation and drainage rights-of-way, inadequate drainage facilities, insufficient street widths, unsuitable street grades, unsuitable street locations to accommodate prospective traffic or coordinate and compose a convenient system, locating lots in a manner not adaptable for the intended purposes without danger to health or peril from flood, fire, erosion or other menace, providing for lots of insufficient size and neither providing nor making future allowance for access to the interior portion of the lot or for other facilities required by this Ordinance.

Agricultural purposes. The use of land solely for the growing and harvesting of crops and/or the raising and breeding of animals.

Applicant. A developer submitting an application for development.

Application for development. The application or appeal form and all accompanying documents required by this Ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance or direction for the issuance of a special permit.

Board of adjustment. The board of adjustment established pursuant to Article II, Section 1 of the Land Use Procedures Ordinance of the Township of Plainsboro.

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

Capital improvement. A government acquisition of real property or a major construction project.

Cartway. The hard or paved surface portion of a street customarily used by vehicles in the regular course of travel. Where there are curbs, the cartway is that portion between the curbs. Where there are no curbs, the cartway is that portion between the edges of the paved or graded width.

Circulation. Systems, structures and physical improvements for the movement of people, goods, water, air, sewage or power by such means as streets, highways, railways, waterways, towers, airways, pipes and conduits, and the handling of people and goods by such means as terminals, stations, warehouses, and other storage buildings or trans-shipment points.

Common open space. An open space area within or related to a site designated as a development, and designed

and intended for the use or enjoyment of residents and owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development.

Conceptual approval. Approval of a general development plan pursuant to the provisions of the PCD Ordinance (former Section XIX of the Zoning Ordinance) that were in effect prior to the enactment of this Ordinance.

Conventional. Development other than planned development.

County Planning Board. Middlesex County Planning Board.

Days. Calendar days.

Developer. The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase or any other person having an enforceable proprietary interest in such land.

Development. The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structures, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to this Ordinance.

Drainage. The removal of surface water or groundwater from land by drains, grading or other means, and including control of runoff to minimize erosion and sedimentation during and after construction or development and means necessary for water supply preservation or prevention or alleviation of flooding.

Drainage and utility right-of-way. The lands required for the installation and maintenance of storm water and sanitary sewers, water pipes or drainage ditches and other utilities, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

Easement. A right granted to the Township or other governmental authority for the use of private land for certain public and quasi-public purposes.

Erosion. The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Final approval. The official action of the Planning Board taken on a preliminarily approved major subdivision or site plan after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posted for their completion, or an approval conditioned upon the posting of such guarantees.

Flood hazard area. The relatively flat terrain adjoining a water channel which has been or may be hereafter covered by flood water of the channel.

Floor area, gross. The total area of all the stories of all the structures on a lot, measured from the outside faces of the exterior walls, or from the exterior roof edges where a structure has no walls, and including the following, although not by way of limitation: Interior balconies and mezzanines, roofed areas such as porches and carports and basement space, but excluding rooftop, roofed or enclosed area that is used for parking spaces.

Governing body. The Township Committee of the Township of Plainsboro.

Land. Includes improvements and fixtures on, above or below the surface.

Lot. A designated parcel, tract or area of land, established by a plat or otherwise as permitted by law, to be used, developed or built upon as a unit.

Maintenance guarantee. Any security, other than cash, that may be accepted by the municipality for the maintenance of any improvements required by this Ordinance.

Major subdivision. Any subdivision not classified as a minor subdivision.

Map Filing Law. Chapter 285 of the Laws of New Jersey, 1960, as amended from time to time.

Master plan. A composite of the mapped and written proposals recommending the physical development of the municipality which shall have been duly adopted by the Planning Board pursuant to Article 3 of the Municipal Land Use Law.

Minor subdivision. A subdivision of land that does not result in more than four lots, or involve a planned

development, any new street or the extension of any off-tract improvement.

Municipality. The Township of Plainsboro.

Municipal agency. The Planning Board, Board of Adjustment or Township Committee, or any agency created by or responsible to one or more municipalities, when acting pursuant to this Ordinance.

Municipal Land Use Law. Chapter 291 of the Laws of New Jersey, 1975, as amended from time to time.

Official map. A map adopted by the governing body pursuant to Article 5 of the Municipal Land Use Law.

Offsite. Located outside the lot lines of the lot in question but within the property (of which the lot is a part) that is the subject of a development application or within a contiguous portion of a street or right-of-way.

Off-tract. Located neither on the property that is the subject of a development application nor on a contiguous portion of a street or right-of-way.

Onsite. Located on the lot in question.

On-tract. Located on the property that is the subject of a development application or on a contiguous portion of a street or right-of-way.

Open-space. Any parcel 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, structures, streets and offstreet parking and other improvements that are designed to be incidental to the natural openness of the land.

Performance guarantee. Any security that may be accepted by the municipality, including cash; provided, that the municipality shall not require more than 10% of the total performance guarantee in cash.

Planned Development. A PMUD Planned Unit Development or a PCD Planned Unit Development.

PCD Planned Unit Development. An area that is specified on the Zoning Map as having a district classi-

fication of PCD Planned Unit Development and which is to be developed as a single entity according to a plan, containing one or more residential developments or one or more public, quasi-public, business and commercial, or office, research, industrial areas in the ranges of ratios of non-residential uses to residential uses as are specified in Section XIX of the Zoning Ordinance.

PMUD Planned Unit Development. An area that is specified on the Zoning Map as having a district classification of PMUD Planned Unit Development and which is to be developed as a single entity according to a plan, containing one or more residential developments or one or more public, quasi-public, business and commercial, office, research, industrial, or educational-research areas in the ranges of ratios of non-residential uses to residential uses as are specified in Section XXI of the Zoning Ordinance.

Planning Board. The planning board established pursuant to Article I, Section 1, of the Land Use Procedures Ordinance of the Township of Plainsboro.

Plat. The map or maps of a subdivision.

Preliminary approval. The conferral of certain rights as to site plans and major subdivisions pursuant to Section 1401 prior to final approval and after specific elements of a development plan have been agreed upon by the planning board and the applicant.

Preliminary floor plans and elevations. Architectural drawings prepared during early and introductory stages of the design of a project, illustrating in a schematic form its scope, scale and relationship to its site and immediate environs.

Public areas. Public parks, playgrounds, trails, paths and other recreational areas and public open spaces; scenic and historic sites; and sites for schools and other public buildings and structures.

Public drainage way. The land reserved or dedicated for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel, and providing for the flow of water to safeguard the public against flood damage, sedimentation and erosion.

Public open space. An open space area conveyed or otherwise dedicated to the municipality, a municipal agency, the regional board of education, a state or county agency, or any other public body for recreational or conservational uses.

Resubdivision. The further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law. Not included are conveyances merely combining existing lots by deed or other instrument.

Sedimentation. The deposit of soil that has been transported from its site of origin by water, ice, wind, gravity or other natural means as a product of erosion.

Sight triangle easement at intersection. A triangular shaped area established in accordance with the requirements of this Ordinance in which no grading, planting or structure shall be erected or maintained, except for street signs, fire hydrants and lighting structures.

Site plan. A development plan of one or more lots on which is shown (i) the existing and proposed conditions of the lot, including but not necessary limited to topography, vegetation, drainage, flood plains, marshes and waterways, (ii) the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, and screening devices, and (iii) any other information that may be reasonably required in order to make an informed determination as to approval of the plan by the Planning Board pursuant to the provisions of this Ordinance.

Street. Any street, avenue, boulevard, road, parkway, viaduct, drive or other way (i) that is an existing state, county or municipal roadway, or (ii) that is shown upon a plat heretofore approved pursuant to law, or (iii) that is approved by official action as provided in this Ordinance, or (iv) that is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats; including the land between the street lines, whether improved or unimproved, and whether or not comprising pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas.

Street line. The edge of the existing right-of-way or future street right-of-way as shown on the Master Plan or Official Map, whichever would result in the widest right-of-way, and which line forms the division between the street and lot, or if there shall be no Master Plan or Official Map, the dividing line between the lot and the street.

Structure. A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above, or below the surface of a parcel of land.

Subdivision. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this Ordinance if no new streets are created: (i) divisions of land found by the Planning Board or Subdivision Committee thereof appointed by the Chairman to be for agricultural purposes where all resulting parcels are five acres or larger in size, (ii) divisions of property by testamentary or intestate provisions, (iii) divisions of property upon court order and (iv) conveyances so as to combine existing lots by deed or other instrument. The term "subdivision" shall also include the term "resubdivision."

Subdivision committee. A committee of at least three (3) Planning Board members appointed by the Chairman of the Planning Board, for the purpose of reviewing subdivision applications prior to action by the entire Board, to determine whether such applications comply with all Ordinance provisions and with other duties relating to land subdivision which may be conferred on this committee by the Board through a motion duly adopted and recorded.

Tentative approval. Approval of a tentative plan of development pursuant to the provisions of the PMUD Ordinance (former Section XXI of the Zoning Ordinance) which were in effect prior to the enactment of this Ordinance.

SECTION 500

SKETCH PLAT CLASSIFICATION: MINOR SUBDIVISION

501 PURPOSE OF SKETCH PLAT

Except as otherwise provided in Section 1404, a sketch plat is required of all applicants seeking a division of land and is intended to serve as an initial step in subdivision procedure. It provides the applicant and Planning Board with an opportunity to discuss the subdivision in the formative stages of design and provides the basis for classification. Sketch plats are not binding on the municipality or upon the applicant and do not necessitate accurate engineered drawings.

502 PROCEDURES FOR SUBMITTING SKETCH PLAT

A. The applicant shall submit to the Secretary of the Planning Board, at least twenty-four (24) days prior

to the meeting at which action on the sketch plat is desired: sixteen (16) copies of the sketch plat of the proposed subdivision for purposes of classification, preliminary discussion and appropriate action; six (6) copies of the application; and a fee of \$10 per lot to cover costs. The Secretary of the Planning Board shall process the application and shall issue an application number. Once an application has been assigned a number, such number shall appear on all papers, maps, plats and other documents submitted for processing in conjunction with the subdivision.

B. Upon receipt of the necessary material from the applicant, the Secretary of the Planning Board shall retain one (1) copy each of the sketch plat and application and shall immediately distribute the remaining fifteen (15) copies of the sketch plat and five (5) copies of the application in the following manner:

1. Three (3) copies of the sketch plat and two (2) copies of the application for files of the Planning Board.
2. County Planning Board, three (3) copies of the sketch plat and one (1) copy of the application.
3. Township Clerk, one (1) copy of the sketch plat.
4. Construction Official and Zoning Officer, one (1) copy of the sketch plat.
5. Township Planner, one (1) copy of the sketch plat and one (1) copy of the application.
6. Township Engineer, one (1) copy of the sketch plat and one (1) copy of the application.
7. Township Tax Collector, one (1) copy of the sketch plat.
8. Fire Prevention Committee, one (1) copy of the sketch plat.
9. Board of Health, one (1) copy of the sketch plat.
10. Township Sewer Department, one (1) copy of the sketch plat.
11. Additional copies shall be sent to other municipal, county and state agencies and officials as directed by the Planning Board.

The Township officials to whom the sketch plat has been distributed shall submit their comments on the sketch plat to the Planning Board within twenty (20) days after receipt of the sketch plat.

C. The Township Engineer shall review the sketch plat for classification purposes and determine whether or not the application includes all the information required for review. Should it be determined that the application either is incomplete or require substantial revisions, the applicant shall be notified within forty-five (45) days of submission of the application and may thereafter submit an appropriately revised application to the Secretary of the Planning Board as in the first instance.

D. Any subdivision determined by the Board to be creating, imposing, aggravating or leading to the possibility of an adverse effect upon either the original property being subdivided or upon any adjacent properties may be required to be revised by the applicant to remove such adverse effect(s) prior to further review, classification or approval by the Board, or, where the remaining portion of the original tract is of sufficient size to be subdivided further, the applicant may be required to submit a sketch plat of the entire remaining portion of the tract to indicate a feasible plan whereby the applied for subdivision, together with subsequent subdivision(s) which may be submitted, will not create, impose or aggravate or lead to any such adverse effect.

E. If classified by the Planning Board or Subdivision Committee as a division of land not considered a subdivision as defined in this Ordinance, no further action by the Planning Board shall be necessary, provided that an affidavit, proper in form, is submitted by the applicant to the effect that the division of land either (1) will be used for agricultural purposes only and that all resulting parcels are five (5) acres or larger in size; (2) is by testamentary or intestate provisions; (3) is predicated upon court order; or (4) is a conveyance to combine existing lots by deed or other instrument. Additionally, a map drawn in accordance with the Map Filing Law, or a metes and bounds description of the property in question, shall be submitted to the Board for certification and review by the Township Engineer prior to filing with the Middlesex County Clerk.

F. If the sketch plat is submitted for classification as a minor subdivision, the Board shall act on the proposed plat within forty-five (45) days of its complete and proper submission to the Secretary of the Planning Board or within such further time as may be consented to by the applicant. Failure of the Planning Board to act within the

prescribed time period shall constitute minor subdivision approval and a certificate of the Secretary of the Planning Board as to the failure of the Planning Board to act shall be issued on request of the applicant.

G. If the application is classified and approved as a minor subdivision by the unanimous vote of the Subdivision Committee or by the majority vote of the Planning Board, no notice or public hearing on the application shall be required. Minor subdivision approval shall be deemed to be final approval of the subdivision by the Planning Board.

H. If classified and approved as a minor subdivision, then approval thereof shall expire 190 days from the date of 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 Middlesex County Clerk, the Township Engineer and the Township Tax Assessor. Any such plat or deed accepted for such filing shall have been signed by the Chairman (or the Acting Chairman in his absence) and Secretary of the Planning Board. In reviewing the application for a proposed minor subdivision the Planning Board may accept a plat not in conformity with the Map Filing Law; provided that if the applicant chooses to file the minor subdivision as provided herein by plat rather than deed such plat shall conform with the provisions of said Law. Any deed(s) of right(s)-of-way dedication, if applicable, shall be signed by the Chairman of the Board (or the Acting Chairman in his absence) and the Secretary of the Board. The deed(s) of right(s)-of-way dedications shall be provided by the Township.

In the event the same is not classified as a minor subdivision by the Planning Board or the Subdivision Committee, the Secretary of the Board, within three (3) days of such action, shall notify the applicant by certified mail of such action and the reasons therefor.

I. The zoning requirements and general terms and conditions, whether conditional or otherwise, upon which minor subdivision approval was granted, shall not be changed for a period of 2 years after the date of minor subdivision approval; provided that the approved minor subdivision shall have been duly recorded as provided in paragraph I above.

J. Before the Secretary of the Planning Board returns any approved sketch plat to the applicant, the applicant shall have sufficient copies made to furnish one copy to each of the following:

1. Secretary of the Planning Board.
2. Construction Official and Zoning Officer.
3. Township Engineer.
4. Township Tax Assessor.
5. Township Sewer Department.
6. Such other municipal, county or state agencies or officials as directed by the Board.

K. The sketch plat shall be classified as a major or minor subdivision within forty-five (45) days of its complete and proper submission to the Secretary of the Planning Board or within such further time as may be consented to by the applicant. When classified as a major subdivision, a notation to that effect which shall be made by the Chairman of the Planning Board (or Acting Chairman in his absence) on the plat, which shall be returned to the applicant for compliance with the applicable provisions of this Ordinance.

503 DETAILS OF SKETCH PLAT

The sketch plat shall consist of and contain the following details:

A. A Key Map at a scale not smaller than one inch equals 2,000 feet, showing the relation of the portion to be subdivided to the entire tract and the relation of the entire tract to its surrounding areas and streets for at least 500 feet beyond its boundaries.

B. A sketch plat shall be drawn at a scale no smaller than one inch equals 400 feet on one of four of the following standard sheet sizes: 8 1/2" x 13", 15" x 21", 24" x 36", 30" x 42", and contain dimensions according to the Tax Map of the Township of Plainsboro. The sketch plat shall show:

1. Contours at 2 foot intervals, based on Plainsboro Township Aerial Topographical Survey on file in the Township Municipal Building.

2. All existing structures and wooded areas within the portion to be subdivided or within 200 feet thereof, and where such a structure will remain, the shortest distance from any existing structure to any proposed and existing lot lines.

3. Existing private wells and sanitary sewage disposal systems on the site.

4. All streets, roads, drainage rights-of-way, streams and existing utility lines in the tract and within 500 feet of the tract, and flood hazard areas as are shown on HUD maps on record.

5. Rights-of-way for proposed roads as shown on the Middlesex County Master Plan or Official Map and the Township Master Plan or Official Map.

6. All proposed lot and street lines, lot dimensions, lot areas, setback lines and front, side and rear yard lines.

C. The sketch plat shall also contain the following information:

1. Title of map.
2. Name of subdivision, if any.
3. Tax Map sheet, block and lot numbers of the tract to be subdivided as shown on the latest Tax Map.
4. Acreage of tract to be subdivided to the nearest tenth of an acre.
5. Date of original sketch plat and all revisions.
6. Names and addresses of owner and applicant, and of all adjoining property owners as disclosed by the most recent municipal tax records.
7. North arrow.
8. Written and graphic scales.
9. The zoning classification of the site to be subdivided, a brief statement of the requirements of such classification, and whether a variance is necessary.
10. The zoning classification of the adjoining properties.
11. Signature and seal of land surveyor.

504 DETAILS AND SPECIFICATIONS REQUIRED OF MINOR SUBDIVISIONS PRIOR TO CLASSIFICATION

A. No plat shall be classified as a minor subdivision unless: (1) a properly drawn and detailed metes and bounds description of the subdivision is furnished to the Planning Board, and (2) the plat is drawn by a professional land surveyor licensed to practice in the State of New Jersey, bearing the signature, seal and license number and address of the said professional land surveyor.

B. No plat involving any street(s) requiring additional right-of-way width as specified in the Master Plan or Official Map and the street requirements of this Ordinance shall be classified as a minor subdivision unless such additional right-of-way width, either along one (1) or both sides of said street(s), as applicable, shall be deeded to the Township or other appropriate governmental agency.

C. No plat involving any corner lot shall be classified as a minor subdivision unless a sight triangle easement shall be granted in accordance with specifications of the Township Engineer.

D. No plat shall be classified as a minor subdivision unless all appropriate requirements of Section 800 of this Ordinance have been met, including, but not limited to, Sections 801, 806, 809, 810, 811, 812, 813 and 814.

E. No plat shall be classified as a minor subdivision unless the tax collector of the Township shall have certified that no taxes (including roll back taxes) or assessments for local improvements are due or delinquent on the property for which the subdivision application has been made.

SECTION 600

PRELIMINARY SUBDIVISION PLAT

601 PURPOSE FOR SUBMISSION OF PRELIMINARY PLAT

A preliminary plat and the supporting documents for a proposed subdivision which has received sketch plat classification constitute the material to be officially submitted to the Planning Board. They shall show the general design of the subdivision and its public improvements so that the Planning Board can indicate its approval or disapproval of the subdivision prior to the time that the final plat, including the design and detailing of the public improvements and utilities, is completed. Approval of the preliminary plat does not constitute an approval of the final plat.

602 PROCEDURES FOR SUBMISSION OF PRELIMINARY PLAT

A. The applicant shall submit to the Secretary of the Planning Board at least twenty-four (24) days prior to the meeting at which action on the preliminary plat is desired: eighteen (18) copies of the preliminary plat of the proposed subdivision; six (6) copies of the application; and five (5) copies of any protective covenants or deed restrictions applying to the land being subdivided.

B. At the time of submission, each applicant shall deposit, in cash or by certified check with the Township, a sum of thirty-five dollars (\$35.00) for each lot proposed in the subdivision or a minimum of two hundred dollars (\$200.00), to be placed in escrow by the Township to cover the cost of professional services and review, including engineering and legal or other incidental expenses connected with the processing, reviewing and checking of all materials. Each applicant who shall submit a plan for preliminary subdivision approval shall agree in writing to pay all reasonable costs for professional review of the said plan required by the Township. Sums not utilized in review shall be returned to the applicant. If additional sums are deemed necessary the applicant shall be notified of the required additional amount and shall add such sum to the escrow.

C. Upon receipt of the necessary material from the applicant, the Secretary of the Planning Board shall retain one (1) copy each of the preliminary plat, the completed application and any applicable protective covenants or deed restrictions and shall then immediately distribute the remaining seventeen (17) copies of the preliminary plat, five (5) copies of the completed application and four (4) copies of any applicable protective covenants or deed restrictions in the following manner:

1. Three (3) copies of the preliminary plat and two (2) copies each of the application and any applicable protective covenants or deed restrictions for the files of the Planning Board.
2. County Planning Board, three (3) copies of preliminary plat and one (1) copy each of application and any applicable protective covenants or deed restrictions.
3. Township Clerk, one (1) copy of the preliminary plat.
4. Construction Official and Zoning Officer, one (1) copy of preliminary plat.

5. Township Planner, one (1) copy of the preliminary plat and one (1) copy of the application.

6. Township Engineer, one (1) copy of preliminary plat and one (1) copy each of the application and any applicable protective covenants or deed restrictions.

7. Township Department of Health, one (1) copy of preliminary plat.

8. Fire Prevention Bureau, one (1) copy of preliminary plat.

9. Recreation Advisory Committee, one (1) copy of preliminary plat.

10. Township Sewerage Department, one (1) copy of preliminary plat.

11. Public Service Electric and Gas Company, one (1) copy of preliminary plat.

12. New Jersey Bell Telephone Company, one (1) copy of preliminary plat.

13. Additional copies shall be sent to other municipal, county and state agencies and officials as directed by the Board.

The Township officials to whom the preliminary plat has been distributed shall submit their comments on the preliminary plat to the Planning Board not later than three (3) days prior to the date fixed for the public hearing.

D. The Township Engineer shall review the preliminary plat and determine whether or not the application includes all the information required for review. Should it be determined that the application shall be either incomplete or require substantial revisions, the applicant shall be notified within forty-five (45) days of its submission and the applicant may thereafter submit an appropriately revised application to the Secretary of the Planning Board as in the first instance.

603 PUBLIC HEARING ON PRELIMINARY PLAT

A. A public hearing shall be held on each application for preliminary subdivision approval.

B. The Board shall set the date, time and place for the public hearing and the Secretary of the Board shall inform the applicant of this at least fourteen (14) days prior to said hearing date.

604 ACTION ON THE PRELIMINARY PLAT

A. Upon the submission of a complete application for a subdivision of ten (10) lots or less, the Board shall grant or deny preliminary approval within 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 of more than 10 lots, the Board shall grant or deny preliminary approval within 95 days of the date of such submission or within such further time as may be consented to by the developer. Otherwise, the Board shall be deemed to have granted preliminary approval of the subdivision. If the application is found to be incomplete, the applicant shall be notified thereof within 45 days of the date of submission or it shall be deemed to be property submitted.

B. Should minor revisions or additions to the plat be deemed necessary, the Board may grant preliminary approval subject to specified conditions. Should major revisions to the plan be deemed necessary, the Board shall require that an amended plat be submitted and proceeded upon as in the case of the original application for preliminary approval.

C. The recommendations of the County Planning Board and those of all other agencies and officials to whom the preliminary plat was submitted for review shall be given careful consideration in the final decision on the plat. If the County Planning Board or the Township Engineer approve the preliminary plat, such approval shall be noted on the plat. If the Board acts favorably on the preliminary plat, the Chairman of the Board (or the Acting Chairman in his absence) and the Secretary of the Board shall affix their signatures to at least ten (10) copies of the plat with a notation that it has been approved.

D. After approval of the preliminary plat by the Board, copies of the signed plat shall be furnished by the Secretary of the Board to each of the following within ten (10) days from the date of such approval.

1. Township Clerk.
2. Construction Official and Zoning Officer.
3. Township Engineer.
4. Township Assessor.
5. Fire Prevention Bureau.

6. Township Sewer Department.
7. The applicant for compliance with final plat requirements.
8. Such other municipal, county or state agencies or officials as directed by the Board.

605 DETAILS OF PRELIMINARY PLAT

The preliminary plat shall be clearly and legibly drawn or reproduced at a scale of not less than one inch equals one hundred feet on one of four of the following standard sheet sizes: 8 1/2" x 13", 15" x 21", 24" x 26", 30" x 42". Preliminary plats shall be designed by a professional engineer and land surveyor licensed to practice in the State of New Jersey. The plat shall be designed in compliance with the provisions of Section 800 of this Ordinance except as otherwise provided in Section 1500 of this Ordinance, and shall show or be accompanied by the following information on existing and proposed features:

A. A key map showing the entire subdivision and its relation to the surrounding areas and streets for at least 500 feet beyond its boundaries, at a scale of not less than 2,000 feet to the inch.

B. The tract name, tax map sheet, block and lot numbers in a title block; meridian; north arrow; written and graphic scales; the names, addresses, phone numbers and signatures of the owner and applicant; the names of all property owners within two hundred (200) feet of the extreme limits of the subdivision as disclosed by the most recent municipal tax records; the name and address of the engineer and land surveyor who prepared the map and his professional seal and signature; the subdivision application number; and the date of original preparation and of each subsequent revision thereof.

C. The acreage of the original tract being subdivided measured to the nearest hundredth (1/100) of an acre and the number of new lots created.

D. The zoning district within which the proposed subdivision is located. If more than one zoning district is involved, the plat shall indicate the district line(s).

E. The locations and dimensions of existing and proposed railroad rights-of-way, bridges and natural features such as wooded areas, and any extensive rock formations both within the tract and within two hundred (200) feet of its boundaries.

F. All proposed lot lines, including existing lot lines to remain and those to be eliminated, and all setback lines required by the Zoning Ordinance with the dimensions thereof, and the areas of all lots shown measured to the nearest square foot. Any lot(s) to be reserved or dedicated to public use shall be identified and the proposed use of lots for other than residential development shall be shown.

G. Locations of all existing structures showing existing and proposed front, rear and side yard setback distances, and an indication of whether the existing structures and uses will be retained or removed.

H. The locations and species of all existing trees or groups of trees having a caliper of eight (8) inches or more measured three (3) feet above ground level shall be shown. The proposed location of shade trees to be provided by the subdivider in accordance with Section 805 of this Ordinance shall be shown.

I. A map showing existing and proposed contour lines over the entire area of the proposed subdivision at consistent one (1) foot intervals, or at such greater intervals provided the same are sufficient to determine the slope and natural flow of surface drainage.

J. All existing and proposed watercourses (including lakes and ponds) shall be shown and accompanied by the following information:

1. When a stream is proposed for alteration, improvement or relocation or when a drainage structure or fill is proposed over, under, in or along a running stream, evidence of approval, required alterations, lack of jurisdiction or denial of the improvement by the New Jersey Division of Water Policy and Supply shall accompany the subdivision.

2. Cross-sections of water courses and/or drainage swales at an approximate scale showing the extent of flood plain, top of bank, normal water levels and bottom elevations at the following locations:

- a. At any point where a watercourse crosses a boundary of the subdivision.

- b. At one hundred (100) foot intervals, for a distance of five hundred (500) feet upstream and downstream of any proposed and/or existing culvert or bridge within the subdivision and within five hundred (500) feet downstream of the subdivision.

c. At fifty (50) foot intervals up to three hundred (300) feet upstream and downstream of any point of juncture of two or more watercourses within one thousand (1,000) feet of the subdivision.

d. At a maximum of five hundred (500) foot intervals, but not less than two (2) locations, along each watercourse which runs through or within five hundred (500) feet of the subdivision.

e. When ditches, streams or watercourses are to be altered, improved or relocated, the method of stabilizing slopes and measures to control erosion and siltation as well as typical ditch sections profiles shall be shown on the plan or accompany it.

f. The boundaries of the flood plains of all watercourses within or adjacent to the subdivision.

3. The total acreage in the drainage basin of any watercourse running through or adjacent to a subdivision in the area upstream of the subdivision.

4. The total acreage in the drainage basin to the nearest downstream drainage structure and the acreage in the subdivision which drains to the structure.

5. The location and extent of drainage and conservation easements and stream encroachment lines.

6. The location, extent and water level elevation of all existing or proposed lakes or ponds within and adjacent to the subdivision.

K. The preliminary plat shall show or be accompanied by plans and computations for any storm drainage systems including the following:

1. All existing or proposed storm sewer lines within or adjacent to the subdivision showing size and profile of the lines, direction of flow and the location of each catch basin, inlet, manhole, culvert and headwall. The above shall be designed in accordance with Middlesex County Land Subdivision Resolution, Chapter 10, Appendices A, B, and C.

2. The location and extent of any ground water detention basins, retention basins or other water or soil conservation devices.

3. A plan showing all watershed divides and the appropriate areas to the various collections systems, superimposed on a plan of the subdivision.

L. The location of existing utility structure such as water and sewer mains, water wells, gas transmission lines, telephone poles and high tension power lines on the subdivision and within 200 feet of its boundaries.

M. Plans of proposed improvements and utility layouts including sanitary sewers, storm drains, water, gas, telephone and electricity, showing feasible connections to any proposed utility systems. If private utilities are proposed, they shall comply fully with all municipal, county and state regulations. If service will be provided by an existing utility company, a letter from that company stating that service will be available before occupancy will be sufficient, including information concerning water flow and pressures at point of connection. When individual onsite water or sewage disposal is proposed, the plan for such system shall be approved by the appropriate municipal and state agencies and the results of percolation tests and soil logs in accordance with Chapter 199, P.L. 1954, as revised 1963 and as may be further amended shall be submitted with the preliminary plat under conditions designated by the municipal Department of Health.

N. The names, locations and dimensions (cartway and right-of-way widths) of all streets, both existing and proposed, within a distance of five hundred (500) feet from the boundaries of the subdivision, showing any connections from the proposed streets to existing streets and to those proposed arterial and collector streets as shown on the Master Plan or Official Map, as adopted.

O. Plans, typical cross section, centerline profiles, tentative grades and details of all proposed streets and of the existing streets abutting the subdivision at fifty (50) foot intervals based on the vertical datum specified by the Township Engineer, including curbing, sidewalks, storm drains and drainage structures. Sight triangles, the radius of curblines and street sign locations shall be clearly indicated at intersections.

P. A copy of any protective covenants or deed restrictions applying to the land being subdivided shall be submitted with the preliminary plat.

Q. A certification from the tax collector that all taxes are paid to date shall be submitted with the preliminary plat.

R. The tentative location of dwellings and, if applicable, onsite sanitary disposal systems and individual wells, unless shown on the preliminary site plan for the subdivision.

S. Block and lot numbers in accordance with established standards and in conformity with the municipal tax map. Services of the Township Engineer will be available to the developer to assist him in the assignment of lot and block numbers.

SECTION 700

FINAL SUBDIVISION PLAT

701 PURPOSE FOR SUBMISSION OF FINAL PLAT

A final plat and supporting drawings and documents for a proposed subdivision constitute the complete development of the subdivision proposal and become the basis for the issuance of building permits, the construction of the subdivision and the inspection service by the Township.

702 PROCEDURES FOR SUBMISSION OF FINAL PLAT

A. Within three (3) years after the date of preliminary plat approval or within such longer period of time as shall have been granted by the Board to the applicant pursuant to Section 1401 of this Ordinance, the applicant shall submit to the Secretary of the Planning Board at least twenty-four (24) days prior to the meeting at which action on the final plat is desired, fifteen (15) copies of the final plat of the proposed subdivision and five (5) copies of the application. Additionally, at the time of submission, each applicant shall deposit, in cash or by certified check with the Township, a sum of twenty dollars (\$20.00) for each lot proposed in the subdivision, to be placed in escrow by the Township to cover the cost of professional services and review, including engineering and legal or other incidental expenses connected with the processing, reviewing and checking of all material. Each applicant who shall submit a plan for final subdivision approval shall agree in writing to pay all reasonable costs for professional review of the said subdivision required by the Township. Sums not utilized in review shall be returned to the applicant. If additional sums are deemed necessary, the applicant shall be notified of the required additional amount and shall add such sum to the escrow.

B. Any application to the Planning Board for final approval of a subdivision shall include the following items:

1. All changes or modifications required by the Planning Board in the approval of the preliminary plat, and all details stipulated in this Ordinance for final subdivision submission.

2. Letters directed to the Chairman of the Board and signed by a responsible official of the electric company, water company, and of any other utility company or governmental authority or district which provides accessory utility service and has jurisdiction in the area, approving each proposed utility installation design and stating who will construct the facility so that the service will be available prior to occupancy.

3. A statement from the Township Engineer that he is in receipt of a map showing all utilities in the subdivision in exact location and elevation, that he has examined the drainage plans and found that the interests of the Township and of neighboring properties are fully protected, and that he has identified those portions of any utilities already installed and those to be installed. The applicant shall certify in writing that he has:

a. Installed all improvements in accordance with the requirements of this Ordinance; and/or

b. Posted a performance guarantee in accordance with the provisions of this Ordinance.

4. A statement from the Township Engineer that all improvements installed prior to application have been inspected as provided in this Ordinance and that such improvements meet the requirements of the Township. Any improvements installed prior to application for final approval that do not meet or exceed Township standards shall be included in the required performance guarantee. An 'as-built' map showing the exact location of all such improvements including utilities and their elevations shall be required.

C. Upon receipt of the necessary material from the applicant, the Secretary of the Planning Board shall retain three (3) copies of the final plat and one (1) copy of the completed application and shall then immediately distribute the remaining twelve (12) copies of the final plat and four (4) copies of the completed application in the following manner:

1. County Planning Board, three (3) copies of final plat and one (1) copy of application.

2. Township Clerk, one (1) copy of final plat.

3. Construction Official and Zoning Officer, one (1) copy of final plat.

4. Township Engineer, one (1) copy of final plat and one (1) copy of application.

5. Fire Prevention Committee, one (1) copy of final plat.

6. Township Tax Assessor, one (1) copy of final plat.

7. Township Tax Collector, one (1) copy of final plat.

8. Public Service Electric and Gas Company, one (1) copy of final plat.

9. New Jersey Bell Telephone Company, one (1) copy of final plat.

10. Township Sewer Department, one (1) copy of final plat.

11. Additional copies shall be sent to other municipal, county and state agencies and officials as directed by the Board.

The Township officials to whom the final plat has been distributed shall submit their comments on the final plat to the Planning Board not later than three (3) days prior to the date fixed for the public hearing.

703 PUBLIC HEARING ON FINAL PLAT

A. A public hearing shall be held on each application for final subdivision approval.

B. The Board shall set the date, time and place for the public hearing and the Secretary of the Board shall inform the applicant of this at least fourteen (14) days prior to said hearing date.

704 ACTION ON FINAL PLAT

A. Upon the submission of a complete application for a final subdivision, the Board shall grant or deny final approval within 45 days of the date of such submission or within such further time as may be consented to by the developer. Failure of the Board to act within 45 days of the date of such submission or within such further time as may be consented to by the developer shall constitute final approval. In such case, the Secretary of the Planning Board shall certify the submission date of the plat and the failure of the Board to act within the specified time period, and

this certification shall be sufficient in lieu of the written endorsement of the Board.

B. If the Board acts favorably on the final plat, the Chairman of the Board (or the Acting Chairman in his absence) and the Secretary of the Board shall affix their signatures to at least ten (10) copies of the plat with a notation that it has been approved. The applicant shall furnish such copies to the Board for signing, including at least two (2) mylar and two (2) linen copies of the approved plat.

C. After approval of the final plat by the Board, copies of the signed plat shall be furnished by the Secretary of the Planning Board to each of the following within ten (10) days from the date of such approval:

1. Township Clerk (mylar and linen).
2. Construction Official and Zoning Officer.
3. Township Engineer.
4. Township Tax Collector.
5. Township Tax Assessor.
6. Fire Prevention Committee.
7. Planning Board files.
8. The applicant.
9. Public Service Electric and Gas Company.
10. New Jersey Bell Telephone Company.
11. Township Sewer Department.
12. Such other municipal, county or state agencies or officials as directed by the Board.

D. Within ninety-five (95) days of the date of approval by the Board of the final plat, the applicant shall file a copy of same with the Middlesex County Clerk. In the event of failure to file within said ninety-five (95) days, the final approval of the major subdivision shall expire and any further proceedings shall require the filing of a new application for final approval. The Board, for good cause shown, may extend the time for filing for an additional ninety-five (95) days.

E. If the Board, after consideration and discussion of the final plat, determines that the detailed drawings, specifications and estimates of the application for final approval do not conform either to the standards of this Ordinance for final approval, the conditions of preliminary approval (except as otherwise provided in Section 1500 of this Ordinance) or the standards prescribed by the Map Filing Law, the final approval shall be denied and a notation shall be made by the Chairman of the Board to that effect on the plat and a resolution adopted setting forth the reasons for such denial. One copy of the plat and the resolution shall be returned to the applicant within ten (10) days of such determination.

705 DETAILS OF FINAL PLAT

The final plat shall be drawn in accordance with the requirements for preliminary plats specified in Section 605 of this Ordinance and the Map Filing Law. The final plat shall show or be accompanied by the same information required for preliminary plat approval in addition to the following:

A. Tract boundary lines, exterior lines or streets, easements and other rights-of-way, existing facilities, watercourses, street names, land reserved or dedicated to public use, all lot lines and other site lines with accurate dimensions, bearing or deflection angles and radii, arcs and central angles of all curves based on an actual survey by a land surveyor licensed to practice in the State of New Jersey.

B. At least one corner of the subdivision shall be tied to Township Topographic Data.

C. Cross section, profiles and established grades of all streets as approved by the Township Engineer.

D. Plans and profiles of all storm and sanitary sewers and water mains as approved by the Township Engineer.

E. No plat shall receive final approval unless the Tax Collector of the Township shall have certified that no taxes (including roll back taxes) or assessments for local improvements are due or delinquent on the property for which the subdivision application has been made.

SECTION 800

IMPROVEMENTS AND DESIGN STANDARDS

The applicant shall comply with the following requirements and principles of land subdivision in the

design of each subdivision or portion thereof. Prior to the granting of final approval, the applicant shall have installed or shall have furnished performance guarantees in accordance with Section 1407 of this Ordinance for the ultimate installation or protection of the items required by this Section.

The subdivision shall conform to design standards that will encourage good development patterns encouraging a coordinated, well-planned community with provisions for desirable services and circulation facilities. The subdivision shall conform to the proposals and conditions shown on the Master Plan and Official Map, as adopted by the Township.

801 STREETS

The applicant shall, at his own expense, grade all streets for their full width, in conformity with the terrain and good engineering practices, shall have underground utilities installed prior to any street paving construction, shall construct adequate underground pipe drainage system to carry off surface waters, shall construct streets in accordance with specifications shown below and shall submit plans, profiles, cross sections and design for the work, to the Township Engineer for approval, prior to the start of any construction.

A. All streets shall have a minimum width of 50 feet between property lines unless shown on a Master Plan or Official Map to be of greater width.

B. Streets of 50 feet width shall be divided into a paved roadway area of 36 feet with a graded sidewalk area on each side of 10 feet. The crown of the paved roadway shall be not less than 4 inches nor more than 6 inches. The sidewalk area shall be graded to an elevation of two inches above the finished centerline grade.

C. Streets of width greater than 50 feet shall be paved for their full roadway width under the formula: $\frac{2}{3}$ of the street for roadway area and $\frac{1}{6}$ of the street width for sidewalk area on each side of the street.

D. The street roadway area shall be constructed for its full width with a 4 inch compacted depth stones sub-base, using Soil Aggregate, Type 5, Class "A", Quarry Process stone; 4 inch compacted depth bituminous stabilized base course, Stone mix; and 3 inch compacted depth bituminous concrete, Type FA-BC-2, surface course.

Prior to placing any base course or surface course material, a prime coat and a tack coat of bituminous material shall be applied.

All of the above construction shall be in accordance with the current N. J. State Highway Department Standard Specifications for Road and Bridge Construction and Supplements thereto on file in the Township Engineer's Office.

E. No street shall have a name which will duplicate or so nearly duplicate the name of an existing street that confusion results. The continuation of an existing street shall have the same name. Curvilinear streets shall change their names only at street intersections. The Planning Board shall reserve the right to approve or name streets within a proposed subdivision.

802 STREET SIGNS

Street signs shall be metal on metal posts of the type, design and standard previously installed elsewhere in the township. The location of the street signs shall be determined by the Board, but there shall be at least two (2) street signs furnished at each intersection. All signs shall be installed free of visual obstruction.

803 SIDEWALKS

A. Sidewalks shall be required on both sides of all streets serving a collector or primary local function as stipulated in the adopted Master Plan and/or Official Map of the Township and as further required by the Planning Board. Additionally, sidewalks shall be required for all local streets within residential developments, as well as in non-residential developments at the Board's discretion, depending upon the probable volume of pedestrian traffic, the development's location in relation to other populated areas and the general type of improvement intended.

B. Where required, sidewalks shall be at least five (5) feet wide and located as approved by the Board. Sidewalks shall be Class C concrete 4,000 P.S.I. air entrained, 6" thick at driveways with wire reinforcement or 8" thick without such reinforcement.

C. Construction of curbs, gutters and walks at all street intersections must be in compliance with standards of the New Jersey Department of Transportation which provides for curb ramps for the physically handicapped.

804 CURBING

Belgian block or concrete curbs shall be installed along every street within a subdivision and at intersections with existing Township, county or state roads and shall be laid in a manner approved by the Municipal Engineer.

A. If concrete, the curbing shall meet the following specifications:

1. The concrete to be used for curbs shall be Class B 4,500 P.S.I. air entrained concrete as specified in the New Jersey State Highway Specifications for Curbs and Gutters.

2. Expansion joints shall be provided at intervals of twenty (20) feet and shall be sealed as specified by the Municipal Engineer.

3. Openings for driveway access shall be in such width as shall be determined by the Planning Board. The curb at such driveway openings shall be depressed to the extent that one and one-half inches (1 1/2") extend above the finished pavement. The rear top corner of this curb shall have a radius of one-fourth inch (1/4"), and the front top corner shall have a radius of one and one-half inches (1 1/2").

4. Concrete curbs for local streets shall be eight inches (8") wide at their base and not less than six inches (6") wide at their top. Their height shall not be less than eighteen inches (18") and be constructed to show a vertical face above the roadway pavement and six inches (6"). The rear top corner of this curb shall have a radius of one-fourth inch (1/4"), and the front top corner shall have a radius of one and one-half inches (1 1/2").

5. Concrete curbs for Township collector and arterial streets shall be ten inches (10") wide at their base and not less than eight inches (8") wide at their top. Their height shall not be less than twenty inches (20") and shall be constructed to show a vertical face above the roadway pavement of eight inches (8"). The rear top corner of this curb shall have a radius of one-fourth inch (1/4"), and the front top corner shall have a radius of one and one-half inches (1 1/2").

B. If belgian block, the construction detail shall be as specified by the Township Engineer. Stones used for local roads shall not be less than ten inches (10") in height and shall be constructed to show a vertical face above the roadway pavement of six inches (6"). Stones used

for Township collector and arterial streets shall not be less than twelve inches (12") in height and shall be constructed to show a vertical face above the roadway pavement of eight inches (8").

805 SHADE TREES

Nursery grown shade trees shall be provided and planted. All shade trees shall have a minimum caliper of one and one-half (1 1/2) inches and be of a variety of species approved by the Board. On interior lots there shall be a minimum of two trees; on corner lots a minimum of four trees; however, there shall be maximum spacing of 50 feet between trees. Stripping trees from a lot or filling around trees on a lot shall not be permitted unless it can be shown that grading or construction requirements necessitate removal of trees, in which case those lots shall be replanted with trees to re-establish the tone of the area and to conform with adjacent lots. Special attention shall be directed toward the preservation of major trees by professional means.

806 TOP SOIL PROTECTION

No top soil shall be removed from areas intended for lawn or open space. Top soil moved during the course of construction shall be redistributed within the subdivision so as to provide at least six (6) inches of cover to all areas of the subdivision and shall be stabilized by seeding or planting.

807 MONUMENTS

Monuments shall be installed in compliance with the requirements of N.J.S.A. 46:23-9.11(8). All lot corners shall be marked with a metal alloy pin of permanent character.

808 STREET LIGHTING

Street lighting of a type supplied by the utility and of a type and number approved by the Township Engineer shall be provided for all street intersections and along all arterial and collector streets and anywhere else deemed necessary by the Planning Board. Wherever this Ordinance requires the underground installation of electric utilities for residential areas, the applicant shall provide for the installation of underground service for street lighting.

809 DRAINAGE

All streets shall be provided with catch basins and pipes where the same may be necessary for proper surface

drainage. The requirements of this section shall not be satisfied by the construction of dry wells.

A. The system shall be adequate to carry off or store the storm water and natural drainage water which originates not only within the subdivision boundaries, but also that which originates from the total natural watershed of which the subdivision is part. No storm water runoff or natural drainage water shall be so diverted as to overload existing drainage systems or create flooding or the need for additional drainage structures on other private properties or public lands without proper and approved provisions being made for taking care of these conditions.

B. Techniques for computing storm water runoff shall be as approved by the Township Engineer. The Rational Method, as specified in Middlesex County Land Subdivision Resolution, Chapter 10, of surface water runoff computation may be used for storm sewers and open channels with drainage basins up to twenty-five (25) acres in area.

C. Storm sewers, open channels, bridges and culverts, unless otherwise directed by the Township Engineer, shall be designed for minimum flow capacities as follows:

<u>Drainage Basin Size</u>	<u>Design Capacity</u>	<u>Establishment of Surcharge and Freeboard Elevations*</u>
0 to 25 acres	15 year	100 year
26 to 100 acres	25 year	100 year
over 100 acres	50 year	100 year

*Minor street and yard flooding permitted. Ground level on first floor of all dwellings shall be one (1) and two (2) feet, respectively, above surcharge and freeboard elevations.

D. The materials used in the construction of storm sewers, bridges and other drainage structures shall be in accordance with the specifications of the Township of Plainsboro. Modification or change of these specifications may be effected only with the knowledge and written consent of the Township Engineer and Planning Board.

E. For all subdivisions, blocks and lots shall be graded to secure proper drainage away from buildings and to prevent the collection of storm water in pools. Finished floor elevation and exterior grading will be shown on all lots.

F. For all subdivisions, land subject to periodic or occasional flooding (flood hazard areas) shall not be plotted for residential occupancy nor for any other purpose which may endanger life or property or aggravate the flood hazard. Such land within a plat shall be considered for open spaces or other similar uses.

G. Drainage structures which are located on state or county highway rights-of-way shall be approved by the State or County Highway Engineer's office, and a letter from that office indicating such approval shall be directed to the Chairman of the Planning Board and shall be received prior to the final plat approval or such approval shall be conditioned upon the receipt of such letter.

H. Where a subdivision is traversed by a watercourse, surface or underground drainage way or drainage system, channel or stream, there shall be provided and dedicated a drainage right-of-way easement to the Township conforming substantially with the lines of such watercourse, and such further width or construction or both as will be adequate to accommodate expected storm water run-off in the future, based upon reasonable growth potential in the Township and, in any event, meeting any minimum widths and locations shown on any adopted Official Map and/or Master Plan. Such easement dedication shall be expressed on the plat as follows: "Drainage and utility right-of-way easement granted to the Township of Plainsboro for the purposes provided for and expressed in the Subdivision and Site Plan Ordinance of the Township of Plainsboro."

810 PUBLIC UTILITIES

A. All public services shall be connected to an approved public utilities system, where one exists. For all major subdivisions, the subdivider shall arrange with the servicing utility for the underground installation of the utilities' distribution supply lines and service connections in accordance with the provisions of the applicable Standard Terms and Conditions incorporated as a part of its tariff as the same are then on file with the State of New Jersey Board of Public Utility Commissioners, and the subdivider shall provide the municipality with three (3) copies of a final plat showing the installed location of these utilities. For minor subdivisions, service connections shall be made underground where the supply lines that serve the lands being subdivided are underground. For major and minor subdivisions, the subdivider shall submit to the Board, prior to the granting of final approval, a written instrument from each serving utility which shall evidence full compliance or intended full compliance with the provisions of this paragraph; provided, however, lots which in such subdivision(s)

abut existing streets where overhead electric or telephone distribution supply lines and service connections have heretofore been installed may be supplied with electric and telephone service from those overhead lines, but the service connections from the utilities' overhead lines shall be installed underground. In the case of existing overhead utilities, should a road widening or an extension of service or other such condition occur as a result of the subdivision and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.

B. In large-scale development, easements along rear property lines or elsewhere for utility installation may be required. Such easements shall be at least twenty (20) feet wide and located in consultation with the companies or municipal departments concerned and, to the fullest extent possible, be centered on or adjacent to rear or side lot lines. Easement dedication shall be expressed on the plat in accordance with the provisions of Section 809 of this Ordinance.

811 NATURAL FEATURES

A. Natural features such as trees, hill tops and views, natural terrain and natural drainage lines shall be preserved whenever possible in designing any subdivision containing such features. Open waters shall be recognized as community assets.

B. A conscious effort shall be made to preserve all worthwhile trees and shrubs which exist on a site. On individual lots or parcels, care shall be taken to preserve selected trees to enhance the landscape treatment of the development.

C. Performance guarantees may be required to complete improvements to lands to be deeded to the Township.

812 LOT CONFIGURATION

A. Lot dimensions and area shall not be less than the requirements of the Zoning Ordinance.

B. Insofar as is practical, side lot lines shall be either at right angles or radial to street lines.

C. Each lot must front upon an approved public street with a right-of-way of at least fifty (50) feet in width, except Planned Developments on private streets maintained by owner.

D. Where extra width has been dedicated for widening of existing streets, lots shall begin at such new street line, and all setbacks shall be measured from such line.

E. Where there is a question as the suitability of a lot or lots for their intended use due to factors such as poor drainage conditions or flood conditions where percolation tests or test borings show the ground conditions to be inadequate for proper sewage disposal for on-lot sewage treatment or similar circumstances, the Board may, after adequate investigation, withhold approval of such lots. If approval is withheld, the Board shall give reasons and notify the applicant and enter same in the minutes.

813 WATER SUPPLY

A. Where public water is accessible for single family residential units, the applicant may construct water mains in such a manner as to make adequate water service available to each lot or dwelling unit within the subdivision or development. The entire system shall be designed in accordance with the requirements and standards of the local and/or state agency having approval authority and shall be subject to their approval. The system shall also be designed with adequate capacity and sustained pressure.

B. Where no public water is accessible, water shall be furnished by the subdivider on an individual lot basis. If wells are installed on each lot and the lot also contains its own sewage disposal facilities, the wells shall be of the drilled type with a minimum of forty (40) feet of casing. Well installation, sealing and testing shall be in accordance with the New Jersey Standards for Construction of Water Supply Systems in Realty Improvements (Chapter 199 of the Public Laws of 1954, as amended). The well will be required to have a production of not less than six (6) gallons per minute as established by bailor tests, and certified by the well driller. Before being placed in consumer use, it shall be disinfected by the use of sodium hypochlorite or other acceptable solutions and a sample collected by a local or State Health Department representative for bacteriological examination. A copy of the result of the above referred to bailor tests and bacteriological examination and a certificate from the local or state health officer that the owner has complied with the applicable local or state health regulations shall be submitted to the municipality before the issuance of construction permits in connection with each individual lot in the subdivision.

814 SANITARY SEWERS AND SEPTIC SYSTEMS

A. If a public treatment and collection system is accessible, the applicant shall construct facilities in such a manner as to make adequate sewage treatment available to each lot within the subdivision from said treatment and collection system.

B. Any treatment plant and collection system, including individual onsite septic systems, shall be designed in accordance with the requirements of the State Department of Environmental Protection or Township Ordinances, whichever is more restrictive, and shall be subject to approval by the Township Department of Health.

SECTION 900

REQUIREMENT OF SITE PLAN REVIEW

901 REQUIREMENT FOR SITE PLAN REVIEW

No permit for any development shall be issued until final approval of the site plan therefor shall be granted pursuant to the provisions of this Ordinance, except that subdivision or individual lot applications for detached one or two dwelling unit buildings, customary accessory buildings incidental to farms and any agricultural project that has been approved by the Freehold Soil Conservation District, shall be exempt from site plan review and approval.

The Construction Official may waive the requirement for site plan review if the total amount of construction or alteration is under \$2,500 or if the nature or extent of construction or alteration is considered part of normal repair, maintenance or replacement.

SECTION 1000

PRELIMINARY SITE PLAN

1001 PROCEDURE FOR SUBMITTING PRELIMINARY SITE PLAN

A. The applicant shall submit to the Secretary of the Planning Board, at least twenty-four (24) days prior to the meeting at which action on the preliminary site plan is desired, seventeen (17) copies of the preliminary site plan and six (6) copies of the application.

B. Each applicant, at the time of submission, shall pay an application fee to the Township in an amount equal to that required for a building permit, but not less than twenty-five dollars (\$25.00), but in no event shall such fee exceed five thousand (\$5,000.00) dollars.

C. Upon receipt of the necessary material from the applicant, the Secretary of the Planning Board shall retain three (3) copies of the preliminary plan and two (2) copies of the completed application and shall then immediately distribute for review and comment the remaining fourteen (14) copies of the preliminary plan and four (4) copies of the completed application in the following manner:

1. County Planning Board (three (3) copies of preliminary plan).
2. Township Clerk (one (1) copy of the preliminary plan).
3. Construction Official and Zoning Officer (one (1) copy of preliminary plan and one (1) copy of the application).
4. Township Planner (one (1) copy of preliminary plan and one (1) copy of the application).
5. Township Engineer (one (1) copy of preliminary plan and one (1) copy of the application).
6. Township Health Department (one (1) copy of preliminary plan).
7. Fire Prevention Bureau (one (1) copy of the preliminary plan).
8. Township Sewer Department (one (1) copy of the preliminary plan).
9. Additional copies shall be sent to other municipal, county and state agencies and officials as directed by the Board.

The Township officials to whom the preliminary site plan has been distributed shall submit their comments on the preliminary site plan to the Planning Board not later than three (3) days prior to the date fixed for the public hearing.

D. The Township Engineer shall review the preliminary plan and determine whether or not the application includes all the information required for review. Should the application be determined either to be incomplete or require substantial revisions, the applicant shall be notified within forty-five (45) days of submission and may thereafter submit an appropriately revised application to the Secretary of the Planning Board as in the first instance.

1002 DETAILS REQUIRED FOR PRELIMINARY APPROVAL

A. Each site plan submitted shall be at a scale of 1" = 100' for a tract between forty (40) and one hundred fifty (150) acres; and 1" = 200' for a tract one hundred fifty (150) acres or more. All plans shall be certified by a licensed architect or engineer, including accurate lot lines and existing improvements (including utilities), certified by a licensed land surveyor, submitted on one of four of the following standard sheet sizes (8 1/2" x 13"; 15" x 21"; 24" x 36";, 30" x 42") and including the following data: (If one sheet is not sufficient to contain the entire territory, the map may be divided into sections to be shown on separate sheets of equal sizes, with references on each sheet to the adjoining sheets.) Boundaries of the tract; north arrow; date; scale; zone district(s) in which the lot(s) are located: existing and proposed streets and street names; existing contours with intervals of one foot where slopes are 3% or less, intervals of two feet where slopes are more than 3% but less than 15%, intervals of five feet where slopes are 15% or more, referred to known datum, and to be indicated by dash line where any changes in contours are proposed, finished grades to be shown as solid line; existing and proposed streams and easements and existing flood elevation; total building coverage in acres and per cent of lot; total number of parking spaces; all dimensions needed to confirm conformity to the Zoning Ordinance such as, but not limited to, buildings, lot lines, parking spaces, setbacks and yards; a small key map giving the general location of the parcel to the remainder of the municipality; and the site in relation to all remaining lands in the applicant's ownership.

B. Each site plan submitted to the Planning Board for approval shall have the following information shown thereon or be annexed thereto:

1. Size, height, number, location and arrangement of all existing and proposed buildings, structures and signs in accordance with the requirements of the Zoning Ordinance, including preliminary floor plans and elevations for each building or a typical building and the proposed use of all structures. Such plans shall indicate those buildings to remain, the building design(s) and material(s) to be used, the proposed use(s) and the floor plan(s).

2. Proposed circulation plans including access streets, curbs, aisles and lanes, easements, fire lanes, driveways, parking spaces, loading areas, loading berths or docks, pedestrian walks and all related facilities for the movement and storage of goods, vehicles and persons on the site in accordance with applicable requirements of

this Ordinance and the Zoning Ordinance, including the location of lights, lighting standards and signs and driveways within the tract and within 100 feet of the tract. Sidewalks (if required) shall be provided from the primary building entrances and exits along expected paths of pedestrian travel such as, but not limited to, access to parking lots, driveways, other buildings on the site and across common yard spaces between buildings where pedestrian traffic can be expected to be concentrated. Plans shall be accompanied by cross sections of streets, aisles, lanes and driveways which shall adhere to applicable requirements of this Ordinance.

3. Existing and proposed wooded areas, buffer areas and landscaping shall be shown on a plan. The landscaping plan, including seeded and/or sodded areas, grading, retaining walls, fencing, signs, recreation areas, shrubbery, trees and buffer areas shall be in accordance with applicable standards of this Ordinance. These plans shall show the location and type of any man-made improvements and the location, species and caliper of plant material for all planted or landscaped areas.

4. The proposed location of all drainage, sewage and water facilities, including water pressure and flow tests at point of connection, with proposed grades, sizes, capacities and types of materials to be used, including any drainage easements acquired or required across adjoining properties. The method of sewage and waste disposal and waste incineration, if any, shall be shown and percolation tests from sufficient locations on the site to allow a determination of adequacy by the Township Board of Health shall be included where septic tanks and leeching fields are permitted and are proposed. Such plans shall be reviewed by the Township Engineer with recommendations to the Planning Board. Proposed lighting facilities shall be included showing the direction, reflection and intensity of the lighting. All permanent utility lines, pipes and conduits shall be installed underground.

5. A written description of the proposed operations of the building(s) including the number of employees or members of non-residential buildings; the proposed number of shifts to be worked and the maximum number of employees on each shift; expected truck and tractor-trailer traffic, emission of noise, glare, air and water pollution; safety hazards; and anticipated expansion plans incorporated in the building design.

C. Notwithstanding paragraphs A and B above, in the case of a development that is proposed to be built in stages or sections, the site plan submitted by the applicant

for preliminary approval shall not be required to include either floor plans or elevations of the buildings and other structures to be built, or information concerning curbs, aisles, lanes, parking spaces, loading areas, berths or docks, pedestrian walks, driveways, location of lights, lighting standards and signs, buffer areas, landscaping and proposed operations of the buildings with respect to the stage(s) or section(s) that are not proposed for immediate development; provided, however, all such plans, elevations and information shall be required with respect to the stage(s) or section(s) that are proposed for immediate development and shall also be required for the development of remaining stages or sections prior to the commencement thereof.

1003 PUBLIC HEARING ON PRELIMINARY SITE PLAN

A. A public hearing shall be held on each application for preliminary site plan approval.

B. The Board shall set the date, time and place for the public hearing and the Secretary of the Board shall inform the applicant of this at least fourteen (14) days prior to said hearing date.

1004 ACTION ON THE PRELIMINARY SITE PLAN

A. The Planning Board shall review the preliminary site plan, determine whether or not the applicable standards provided by this Ordinance have been observed, note objections to such parts of the plans as do not meet the standards, make corrections and recommendations for desired changes to effect compliance with this Ordinance, and be satisfied that the preliminary site plan represents an appropriate development of the site in compliance with the Ordinance and, when satisfied that the preliminary site plan complies with the requirements of this Ordinance, shall grant preliminary approval.

B. Upon the submission of a complete application for a site plan for 10 acres of land or less, the Planning Board shall grant or deny preliminary approval within 45 days of the date of such submission or within such further time as may be consented to by the developer. Upon the submission of a complete application for a site plan of more than 10 acres, the Planning Board shall grant or deny preliminary approval within 95 days of the date of such submission or within such further time as may be consented to by the developer. Otherwise, the Planning Board shall be deemed to have granted preliminary approval of the site plan.

C. Should minor revisions or additions to the preliminary site plan be deemed necessary, the Planning Board may grant preliminary approval subject to specified conditions. Should major revisions to the preliminary site plan be deemed necessary, the Planning Board shall require that an amended plan be submitted and proceeded upon as in the case of the original application for preliminary approval.

D. The recommendations of the County Planning Board and those of all other agencies and officials to whom the preliminary site plan was submitted for review shall be given careful consideration in the final decision on the plan. If the County Planning Board or the Township Engineer approve the preliminary site plan, such approval shall be noted on the plan. If the Township Planning Board acts favorably on the preliminary site plan, the Chairman of the Board (or the Acting Chairman in his absence) and the Secretary of the Board shall affix their signatures to at least ten (10) copies of the plan with a notation that it has been approved.

E. After approval of the preliminary site plan by the Planning Board, one copy thereof shall be retained by the Secretary of the Board and copies of the signed plan shall be furnished by the Secretary to each of the following within ten (10) days from the date of such approval.

1. Construction Official and Zoning Officer.
2. Township Engineer.
3. Township Tax Assessor.
4. Fire Prevention Bureau.
5. Township Health Department.
6. Township Sewer Department.
7. The applicant, for compliance with final site plan requirements.
8. Such other municipal, county or state agencies or officials as directed by the Board.

F. If the Planning Board, after consideration and discussion of the preliminary site plan, determines that it does not meet the requirements of this Ordinance, the Board shall deny approval thereof, and a notation shall be made by the Chairman of the Board to that effect on the plan and a resolution adopted setting forth the reasons for such denial. One copy of the plan and said resolution shall be

returned by the Secretary of the Board to the applicant within ten (10) days of such determination.

SECTION 1100

FINAL SITE PLAN

1101 PROCEDURES FOR SUBMITTING FINAL SITE PLAN

A. Within three (3) years after the date of preliminary site plan approval or within such longer period of time as shall have been granted by the Planning Board to the applicant pursuant to Section 1401 of this Ordinance, the applicant shall submit to the Secretary of the Planning Board, at least twenty-four (24) days prior to the meeting at which action on the final site plan is desired, seventeen (17) copies of the final site plan and five (5) copies of the application.

B. Upon receipt of the necessary material from the applicant, the Secretary of the Planning Board shall retain three (3) copies of the final site plan and two (2) copies of the completed application and shall then immediately distribute the remaining fourteen (14) copies of the final site plan and three (3) copies of the completed application in the following manner:

1. County Planning Board, three (3) copies of final site plan and one (1) copy of application.

2. Township Clerk, one (1) copy of final site plan.

3. Construction Official and Zoning Officer, one (1) copy of final site plan.

4. Township Engineer, one (1) copy of final site plan.

5. Township Planner, one (1) copy of final site plan.

6. Township Tax Collector, one (1) copy of final site plan.

7. Fire Prevention Committee, one (1) copy of final site plan.

8. Board of Health, one (1) copy of final site plan.

9. Township Sewer Department, one (1) copy of final site plan.

10. Additional copies shall be sent to other municipal, county and state agencies and officials as directed by the Board.

The Township officials to whom the final site plan has been distributed shall submit their comments on the final site plan to the Planning Board not later than three (3) days prior to the date fixed for the public hearing.

1102 DETAILS REQUIRED FOR FINAL APPROVAL

A. All details stipulated in Section 1002 above shall be included.

B. All additional details required at the time of preliminary site plan approval, including detailed architectural and engineering data.

C. Final site plans shall be accompanied by cross-sections of streets, aisles, lanes and driveways which shall adhere to applicable requirements of this Ordinance.

1103 PUBLIC HEARING ON FINAL SITE PLAN

A. A public hearing shall be held on each application for final site plan approval.

B. The Planning Board shall set the date, time and place for the public hearing and the Secretary of the Board shall inform the applicant of this at least fourteen (14) days prior to said hearing date.

1104 ACTION ON THE FINAL PLAN

A. The Planning Board shall review the proposal and consider all applicable standards of this Ordinance pertaining to site plans and any conditions of preliminary site plan approval which may have been stipulated and, when satisfied that the final site plan meets all applicable standards and such conditions, shall grant final approval.

B. Final approval shall be granted or denied within 45 days after submission of a complete application or within such further time as may be consented to by the applicant. Failure of the Planning Board to act within the period prescribed shall constitute final approval and a certificate of the Secretary of the Board as to the failure of the Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval herein required.

C. Should minor revisions or additions to the final site plan be deemed necessary, the Planning Board may grant final approval subject to specified conditions. Should major revisions to the plan be deemed necessary, the Planning Board shall require that an amended final site plan be submitted and proceeded upon as in the case of the original application for final approval.

D. The Planning Board may require that improvements and landscaping be secured by performance and maintenance guarantees in accordance with the applicable procedures and provisions stipulated in this Ordinance.

SECTION 1200

SITE PLAN REVIEW: STANDARDS AND OTHER PROVISIONS

1201 STANDARDS

The standards noted above and elsewhere in this Ordinance shall be for the general purpose of:

1. Enhancing the neighborhood.
2. Providing adequate access and off-street parking and loading facilities for employees and visitors.
3. Providing fencing and/or landscaping where reasonably necessary for safety and/or screening purposes.
4. Preventing uses which may or may tend to endanger life or property or create hazards from fire, explosion, radiation or produce objectionable smoke, heat, glare, vibration or noise, whether or not any of such hazards are confined to the property shown on the site plan.
5. Requiring that all raw materials, fuel, goods in process, finished goods, machinery and equipment shall be housed.
6. Prohibiting the emission of noxious, toxic or corrosive fuels, gases or odors or the exhaust of waste into air or dust or other substances.
7. Providing off-street parking and loading areas appropriately designed to minimize traffic circulation problems. Off-street loading spaces shall be located so that no vehicle waiting to be loaded or unloaded, maneuvering into a space or parked in a space shall interfere with any parking space, sidewalk, street, fire lane, driveway, aisle or other loading space.

8. In the event a particular development is to be constructed in stages or sections, a site plan for each particular stage or section shall be required for the issuance of each building permit.

1202 PARKING REQUIREMENTS

Except as otherwise provided in the regulations applicable to PCD Planned Unit Developments and PMUD Planned Unit Developments contained in the Zoning Ordinance, the following minimum parking requirements shall apply:

Minimum Number of Parking Spaces

	Number of Parking Spaces
Airport	1 space/400 sq. ft. GFA for office
Assembly operations	1 space/800 sq. ft. GFA
Auto sales	1 space/300 sq. ft. show room area & sales office
Bar	1 space/2 seats
Bowling alley	4 spaces/alley
Car wash	10 spaces/washing lane
Cemetery	1 space/400 sq. ft. GFA for office
Church	1 space/3 seats
Community center	min. 20 plus spaces for offices as outlined below
Doctor's/dentist office in home	1 space/200 sq. ft. GFA, but not less than 6
Dwelling unit	2
Farm	2
Fiduciary institutions	1 space/250 sq. ft. GFA
Finishing operations	1 space/800 sq. ft. GFA
Golf course	4 spaces/hole
Gymnasium	To be determined at site plan review
Home occupation	min. 2 plus 2/employee
Hospital	1.5 spaces/bed
Industrial	1 space/800 sq. ft. GFA
Library	1 space/300 sq. ft. GFA
Lumber yard	1 space/5,000 sq. ft. gross yard area
Manufacturing	1 space/800 sq. ft. GFA
Medical Center	1 space/150 sq. ft. GFA; min. of 10 spaces
Mines	To be determined at site plan review
Mortuary	10 spaces/viewing room & chapel, min. 30 spaces

Museum	1 space/600 sq. ft.
Neighborhood convenience center	Same as shopping center
Nightclub	1 space/3 seats
Offices	1 space/300 sq. ft. GFA
Park	As approved on site plan
Pilot plants	1 space/800 sq. ft. GFA
Pool (community)	1 space/15 sq. ft. water surface area
Quarries	To be determined at site plan review
Receiving	1 space/5,000 sq. ft. GFA
Research	1 space/1,000 sq. ft. GFA
Restaurant	1 space/3 seats; 1 space/30 sq. ft. GFA in quick food establishments
Retail store	1 space/150 sq. ft. GFA
School: Elementary	1.2 spaces/classroom, but not less than 1/teacher & staff
Intermediate	1.5 spaces/classroom, but not less than 1/teacher & staff
Secondary	2.5 spaces/classroom, but not less than 2/teacher & staff
Service station	4 spaces/bay and work area
Shipping	1 space/5,000 sq. ft. GFA
Shopping center	5.5 spaces/1,000 sq. ft. GFA*, excl. theatres
Storage areas	1 space/5,000 sq. ft. GFA
Tennis courts	3 spaces/court
Theater	1 space/3 seats; 1/4 seat in shopping center
Truck sales	1 space/300 sq. ft. show room area and sales office
Utilities	1 space
Veterinarian hospital	6 spaces/ exam. rm. or doctor, whichever is greater
Warehouse	1 space/5,000 sq. ft. GFA

*Max. 20% of GFA can be office use without additional parking for the office use. Office use above 20% shall require parking at the appropriate scale.

GFA = Gross Floor Area

Off-street parking spaces shall be dimensioned in accordance with the following schedule:

Angle of Parking Space	For Parking Spaces Nine (9)	
	Feet Wide	Aisle
90°	25'	
60°	20'	
45°	15'	
30°	12'	
Parallel	18'	

The parking space shall itself be 9 x 20 feet and separated by double lines (hairpin markings). All parking areas shall be curbed and if sidewalks or walkways are not provided, front wheel bumpers shall be installed.

The number of parking spaces for each use shall be determined by the number of dwelling units, the amount of gross floor area as defined in this Ordinance, or such other measure as noted above. Where a particular function contains more than one use, the minimum parking requirements shall be the sum of the component parts. Where an applicant can demonstrate that fewer parking spaces would be required, the Planning Board may allow a lower number provided the applicant shows on the site plan how the required additional spaces could be added if necessary.

1203 CERTIFICATES OF OCCUPANCY

No Certificate of Occupancy shall be issued until all terms of the final approval of the site plan have been met, including furnishing "as built" plans prepared by a licensed land surveyor or professional engineer showing finished floor elevations, site evaluation at property corners and sufficient intermediate points to indicate surface water runoff. In addition, all utility service connections are to be shown on such plans as well as all setback distances to the buildings.

The Construction Official may grant a temporary Certificate of Occupancy for a specified period of time not exceeding six (6) months if weather or other conditions beyond the control of the applicant prevent compliance with the conditions of final approval of the site plan. The Construction Official shall notify the Planning Board of the issuance of the temporary Certificate of Occupancy and its date of expiration.

SECTION 1300

OFF-TRACT IMPROVEMENTS

1301 OFF-TRACT WATER, SEWER, DRAINAGE AND STREET IMPROVEMENTS

A. The developer shall pay the developer's pro-rata share of the cost of providing reasonable and necessary street improvements and water, sewerage and drainage facilities, and easements therefor, located outside the property limits of the developer's subdivision or development but necessitated or required by construction or improvements within such subdivision or development. Such improvements shall be deemed reasonable and necessary when they are set forth in the circulation plan element and the utility service plan element of the Township Master Plan.

B. The standards by which the Township Committee shall determine the proportionate or pro-rata amount of the cost of the facilities to be borne by each developer or owner within a related and common area shall not be altered subsequent to preliminary subdivision or site plan approval, as the case may be.

C. The allocation of costs shall be based on the following standards:

1. The Township Committee may consider the total cost of the off-site improvements, the benefits conferred upon the subdivision or development, the needs created by the subdivision or development, population and land use projections for the general areas of the subdivision or development and other areas to be served by the off-site improvements, and the condition and periods of usefulness, which periods may be based upon the criteria of the applicable state statutes.

2. Road, curb, gutter and sidewalk improvements may be based upon the anticipated increase of traffic generated by the subdivision or development of the tract. In determining such traffic increase, the Township Committee may consider traffic counts, existing and projected traffic patterns, quality of roads and sidewalks in the area, and other factors related to the need created by the subdivision or development and the anticipated benefit thereto.

3. Drainage facilities may be based upon the percentage relationship between the subdivision acreage or tract being developed, as the case may be, and the acreage of the total drainage basins involved.

4. Sewerage facilities may be based upon the proportion that the subdivision's or development's total anticipated volume of sewage effluent bears to the existing capacity of existing and proposed sewage facilities, including but not limited to lines and other appurtenances leading to and servicing the subdivision or tract being developed. The Township Committee may also consider types of effluent and particular problems requiring special equipment or added costs for treatment.

5. Water supply and distribution facilities may be based upon the added facilities required by the total anticipated water use requirements of the subdivision or tract being developed.

6. Where an applicant or developer pays the amount determined as his pro-rata share under protest, he shall institute legal action within one year of such payment in order to preserve the right to a judicial determination as to the fairness and reasonableness of such amount.

SECTION 1400

PROVISIONS APPLICABLE TO BOTH SUBDIVISIONS AND SITE PLANS

1401 EFFECT OF PRELIMINARY APPROVAL

Preliminary approval of a major subdivision or a site plan shall, except as provided in paragraph (D) of this section, confer upon the applicant the following rights for a three (3) year period from the date of the preliminary approval:

A. 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; off-tract improvements; and, in the case of a site plan, any requirement peculiar to site plan approval; except that nothing herein shall be construed to prevent the Township from modifying by ordinance such general terms and conditions of preliminary approval as relate to public health and safety.

B. 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 or site plan, as the case may be.

C. That the applicant may apply for and the Planning 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 by ordinance, such revised standards may govern.

D. In the case of a subdivision of or site plan for an area of fifty (50) acres or more, the Planning Board may grant the rights referred to in the above paragraphs of this section for such period of time, longer than three (3) years, as shall be determined by the Planning Board to be reasonable taking into consideration: (i) the number of dwelling units and non-residential floor area permissible under preliminary approval, (ii) economic conditions, and (iii) the comprehensiveness of the development. The applicant may apply for thereafter and the Planning Board may thereafter grant an extension to preliminary approval for such additional period of time as shall be determined by the Planning Board to be reasonable taking into consideration: (1) the number of dwelling units and nonresidential 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.

1402 EFFECT OF FINAL APPROVAL

A. The zoning requirements applicable to the preliminary approval of a major subdivision or a site plan first granted and all other rights conferred upon the developer by the preliminary approval thereof, 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 a major subdivision the rights conferred by this section shall expire if the final plat has not been duly recorded with the Middlesex County Clerk within the time period specified in this Ordinance.

B. If the applicant has followed the standards prescribed for final approval, and in the case of a subdivision has duly recorded the plat with the Middlesex County Clerk, the Planning Board may extend such period of protection for extensions of one (1) year but not to exceed three (3) extensions.

C. Notwithstanding any other provisions of this Section, the granting of final approval terminates the time period of protective rights attaching to preliminary approval for the section or sections of the subdivision or site plan granted final approval.

D. In the case of a subdivision or site plan for a Planned Development of 50 acres or more, or a conventional subdivision or site plan for 150 acres or more, the Planning Board may grant the rights referred to in paragraph (A) of this section for such a period of time, longer than two (2) years, as shall be determined by the Planning Board to be reasonable taking into consideration: (i) the number of dwelling units and nonresidential floor area permissible under final approval, (ii) economic conditions and (iii) the comprehensiveness of the development. The applicant may apply for thereafter, and the Planning Board may thereafter grant, an extension of final approval for such additional period of time as shall be determined by the Planning 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.

1403 EXCEPTIONS FROM SUBDIVISIONS AND SITE PLAN REGULATIONS

The Planning Board when acting upon applications for preliminary or minor subdivision approval, or upon applications for preliminary site plan approval, shall have the power to grant such exceptions from the requirements for subdivision or site plan approval as may be reasonable and within the general purpose and intent of the provisions of this Ordinance for subdivision or site plan review and approval, if the literal enforcement of one or more of such provisions is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.

1404 SIMULTANEOUS REVIEW AND APPROVAL

A. The Planning Board shall have the power to review and approve or disapprove site plans simultaneously with review for subdivision approval without the applicant being required to make further application to the Planning Board, or the Planning Board being required to hold further hearings.

B. Upon request of the applicant, the Planning Board may consider an application for final approval of (1) a site plan or subdivision plat of a section or sections of a Planned Development and (2) a conventional site plan without, in either instance, having first considered an application for preliminary approval thereof or for sketch plat classification, provided the applicant shall submit with such application for final approval all plans and information required by the provisions of this Ordinance for

preliminary and final approval in order that the Planning Board may make an informed decision with respect thereto, and provided that all notices otherwise required for an application for preliminary approval are given with respect to the application for final approval.

1405 COMPLIANCE WITH ZONING REGULATIONS

Every subdivision or site plan shall conform to the applicable zoning regulations of the Zoning Ordinance.

1406 NOTICES

A. All notices given pursuant to the provisions of this Ordinance shall state the date, time and place of the hearing, the nature of the matters to be considered, an identification of the property proposed for development by street address, if any, or by reference to lot and block numbers as shown on the current tax duplicate in the Township's Tax Assessor's office, and the location and times at which any maps and documents for which approval is sought are available for public inspection.

B. Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing.

C. Public notice of a hearing on an application for development shall be given except for (1) conventional site plan review, (2) minor subdivisions, or (3) final approval of major subdivisions and site plans. Public notice shall be given by publication in the official newspaper of the Township.

D. Notice of a hearing requiring public notice pursuant to paragraph C of this section shall be given to the owners of all real property as shown on the current tax duplicate, located within 200 feet in all directions of the property which is the subject of such hearing. Notice shall be given by: (1) serving a copy thereof on the property owner as shown on the said current tax duplicate, or his agent in charge of the property, or (2) mailing a copy thereof by certified mail to the property owner at his address as shown on the said current tax duplicate.

Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, a vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation.

E. Notice of all hearings on applications for development involving property located within 200 feet of an

adjoining municipality shall be given by personal service or certified mail to the clerk of such municipality.

F. Notice shall be given by personal service or certified mail to the county planning board of a hearing on an application for development of property adjacent to an existing county road or proposed road shown on the official county map or on the county master plan, adjoining other county land or situated within 200 feet of a Township boundary.

G. Notice shall be given by personal service or certified mail to the Commissioner of Transportation of a hearing on an application for development of property adjacent to a State highway.

H. Notice shall be given by personal service or certified mail to the Director of the Division of State and Regional Planning in the Department of Community Affairs of a hearing on an application for development of property which exceeds 150 acres or 500 dwelling units. Such notice shall include a copy of any maps or documents required to be on file with the Township Clerk for which approval is sought.

I. The applicant shall file an affidavit of proof of service with the Planning Board in the event that the applicant is required to give notice pursuant to this section.

J. Any notice made by certified mail shall be deemed complete upon mailing.

K. Upon the written request of an applicant, the Township Tax Collector shall, within 7 days, make and certify a list from said current tax duplicates of names and addresses of owners to whom the applicant is required to give notice pursuant to paragraph D of this section. The applicant shall be entitled to rely upon the information contained in such list, and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding. A sum not to exceed \$10.00 may be charged for such list.

1407 PERFORMANCE GUARANTEES

A. Before recording of final subdivision plats or as a condition of final site plan approval or as a condition to the issuance of a zoning permit under the Zoning Ordinance, the Planning Board may require and shall accept in accordance with the standards adopted by this Ordinance for the purpose of assuring the installation and maintenance of on-tract improvements:

1. The furnishing of a performance guarantee in favor of the 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, sidewalks, street lighting, shade trees, surveyor's monuments, as shown on the final map and required by the Map Filing Law, water mains, culverts, storm sewers, sanitary sewers or other means of sewage disposal, drainage structures, erosion control and sedimentation control devices, public improvements of open space and, in the case of site plans only, other on-site improvements and landscaping.

2. Provision for a maintenance guarantee to be posted with the Township Committee 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. In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a performance or maintenance guarantee to another governmental agency, no performance or maintenance guarantee, as the case may be, shall be required by the Township for such utilities or improvements.

B. The amount of any performance guarantee may be reduced by the Township Committee, by resolution, when portions of the improvements have been certified by the Township Engineer to have been completed. The time allowed for installation of the improvements for which the performance guarantee has been provided may be extended by the Township Committee by resolution.

C. If the required improvements are not completed or corrected in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the Township for the reasonable cost of the improvements not completed or corrected and the Township may either prior to or after the receipt of the proceeds thereof complete such improvements.

D. When all of the required improvements have been completed, the obligor shall notify the Township Committee in writing, by certified mail addressed in care of the Township Clerk of the completion of said improvements and shall send a copy thereof to the Township Engineer. Thereupon the Township Engineer shall inspect all of the improvements and shall file a detailed report, in writing, with the Township Committee, indicating either approval, partial approval or rejection of the improvements with a statement of reasons for any rejection. If partial approval is indicated, the cost of the improvements rejected shall be set forth.

E. The Township Committee shall either approve, partially approve or reject the improvements, on the basis of the report of the Township Engineer and shall notify the obligor in writing, by certified mail, of the contents of said report and the action of said approving authority with relation thereto, not later than 65 days after receipt of the notice from the obligor of the completion of the improvements. Where partial approval is granted, the obligor shall be released from all liability pursuant to its performance guarantee, except for that portion adequately sufficient to secure provision of the improvements not yet approved. Failure of the Township Committee to send or provide such notification to the obligor within 65 days shall be deemed to constitute approval of the improvements and the obligor and surety, if any, shall be released from all liability, pursuant to such performance guarantee.

F. If any portion of the required improvements are rejected, the Planning Board may require the obligor to complete such improvements and, upon completion, the same procedure of notification, as set forth in this section shall be followed.

G. Nothing herein, however, shall be construed to limit the right of the obligor to contest by legal proceedings any determination of the Township Committee or the Township Engineer.

1408 INSPECTIONS

All of the required improvements shall be subject to inspection and approval by the Township Engineer who shall be notified by the applicant's engineer at least 72 hours prior to the start of construction. The applicant's engineer shall certify to the Township Engineer when work is ready for inspection and he shall accompany the Township Engineer on his inspection.

No underground installation shall be covered until inspected and approved.

The following minimum number of inspections will be made by the Township Engineer:

A. Roadway subgrade prior to placing stone subbase material.

B. Compacted subbase prior to placing bitumious material prime coat in preparation for base course construction.

C. During the construction of the stabilized base course and the completed pavement area prior to applying bituminous material tack coat for the surface course construction.

D. Bituminous concrete, Type FA-BC-2, surface course, while being laid.

E. Concrete curb and sidewalk, when forms are laid and the subgrade is leveled and compacted ready for placing concrete, also during the pouring and finishing of the concrete.

F. Pipe drains, inlets, manholes, utility lines, etc., while pipes are being laid prior to backfilling trench and during construction of inlets and manholes.

Prior to starting any construction of the required improvements, the applicant shall pay to the Township Treasurer, through the Township Clerk, by cash or certified check, the following inspection charge fee:

1. 5% of the estimated cost of the improvements up to \$250,000.00 and 3 1/2% of all estimated costs in excess of \$250,000.00.

2. The estimated cost shall be calculated by the Township Engineer, based on current competitive bid prices received for similar contract work in the area.

3. The above fee shall be paid for the entire tract plan: subsections may be paid for on final plan sections if so indicated on a preliminary plan prior to the start of any construction, but in no case shall any major work be performed outside the tract area for which the fee has been paid.

1409 REVIEW BY COUNTY PLANNING BOARD

Whenever review or approval of the application for development by the County Planning Board is required either by Section 5 of P.L. 1968, c. 285 (C. 40:27-6.3) or Section 8 of P.L. 1968, c. 285 (C. 40:27-6.6) the Township Planning Board or the Board of Adjustment, as the case may be, shall condition any approval that it grants upon timely receipt of a favorable report on the application by the County Planning Board or approval by the County Planning Board by its failure to report thereon within the required time period.

1410 DEVIATIONS AFTER FINAL APPROVAL

The Planning Board may permit a deviation from a subdivision or site plan as finally approved if caused by change of conditions beyond the control of the developer since the date of final approval, and if the deviation would not substantially alter the character of the development or substantially impair the intent and purpose of the Master Plan and Zoning Ordinance.

SECTION 1500

SPECIAL PROVISIONS APPLICABLE TO PLANNED DEVELOPMENT

1501 SPECIAL PROVISIONS

A. To encourage and promote flexibility and economy in layout and design through the use of Planned Development, the provisions of this Section shall be applicable to Planned Development, and, to the extent provided in this Section, shall constitute special provisions applicable thereto and variations from the ordinary standards otherwise applicable to subdivisions and site plans and the approval thereof.

B. To the extent that tentative or conceptual approval, or final approval, of a plan of development for a site, or portions thereof (including site plans and subdivision plats), proposed to be developed as a Planned Development shall have been granted under the provisions of the PMUD Ordinance or the PCD Ordinance which were in effect prior to the enactment of this Ordinance, the developer shall not be obliged to submit another application for development with respect to matters previously approved.

1502 VARIATIONS FROM ORDINARY STANDARDS

The uniqueness of each proposal for a Planned Development may require that the requirements relating to streets and roads, alleys, ways for public utilities, for parking, curbs, gutters, sidewalks, street lights, public parks and playgrounds, school grounds, storm water drainage, water supply and distribution, sanitary sewers and sewage collection and treatment shall be subject to modification from the requirements established in this Ordinance and in other Township Ordinances. The Planning Board may therefore waive or modify the requirements otherwise applicable for a particular facility where the Planning Board finds that such requirements are not necessary in the interest of the residents, owners, tenants and occupants of the Planned Development and their employees, and that the waiver or modification of such requirements is consistent with the interests of the entire Township. Proposed requirements and

standards which are inconsistent with those required under the prevailing Township Ordinances shall be determined acceptable upon approval by the Planning Board.

1503 COMMON OPEN SPACE

A. The determination of the amount and location of common open space for a Planned Development shall be as set forth in Section XXI(6) of the Zoning Ordinance, in the case of a PMUD Planned Unit Development, and Section XIX(6) of the Zoning Ordinance, in the case of a PCD Planned Unit Development.

B. The common open space shall be set aside for the use and benefit of the owners, residents and occupants of the Planned Development.

C. Land located within a Planned Development may, subject to the approval of the Planning Board, be dedicated to public use, and the Township of Plainsboro or other governmental agency, may at any time or from time to time, accept the dedication thereof, or any interest therein, for public use and maintenance. Land dedicated for public use and maintenance for recreational or conservational purposes shall be deemed land devoted to common open space for the purpose of satisfying the requirements set forth in Paragraphs A and B of Section XXI(6) of the Zoning Ordinance, in the case of a PMUD Planned Unit Development, and Section XIX(6) of the Zoning Ordinance, in the case of a PMUD Planned Unit Development. Nothing herein contained, however, shall be deemed to be a requirement, as a condition of the approval of a Planned Development, that land proposed to be set aside for common open space be dedicated or made available to public use.

D. The developer shall provide for an organization for the ownership and maintenance of any common open space for the benefit of owners, residents and occupants of the Planned Development, if said common open space is not dedicated to The Township of Plainsboro or other governmental agency. The developer may comprise such organization. Any such organization shall not be dissolved and shall not dispose of any common open space, by sale or otherwise, except to an organization conceived and established to own and maintain the common open space for the benefit of such development, and thereafter such organization shall not be dissolved or disposed of any of its common open space without first offering to dedicate the same to The Township of Plainsboro.

In the event that such organization shall fail to maintain the common open space in reasonable order and

condition, the Township Committee of The Township of Plainsboro may serve written notice upon such organization or upon the owners of the Planned Development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within 35 days thereof, and shall state the date and place of a hearing thereon which shall be held within 15 days of the notice. At such hearing, the Township Committee may modify the terms of the original notice as to deficiencies and may give a reasonable extension of time not to exceed 65 days within which they shall be cured. If the deficiencies set forth in the original notice or in the modification thereof shall not be cured within said 35 days or any permitted extension thereof, The Township of Plainsboro, in order to preserve the common open space and maintain the same for a period of 1 year may enter upon and maintain such land. Said entry and maintenance shall not vest in the public any rights to use the common open space except when the same is voluntarily dedicated to the public by the owners. Before the expiration of said year, the Township Committee shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space, call a public hearing upon 15 days written notice to such organization and to the owners of the Planned Development, to be held by the Township Committee, at which hearing such organization and the owners of the Planned Development shall show cause why such maintenance by The Township of Plainsboro shall not, at the election of The Township of Plainsboro, continue for a succeeding year. If the Township Committee shall determine that such organization is ready and able to maintain said common open space in reasonable condition, The Township of Plainsboro shall cease to maintain said common open space at the end of said year. If the Township Committee shall determine such organization is not ready and able to maintain said common open space in a reasonable condition, The Township of Plainsboro may, in its discretion, continue to maintain said common open space during the next succeeding year, subject to a similar hearing and determination, in each year thereafter. The decision of the Township Committee in any such case shall constitute a final administrative decision subject to judicial review.

The cost of such maintenance by The Township of Plainsboro shall be assessed pro rata against the properties within the Planned Development that have a right to enjoyment of the common open space in accordance with assessed value at the time of imposition of the lien, and shall become a lien and tax on said properties and be added to and be a part of the taxes to be levied and assessed thereon, and enforced and collected with interest by the same officers and in the same manner as other taxes.

1504 EVALUATION STANDARDS AND CRITERIA

In reviewing all site plans and subdivision plats relating to a Planned Development, the Planning Board shall use the standards and criteria set forth in Section XXI(7) of the Zoning Ordinance, in the case of a PMUD Planned Unit Development, and Section XIX(7) of the Zoning Ordinance, in the case of a PCD Planned Unit Development.

1505 FINDINGS FOR PLANNED DEVELOPMENT

If the developer of a Planned Development shall submit an application for development requesting a substantial variation in the plan of development for the site being developed as a Planned Development, the tentative or conceptual approval with respect to which was granted prior to the enactment of this Ordinance pursuant to the provisions of the PMUD Ordinance or the PCD Ordinance which were in effect prior to the enactment hereof, then, after all required notices of such application are given and a public hearing on such application is held, the Planning Board shall make the following finding of facts and conclusions as to the proposed substantial variation from the tentative or conceptual approval previously granted in relationship to the entire plan of development prior to the approval of any such substantial variation:

a. That departures, if any, by the Planned Development from the zoning regulations otherwise applicable to the subject property conform to the standards set forth in Section XXI of the Zoning Ordinance, in the case of a PMUD Planned Unit Development, or Section XIX, in the case of a PCD Planned Unit Development;

b. That the proposals for maintenance and conservation of the common open space are reliable, and the amount, location and purpose of the common open space are adequate;

c. That provision through the physical design of the Planned Development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate;

d. That the Planned Development will not have an unreasonably adverse impact upon the area in which it is established;

e. If the Planned Development contemplates construction over a period of years, that the terms and conditions intended to protect the interest of the public

and of the residents, occupants and owners of the Planned Development in the total completion of the Development are adequate.

No application for a proposed Planned Development, with respect to which tentative or conceptual approval has not heretofore been granted as hereinbefore mentioned, shall be approved by the Planning Board unless the Planning Board shall have made, after all required notices of such application are given and a public hearing on such application is held, the findings of facts and conclusions set forth in this Subsection 1505.

1506 DEVELOPMENT IN SECTIONS

The developer may submit to the Planning Board subdivision plats and site plans for approval of one or more portions or sections of the Planned Development proposed to be developed, any one or more of which may be a single lot. There may be a requirement that some non-residential uses be built before, after or at the same time as the residential uses, or a requirement of timing of development among the various types of uses permitted in a Planned Development, and the subgroups thereunder. The Planning Board may allow for a greater concentration of density, or intensity of land use, within a section or sections of the Planned Development, whether it be earlier, later or simultaneous in the development, than in other section or sections.

1507 MINIMAL DEVIATIONS

The Planning Board may permit minimal deviations from the conditions of preliminary approval previously granted to applications for approval of subdivision plats and site plan of a section or sections of a Planned Development necessitated by change of conditions beyond the control of the developer since the date of preliminary approval without the developer being required to submit another application for preliminary approval of such subdivision plats and site plans.

SECTION 1600

SUBDIVISION AND SITE PLAN REVIEW BY BOARD OF ADJUSTMENT

The Board of Adjustment shall have the power to grant to the same extent and subject to the same restrictions as the Planning Board subdivision or site plan approval pursuant to the provisions of this Ordinance whenever the Board of Adjustment is reviewing an application for approval of a variance to allow a structure or use in a district restricted against such structure or use in particular cases

and for special reasons pursuant to Section 57(d) of the Municipal Land Use Law, in which event all plats, plans and other materials required to be submitted to the Planning Board pursuant to this Ordinance shall be submitted to the Board of Adjustment.

SECTION 1700

VIOLATIONS

1701 PENALTY

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 Township approval is required by this Ordinance, such person shall be subject to a penalty not to exceed \$1,000.00, and each lot disposition so made may be deemed a separate violation.

1702 INJUNCTION

In addition to the foregoing, the Township may institute and maintain a civil action:

A. For injunctive relief.

B. To set aside and invalidate any conveyance made pursuant to such a contract or sale if a certificate of compliance has not been issued in accordance with Section 44 of the Municipal Land Use Law.

1703 PURCHASER'S LIEN

In any such action brought under Section 1702 above, the transferee, purchaser or grantee shall be entitled to a lien upon the portion of the land from which the subdivision was made that remains in the possession of the developer or his assigns or successors, to secure the return of any deposit made or purchase price paid, and also a reasonable search fee, survey expense and title closing expense, if any.

1704 LIMITATIONS

Any such action must be brought within two (2) years after the date of the recording of the instrument of transfer, sale or conveyance of said land, or within six (6) years, if unrecorded.

SECTION 1800

SEVERABILITY

Should any action or provision of this Ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 1900

REPEALS

All sections of the Land Subdivision Ordinance or any other ordinance of the Township of Plainsboro which contains provisions contrary to the provisions of this Ordinance, and Section XXII of the Zoning Ordinance shall be and hereby are repealed.

SECTION 2000

PENDING APPLICATIONS

All applications for development filed prior to the effective date of this Ordinance may be continued, but any appeals arising out of decisions made on any such application shall be governed by the provisions of the Township Ordinance which, among other things, establishes the Planning Board pursuant to the provisions of the Municipal Land Use Law.

SECTION 2100

COPY TO BE FILED WITH COUNTY PLANNING BOARD

Immediately upon adoption of this Ordinance the Municipal Clerk shall file a copy of this Ordinance with the County Planning Board as required by law.

SECTION 2200

EFFECTIVE DATE

This Ordinance shall take effect after final passage and publication as required by law.

Ord #77-3

AMENDMENT

to

PLAINSBORO TOWNSHIP ZONING ORDINANCE

Adopted January 27, 1977

Township of Plainsboro
County of Middlesex

AN ORDINANCE AMENDING "AN ORDINANCE TO
LIMIT AND RESTRICT TO SPECIFIED DISTRICTS
OR ZONES, AND TO REGULATE THEREIN, BUILD-
INGS AND STRUCTURES ACCORDING TO THEIR
CONSTRUCTION AND THE NATURE AND EXTENT OF
THE USES AND LAND IN THE TOWNSHIP OF
PLAINSBORO IN THE COUNTY OF MIDDLESEX"
ADOPTED November 1, 1967, As Amended.

BE IT ORDAINED by the Township Committee of the
Township of Plainsboro in the County of Middlesex, as
follows:

The Zoning Ordinance of the Township of Plainsboro
as adopted November 1, 1967, and as amended, is hereby fur-
ther amended and supplemented as hereinafter stated:

Section 1: Section I, Definitions, is hereby amended as
follows:

A. The following definitions, viz., "Building,"
"Floor Area," "Lot," "Non-Conforming Structure," "Non-
Conformity Use," "Street," "Street Line," "Structure," and
"Zoning Board," are deleted and the following new defini-
tions are added:

Board of adjustment. The board of adjustment
established pursuant to Article II, Section 1 of the Land
Use Procedures Ordinance of the Township of Plainsboro.

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

Circulation. Systems, structures and physical
improvements for the movement of people, goods, water, air,
sewage or power by such means as streets, highways, rail-
ways, waterways, towers, airways, pipes and conduits, and
the handling of people and goods by such means as terminals,

stations, warehouses, and other storage buildings or trans-shipment points.

Common open space. An open space area within or related to a site designated as a development, and designed and intended for the use or enjoyment of residents and owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development.

County Planning Board. Middlesex County Planning Board.

Days. Calendar days.

Developer. The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase or any other person having an enforceable proprietary interest in such land.

Development. The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structures, or of any mining, excavation or landfill, and any use or change in the use of land, for which permission may be required pursuant to this Ordinance, or the Subdivision and Site Plan Review Ordinance.

Drainage. The removal of surface water or ground-water from land by drains, grading or other means, and including control of runoff to minimize erosion and sedimentation during and after construction or development and means necessary for water supply preservation or prevention or alleviation of flooding.

Easement. A right granted to the Township or other governmental authority for the use of private land for certain public and quasi-public purposes.

Erosion. The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Flood hazard area. The relatively flat terrain adjoining a water channel which has been or may be hereafter covered by flood water of the channel.

Floor area, gross. The total area of all the stories of all the structures on a lot, measured from the outside faces of the exterior walls, or from the exterior

roof edges where a structure has no walls, and including the following, although not by way of limitation: Interior balconies and mezzanines, roofed areas such as porches and carports and basement space, but excluding rooftop, roofed or enclosed area that is used for parking spaces.

Governing body. The Township Committee of the Township of Plainsboro.

Land. Includes improvements and fixtures on, above or below the surface.

Lot. A designated parcel, tract or area of land, established by a plat or otherwise as permitted by law, to be used, developed or built upon as a unit.

Major subdivision. Any subdivision not classified as a minor subdivision.

Master plan. A composite of the mapped and written proposals recommending the physical development of the municipality which shall have been duly adopted by the Planning Board pursuant to Article 3 of the Municipal Land Use Law.

Minor subdivision. A subdivision of land that does not result in more than four lots, or involve a planned development, any new street or the extension of any off-tract improvement.

Municipality. The Township of Plainsboro.

Municipal Land Use Law. Chapter 291 of the Laws of New Jersey, 1975, as amended from time to time.

Official map. A map adopted by the governing body pursuant to Article 5 of the Municipal Land Use Law.

Open-space. Any parcel 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, structures, streets and offstreet parking and other improvements that are designed to be incidental to the natural openness of the land.

Planned Development. A PMUD Planned Unit Development or a PCD Planned Unit Development.

PCD Planned Unit Development. An area that is specified on the Zoning Map as having a district classification of PCD Planned Unit Development and which is to be developed as a single entity according to a plan, containing one or more residential developments or one or more public, quasi-public, business and commercial, or office, research, industrial areas in the ranges of ratios of non-residential uses to residential uses as are specified in Section XIX of the Zoning Ordinance.

PMUD Planned Unit Development. An area that is specified on the Zoning Map as having a district classification of PMUD Planned Unit Development and which is to be developed as a single entity according to a plan, containing one or more residential developments or one or more public, quasi-public, business and commercial, office, research, industrial, or educational-research areas in the ranges of ratios of non-residential uses to residential uses as are specified in Section XXI of the Zoning Ordinance.

Planning Board. The planning board established pursuant to Article I, Section 1, of the Land Use Procedures Ordinance of the Township of Plainsboro.

Plat. The map or maps of a subdivision.

Public areas. Public parks, playgrounds, trails, paths and other recreational areas and public open spaces; scenic and historic sites; and sites for schools and other public buildings and structures.

Public drainage way. The land reserved or dedicated for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel, and providing for the flow of water to safeguard the public against flood damage, sedimentation and erosion.

Public open space. An open space area conveyed or otherwise dedicated to the municipality, a municipal agency, the regional board of education, a state or county agency, or any other public body for recreational or conservational uses.

Sedimentation. The deposit of soil that has been transported from its site of origin by water, ice, wind, gravity or other natural means as a product of erosion.

Site plan. A development plan of one or more lots on which is shown (i) the existing and proposed conditions of the lot, including but not necessary limited to topography, vegetation, drainage, flood plains, marshes and

waterways, (ii) the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, and screening devices, and (iii) any other information that may be reasonably required in order to make an informed determination as to approval of the plan by the Planning Board pursuant to the provisions of the Subdivision and Site Plan Review Ordinance.

Street. Any street, avenue, boulevard, road, parkway, viaduct, drive or other way (i) that is an existing state, county or municipal roadway, or (ii) that is shown upon a plat heretofore approved pursuant to law, or (iii) that is approved by official action as provided in the Subdivision and Site Plan Review Ordinance, or (iv) that is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats; including the land between the street lines, whether improved or unimproved, and whether or not comprising pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas.

Street line. The edge of the existing right-of-way or future street right-of-way as shown on the Master Plan or Official Map, whichever would result in the widest right-of-way, and which line forms the division between the street and lot, or if there shall be no Master Plan or Official Map, the dividing line between the lot and the street.

Structure. A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above, or below the surface of a parcel of land.

Subdivision. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this Ordinance if no new streets are created: (i) divisions of land found by the Planning Board or Subdivision Committee thereof appointed by the Chairman to be for agricultural purposes where all resulting parcels are five acres or larger in size, (ii) divisions of property by testamentary or intestate provisions, (iii) divisions of property upon court order and (iv) conveyances so as to combine existing lots by deed or other instrument. The term "subdivision" shall also include the term "resubdivision."

B. The remaining definitions set forth in Section I, Definitions, are continued in full force and effect.

Section 2: Section II, A, Zones, is hereby amended to include the following zones:

PCD Planned Unit Development, Sec. XIX

PMUD Planned Unit Development, Sec. XXI

Section 3: Section II, B, is hereby amended to read as follows:

"(B) The zoning map which accompanies this ordinance entitled "Plainsboro Township, Middlesex County, New Jersey, 1963, amended 2-24-69, amended 12-13-76," is hereby decreed to be a part thereof."

Section 4: Section XII, (A), (B), (C), (D) and (E) and Section XIII, (A), (B), (C), (D), (E), (F), (H) and (I) are hereby repealed and deleted.

Section 5: Section XIII, (G), (b) is amended to read as follows:

"(b) \$25.00 for all other applications in the event, an additional fee based on the construction value is to be determined by the Building Inspector in the same way as a building permit valuation."

Section 6: Section XXII, Site Plan Review, is hereby deleted in its entirety since it is included in the Subdivision and Site Plan Review Ordinance of the Township of Plainsboro.

Section 7: Section XIX, Planned Community Development, is hereby amended to read as follows:

SECTION XIX

PCD PLANNED UNIT DEVELOPMENT

1. District.

PCD Planned Unit Development shall be permitted in

the area specified on the Zoning Map as having a district classification of PCD Planned Unit Development.

2. Area Requirement.

The minimum land area for a PCD Planned Unit Development shall be two hundred fifty (250) contiguous acres. For the purposes of this requirement streets shall not be deemed to divide acreage.

3. Permitted Uses in PCD Planned Unit Development.

The following uses shall be permitted in a PCD Planned Unit Development:

A. Dwelling units, including single-family, two-family and multiple dwelling units.

B. Recreational and cultural facilities, including but not limited to golf courses, clubhouses and swimming pools, intended for the use and enjoyment of the residents of the PCD Planned Unit Development and their guests.

C. Retail commercial centers, limited to uses permitted in the Business (G.B.) Zone under Section IX of the Zoning Ordinance and any amendments thereto; provided, however, a motel and indoor motion picture theater shall be permitted. Not more than five percent (5%) of the land area within a PCD Planned Unit Development shall be devoted to retail commercial centers.

D. Industrial-office-research centers, limited to the uses permitted in the Industrial Zone under Section X of the Zoning Ordinance and any amendments thereto. Not more than thirty percent (30%) of the land area within a PCD Planned Unit Development shall be devoted to industrial-office-research centers.

E. Places of worship, facilities for social and civic clubs and organizations, public buildings, schools and other community facilities.

F. Agricultural uses.

G. Accessory uses, including but not limited to, facilities for administration, maintenance, and fire prevention and safety.

4. Alternative Permitted Uses.

In any area specified on the Zoning Map as having a classification of PCD Planned Unit Development, uses

permitted in the Rural (R-200) Zone under Section VII of the Zoning Ordinance shall be permitted uses irrespective of whether or not the same shall be a part of a PCD Planned Unit Development.

Subdivision for single-family dwellings on tracts of thirty-five (35) acres or larger may employ a density control lot size reduction design technique provided public water and sewage disposable facilities will be available. The resultant lots shall conform to the requirements of the R-85 Zone and the density shall be the same as the R-200 Zone. The resultant open space shall be conveyed to the Township or vested in a homeowners association for the purpose of preserving said land as permanent open space. Recreational facilities shall be permitted with the approval of the Planning Board.

In reviewing and approving a density control-lot size reduction plan, the Planning Board shall insure that said plan properly relates to any adjoining similar development or PCD Planned Unit Development.

5. Residential Density.

There shall not be more than eleven (11) dwelling units per acre of residential land. In computing the total number of acres of residential land, any land devoted to private and public roads shall be excluded; all other land devoted to residential use shall be included. In addition, any common open space and land dedicated for public buildings shall be deemed residential land.

6. Common Open Space.

Not less than twenty-five percent (25%) of the land area within a PCD Planned Unit Development shall be devoted to common open space. Any golf course, land dedicated for public use and maintenance for recreational or conservational purposes, and land subject to easements prohibiting construction thereon, shall be deemed land devoted to common open space for the purpose of satisfying this requirement and shall be deemed residential land for the purpose of Subsection 5. The location of common open space shall be consistent with the declared function of the common open space, and the requirements set forth in Section 1503 of the Subdivision and Site Plan Review Ordinance with respect to the maintenance of common open space and provision of an organization to own and maintain the open space shall be applicable to a PCD Planned Unit Development.

7. Evaluation Standards and Criteria.

In order to foster the attractiveness of a site designated as a PCD Planned Unit Development and the surrounding neighborhoods, and thereby preserve property values, and in order to provide an efficient road and utility network, insure the movement of traffic, implement comprehensive planning and better serve the public health, safety, and general welfare, the following standards and criteria shall be utilized by the Planning Board in reviewing all site plans and subdivision plats relating to a PCD Planned Unit Development. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation.

A. Open land shall be suitably landscaped, efforts shall be made to minimize tree and soil removal, and any buildings or other structures in an industrial-office-research center shall be adequately screened so as to prevent their being incongruous with neighboring properties.

B. Proposed buildings shall be related harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings.

C. The distance between buildings shall be sufficient to provide adequate light and air.

D. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

E. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system.

F. All permanent utility lines, pipes and conduits shall be located below ground and all other installations and appurtenances shall be adequately screened.

G. The size, location, design, color, texture, lighting and materials of all temporary and permanent signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.

H. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

I. Adequate provision shall be made for a sewage disposal system which shall be of sufficient size, capacity and design to collect and dispose of all sewage from all present and proposed buildings in the PCD Planned Unit Development and which shall be otherwise constructed and maintained in conformity with all applicable State, County and Municipal regulations and requirements.

J. Adequate provision shall be made for a storm drainage and surface water detention system which shall be of sufficient size, capacity and design to collect, carry off and dispose of all predictable surface water run-off within the PCD Planned Unit Development, and which shall be otherwise constructed and maintained in conformity with all applicable State, County and Municipal regulations and requirements.

K. Adequate provision shall be made for a water system which shall be of sufficient size, capacity and design to supply potable water and fire protection to each of the buildings within the PCD Planned Unit Development, and which shall be otherwise constructed and maintained in conformity with all applicable State, County and Municipal regulations and requirements.

L. Adequate provision shall be made for the collection and disposal and where possible recycling of garbage, trash and solid waste generated by the PCD Planned Unit Development, and such system shall be maintained in conformity with all applicable State, County and Municipal regulations and requirements.

M. Adequate provision shall be made for a system of interior roads sufficient to accommodate predictable vehicular traffic within the PCD Planned Unit Development and to ensure safe and efficient vehicular access, including access of fire-fighting equipment to and from each of the buildings within the PCD Planned Unit Development.

N. In the event the PCD Planned Unit Development is to be constructed in sections over a period of years, then the provisions for the sewage and garbage disposal, storm drainage and water supply and for interior roads,

specified in Subparagraphs I, J, K, L, and M of this Subsection 7, need to be adequate only in respect to the sections of development which have previously received final approval and the section of development for which final approval is being sought. The developer shall supply to the Planning Board information disclosing such adequacy and obtain the Planning Board's approval thereof.

O. Except as otherwise provided in this Subsection 7, there shall be no minimum lot area, width or frontage, no minimum building setback, no maximum percentage of lot coverage, no requirement as to front, side or rear yards, and no requirement concerning the location of accessory buildings or structures, for any land use in a PCD Planned Unit Development. However, no plan for a PCD Planned Unit Development shall be approved unless the lot areas, widths, depths, and frontages, buildings setbacks, percentages of lot coverage, front, side and rear yards and locations of accessory buildings or structures, provided for in the site plan and subdivision plan are consonant with the public health, safety and general welfare. Nor shall regulations otherwise applicable to temporary or permanent signs apply to such signs relating to uses permitted in a PCD Planned Unit Development; the standards applicable to such signs set forth in paragraph G of this Subsection 7 shall, however, be observed.

P. In the case of any single-family detached dwelling, the requirements prescribed by the Zoning Ordinance for the Rural (R-200) Zone shall apply to such residential use in a PCD Planned Unit Development.

Q. Not more than twenty-five percent (25%) of the residential land, as defined in Subsection 5, shall be covered by residential buildings.

R. The height of any residential building shall not exceed thirty-five (35) feet. The height of any other building shall not exceed fifty-five (55) feet; except that the foregoing restriction on height shall not apply to water tanks, towers and mechanical equipment, spires, church towers or steeples.

S. No building or structure, other than entrance gate houses, walls, fences, carports or signs, shall be located within fifty (50) feet of any exterior boundary line of the PCD Planned Unit Development.

T. The minimum floor area for multiple dwellings shall be as follows:

(a) One bedroom multiple dwelling units shall have a minimum of 600 square feet of habitable floor

area, and which shall not be leased, rented, demised or sold for occupancy by more than two (2) persons.

(b) Two bedroom multiple dwelling units shall have a minimum of 800 square feet of habitable floor area, and which shall not be leased, rented, demised or sold for occupancy by more than four (4) persons.

(c) Three bedroom multiple dwelling units shall have a minimum of 1,000 square feet of habitable floor area, and which shall not be leased, rented, demised or sold for occupancy by more than six (6) persons.

(d) Four bedroom multiple dwelling units shall have a minimum of 1,200 square feet of habitable floor area, and which shall not be leased, rented, demised or sold for occupancy by more than eight (8) persons.

8. Off-Street Parking.

The minimum number of parking spaces for uses permitted in a PCD Planned Unit Development shall be that set forth in Section 1202 of the Subdivision and Site Plan Review Ordinance, except that the minimum number of parking spaces for each dwelling unit in a PCD Planned Unit Development shall be 1.9 spaces.

The required number of parking spaces may, in the discretion of the Planning Board, be reduced where the Planning Board finds that provision of the required minimum number of such spaces is not necessary or desirable under the circumstances.

For the purpose of this Subsection 8, the size of a parking space shall be not less than nine (9) feet in width by twenty (20) feet in length.

9. Special Provisions.

The special provisions set forth in Section 1500 of the Subdivision and Site Plan Review Ordinance shall apply to a PCD Planned Unit Development.

Section 8: Section XXI, Planned Multiple-Use Development, is hereby amended to read as follows:

SECTION XXI

PMUD PLANNED UNIT DEVELOPMENT

1. District.

PMUD Planned Unit Development shall be permitted in the area specified on the Zoning Map as having a district classification of PMUD Planned Unit Development.

2. Area Requirements.

The minimum land area required for a PMUD Planned Unit Development shall be five hundred (500) contiguous acres. For the purpose of this requirement streets shall not be deemed to divide acreage.

3. Permitted Uses.

The following uses shall be permitted in a PMUD Planned Unit Development:

A. Office, research, industrial uses permitted in the Industrial Zone Under Section X of the Zoning Ordinance and any amendments thereto.

B. Educational-research uses permitted in the Educational-Research (E-R) Zone under Section XI of the Zoning Ordinance and any amendments thereto.

C. Business and commercial uses permitted in the Business (G.B.) Zone under Section IX of the Zoning Ordinance and any amendments thereto. An indoor motion picture theatre and a hotel or motel and related facilities, including but not limited to a conference center auxiliary to the hotel or motel use, shall be permitted as commercial uses.

D. Dwelling units in detached, semi-detached, attached, groups of attached or clustered structures, or any combination thereof.

E. Public buildings, public schools and private schools not for pecuniary profit, places of worship, facilities for social or civil clubs or organizations, hospitals and other community facilities.

F. Recreational and cultural facilities, including but not limited to golf courses, clubhouses, and swimming pools.

G. Agricultural uses.

H. Common open space.

I. Accessory uses, including but not limited to, facilities for administration, maintenance, and fire prevention and safety.

4. Ratio of Nonresidential Uses to Residential Uses.

For each acre of land devoted to residential use there shall be at least nine (9) acres devoted to nonresidential uses, excluding common open space.

5. Residential Density.

There shall be an average of not more than eight (8) dwelling units per acre of land devoted to residential use. For the purposes of this requirement, land devoted to residential use shall be deemed to include private lot areas of owners or residents of such dwelling units, parking areas, utility easements and rights-of-way, walkways, roads and alleys and any other areas serving primarily such owners or residents, and in the case of condominiums, "common elements" and "limited common elements" (as defined in Revised Statutes 46:8B-3) except any structure or part thereof which comprises a part of such "common elements" or "limited common elements"; it shall not be deemed to include common open space.

6. Common Open Space.

A. There shall be set aside for common open space not less than one (1) acre of land for every eight (8) dwelling units.

B. There shall be set aside for common open space not less than three (3) acres of land for every ten (10) acres of land devoted to office, research, industrial uses and/or educational-research uses, and/or business and commercial uses.

C. The location of the common open space shall be consistent with the declared function of the common open space, and where possible the common open space shall be planned as a contiguous area located for the maximum benefit of the area which it was designed to serve, preserving and where possible enhancing natural features.

D. The requirements set forth in Section 1503 of the Subdivision and Site Plan Review Ordinance with respect to the maintenance of common open space and provisions for

an organization to own and maintain the open space which is to be set aside as herein provided shall be applicable to a PMUD Planned Unit Development. Land dedicated for public use and maintenance for recreational or conservational purposes pursuant to Section 1503 of said Ordinance shall be deemed land devoted to common open space for the purpose of satisfying the requirements set forth in Paragraphs A and B of this Subsection 6.

7. Evaluation Standards and Criteria.

In order to foster the attractiveness of a site designated as a PMUD Planned Unit Development and the surrounding neighborhoods, and thereby preserve property values, and in order to provide an efficient road and utility network, insure the movement of traffic, implement comprehensive planning and better serve the public health, safety, and general welfare, the following standards and criteria shall be utilized by the Planning Board in reviewing all site plans and subdivision plats relating to a PMUD Planned Unit Development. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation.

A. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal.

B. Proposed buildings shall be related harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings.

C. The distance between buildings shall be sufficient to provide adequate light and air.

D. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

E. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system.

F. All permanent utility lines, pipes and conduits shall be located below ground and all other installations and appurtenances shall be adequately screened.

G. The size, location, design, color, texture, lighting and materials of all temporary and permanent signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.

H. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

I. Adequate provision shall be made for a sewage disposal system which shall be of sufficient size, capacity and design to collect and dispose of all sewage from all present and proposed buildings in the PMUD Planned Unit Development and which shall be otherwise constructed and maintained in conformity with all applicable State, County and Municipal regulations and requirements.

J. Adequate provision shall be made for a storm drainage and surface water detention system which shall be of sufficient size, capacity and design to collect, carry off and dispose of all predictable surface water run-off within the PMUD Planned Unit Development, and which shall be otherwise constructed and maintained in conformity with all applicable State, County and Municipal regulations and requirements.

K. Adequate provision shall be made for a water system which shall be of sufficient size, capacity and design to supply potable water and fire protection to each of the buildings within the PMUD Planned Unit Development, and which shall be otherwise constructed and maintained in conformity with all applicable State, County and Municipal regulations and requirements.

L. Adequate provision shall be made for the collection and disposal and where possible recycling of garbage, trash and solid waste generated by the PMUD Planned Unit Development, and such system shall be maintained in conformity with all applicable State, County and Municipal regulations and requirements.

M. Adequate provision shall be made for a system of interior road sufficient to accommodate predictable vehicular traffic within the PMUD Planned Unit Development, and to ensure safe and efficient vehicular access, including access of firefighting equipment to and from each of the buildings within the PMUD Planned Unit Development.

N. In the event that PMUD Planned Unit Development is to be constructed in sections over a period of years, then the provisions for the sewage and garbage disposal, storm drainage and water supply and for interior roads, specified in Subparagraphs I, J, K, L, and M of this Subsection 7, need to be adequate only in respect to the sections of development which have previously received final approval and the section of development for which final approval is being sought. The developer shall supply to the Planning Board information disclosing such adequacy and obtain the Planning Board's approval thereof.

O. Except as otherwise provided in this Subsection 7, there shall be no minimum lot area, width or frontage, no minimum building setback, no maximum percentage of lot coverage, no requirement as to front, side or rear yards, and no requirement concerning the location of accessory buildings or structures, for any land use in a PMUD Planned Unit Development. However, no plan for a PMUD Planned Unit Development shall be approved unless the lot areas, widths, depths, and frontages, building setbacks, percentages of lot coverage, front, side and rear yards and locations of accessory buildings or structures, provided for in the site plan and subdivision plan are consonant with the public health, safety and general welfare. Nor shall regulations otherwise applicable to temporary or permanent signs apply to such signs relating to uses permitted in a PMUD Planned Unit Development; the standards applicable to such signs set forth in paragraph G of this Subsection 7 shall, however, be observed.

P. In the case of any single-family detached dwelling, the requirements prescribed by the Zoning Ordinance for the Rural (R-200) Zone shall apply to such residential use in a PMUD Planned Unit Development.

Q. The height of any residential building within a PMUD Planned Unit Development shall not exceed thirty-five (35) feet, and the height of any other building shall not exceed sixty (60) feet; except, that buildings used primarily as places of worship shall not be subject to any height limitation.

R. No building or structure, other than a fence or garden wall less than seven (7) feet in height or a sign, shall be located within a distance of fifty (50) feet of any exterior boundary line of the site designated for a PMUD Planned Unit Development, and no such building or structure other than those excepted above shall be located within a distance of fifty (50) feet of any State or County road.

8. Off-Street Parking.

The minimum required number of parking spaces for uses permitted in a PMUD Planned Unit Development shall be as follows:

<u>Building Type</u>	<u>One Parking Space for Each</u>
Academic and administrative buildings for educational institutions, other than places of public assembly	1.5 persons of rated occupancy
Auditoriums, theatres, convention centers and all other places of assembly providing seats for audiences, including places of worship	4 seats
Clubs	200 sq. ft. of gross floor area
Coin Laundries	1 washing machine
Commercial garages and gasoline stations	1/2 gasoline pump and each 400 sq. ft. of ground area devoted to repair facilities (this to be in addition to any space that may be allocated for normal storage of motor vehicles)
Dwellings	1/2 dwelling units
Elementary and Junior High Schools	1/3 classroom
Hospitals, convalescent and nursing homes	1/3 bed and each employee
Hotels, motels	1 guest unit
Hotels with restaurant	As required for either, whichever is greater
Hotels with restaurants and convention center	As required for whichever is the greatest
Industrial buildings	2 employees

Professional offices, general office and research buildings	400 sq. ft. of gross floor area
Restaurants	4 seats
Retail stores, super- markets and shopping centers	180 sq. ft. of gross floor area
Schools with auditoriums	As required for either, which- ever is greater
Senior High Schools and similar institutions	1/5 classroom

Other building types which do not fit into one of the above categories shall be referred to the Planning Board for determination of the appropriate parking space requirements.

The required number of parking spaces may, in the discretion of the Planning Board, be reduced where the Planning Board finds that application of the above standards is not required in the interest of the residents, owners, tenants and occupants of the Planned Unit Development and their employees, and that modification of the above standard is consistent with the interests of the entire Township.

For the purpose of this Subsection 8, the size of a parking space shall be not less than 9 feet in width by 20 feet in length.

9. Special Provisions.

The special provisions set forth in Section 1500 of the Subdivision and Site Plan Review Ordinance shall apply to a PMUD Planned Unit Development.

Section 9: Severability. Should any action or provision of this Ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 10: Ordinances Continued. Pursuant to the provisions of Chapter 291, P.L. 1975, Section 81, the remaining provisions of the existing Zoning Ordinance which have not been changed by this ordinance are continued in full force and effect and shall be read in para materia with this ordinance. Said Ordinance is known as "The Plainsboro Township Zoning Ordinance" adopted November 1, 1967, and amendments thereto. Three copies of the text and maps of the above mentioned Ordinance are on file in the Office of the Municipal Clerk and are available for public inspection.

Section 11: Repeals. All sections of the Zoning Ordinance or any other ordinance of the Township of Plainsboro which contain provisions contrary to the provisions of this Ordinance shall be and hereby are repealed.

Section 12: Pending Applications. All applications for development filed prior to the effective date of this Ordinance may be continued, but any appeals arising out of decisions made on any such application shall be governed by the provisions of Section 1 and 2, Article IV, Land Use Procedures Ordinance of the Township of Plainsboro.

Section 13: Copy to be Filed with County Planning Board. Immediately upon adoption of this ordinance the Municipal Clerk shall file a copy of this Ordinance with the County Planning Board as required by law. The Clerk shall also file with said County Planning Board copies of all other

ordinances of the municipality relating to land use, such as the subdivision, zoning and site plan review ordinance.

Section 14: This ordinance shall take effect after final passage and publication as required by law.