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Circa 1983

- Cranbury TWP Ordinance

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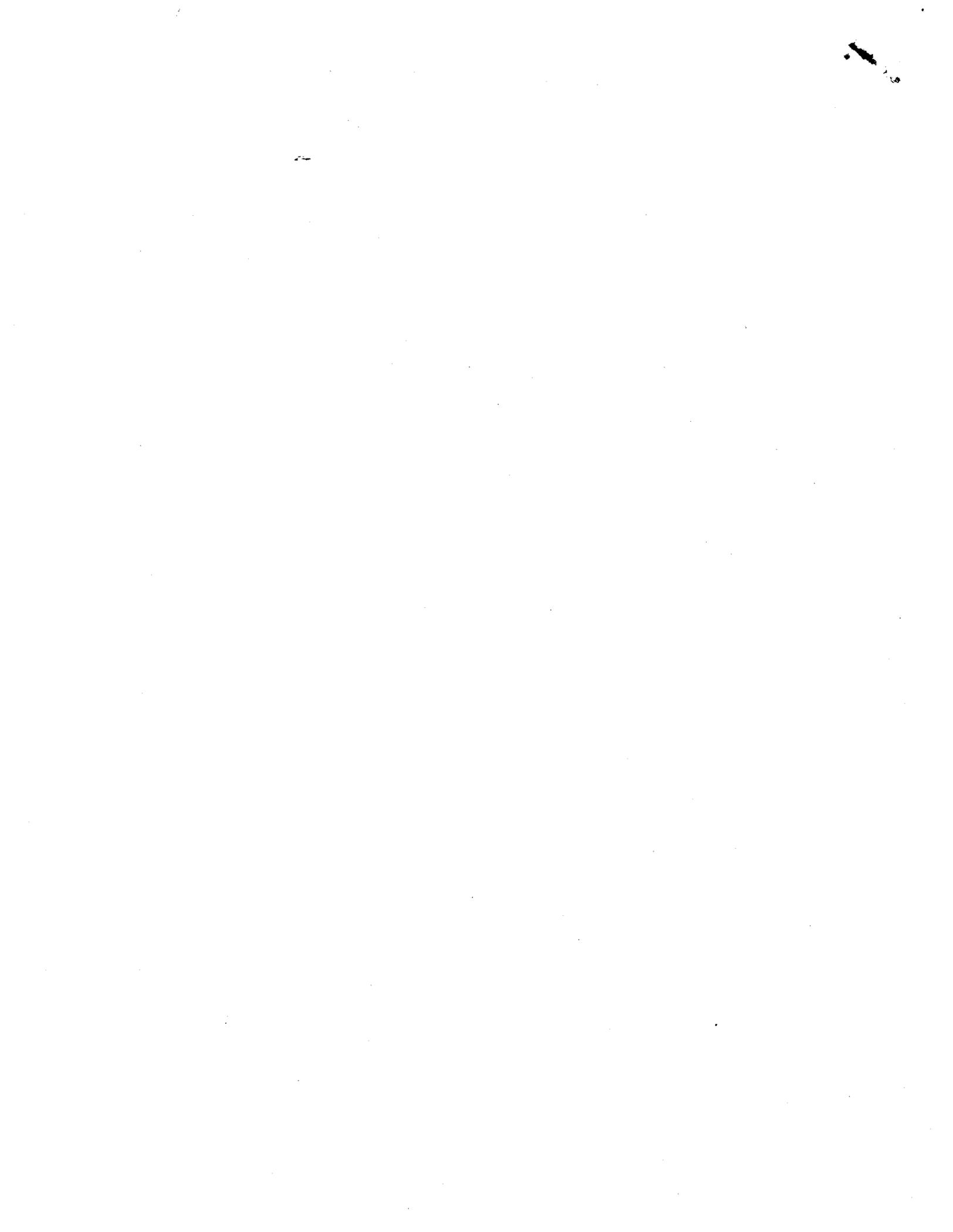
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CRANBURY TOWNSHIP ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANBURY BY ADDING A NEW CHAPTER 150 TO BE ENTITLED LAND DEVELOPMENT, WHICH CHAPTER PROVIDES THE ZONING REGULATIONS FOR THE TOWNSHIP OF CRANBURY AND DESIGN STANDARDS AND PROCEDURES FOR DEVELOPMENT APPLICATIONS TO THE PLANNING BOARD AND BOARD OF ADJUSTMENT.

BE IT ORDAINED by the Township Committee of the Township of Cranbury as follows:

Section 1. The Code of the Township of Cranbury is hereby amended by adding thereto a new chapter to be Chapter 150, Land Development, to read as follows:



Land Development Ordinance
Cranbury Township, N.J.

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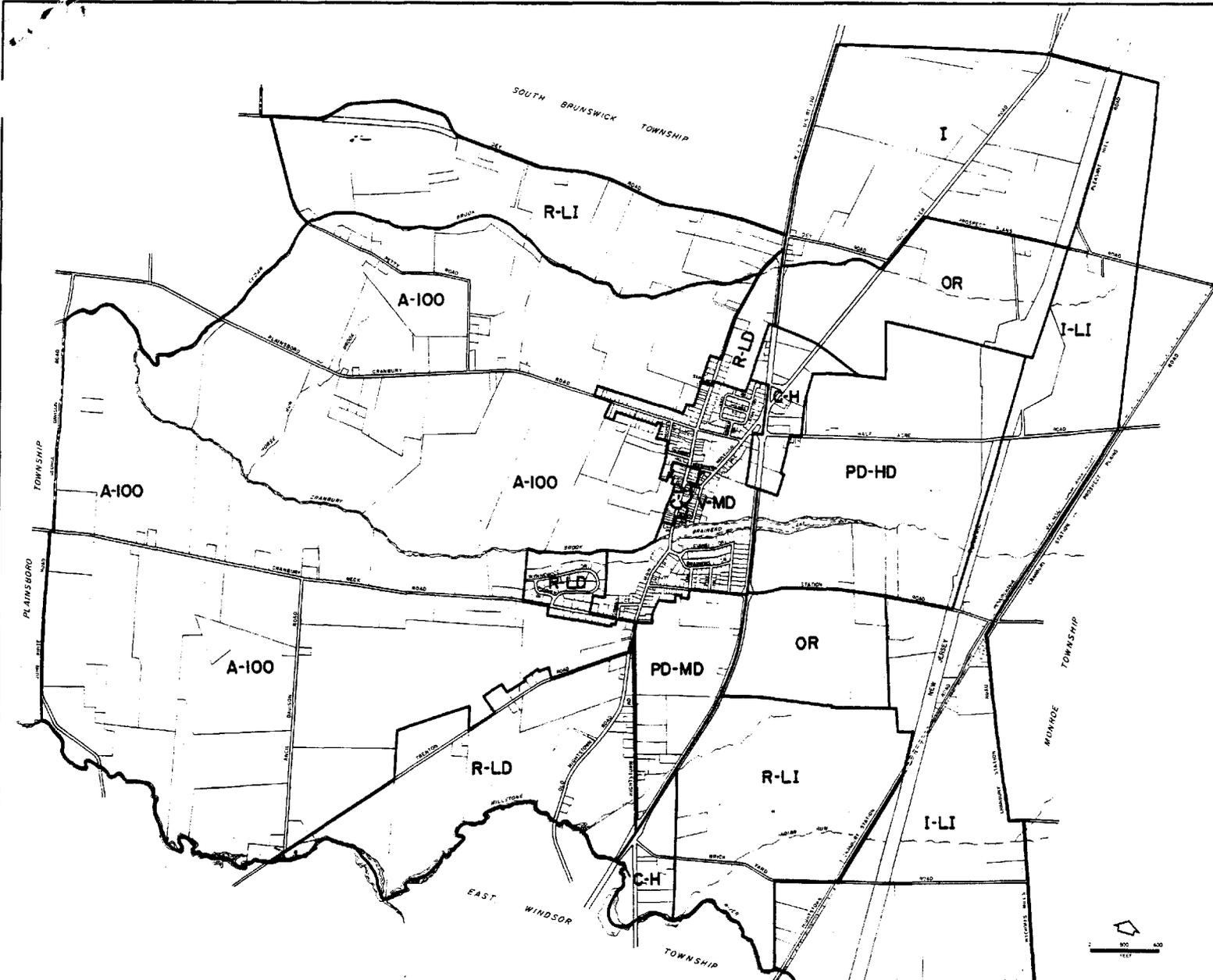
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- R-LI Residence - Light Impact Zone
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- V - MD Village - Medium Density Zone
- PD-MD Planned Development - Medium Density Zone
- PD-HD Planned Development - High Density Zone
- OR Office And Research Zone
- C-H Commercial - Highway Zone
- CV Commercial - Village Zone
- I-LI Industrial - Light Impact Zone
- I Industrial Zone



CRANBURY TOWNSHIP Middlesex County, New Jersey

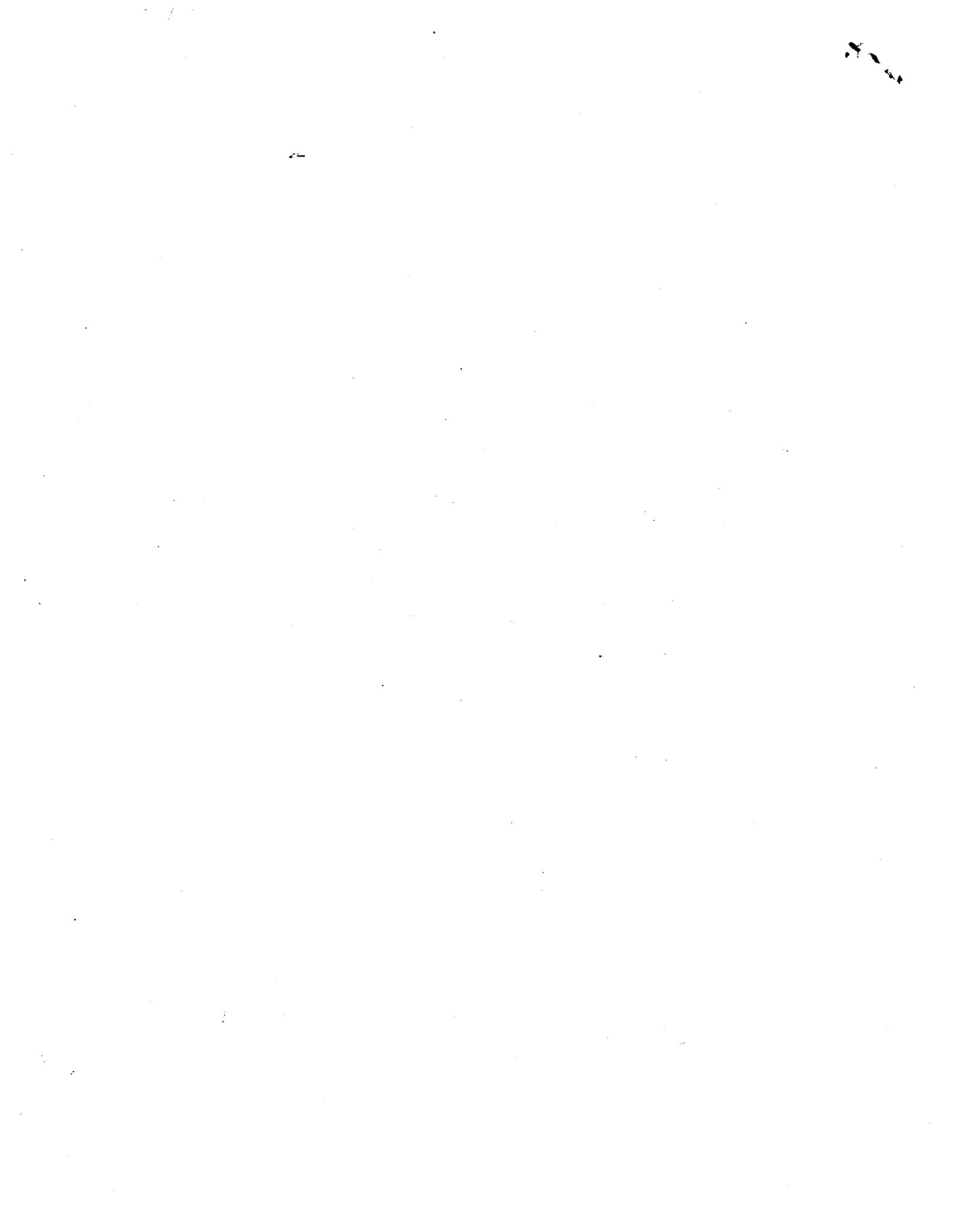
ZONING MAP

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ARTICLE I

GENERAL PROVISIONS

- 150-1 Title. A comprehensive ordinance regulating and limiting the uses of land and the uses and locations of buildings and structures; regulating and restricting the height and bulk of buildings and structures and determining the area of yards and other open spaces; regulating and restricting the density of population; dividing Cranbury Township into districts for such purposes; adopting a map of said Township showing boundaries and the classification of such districts; establishing rules, regulations and standards governing the development of land within the Township including site planning and land subdivision; establishing a Planning Board and a Board of Adjustment; and prescribing penalties for the violation of its provisions.
- 150-2 Short Title. The short form by which this ordinance may be known shall be "THE LAND DEVELOPMENT ORDINANCE OF CRANBURY TOWNSHIP."
- 150-3 Purpose. This ordinance is adopted pursuant to the Municipal Land Use Law of 1975 (N.J.S.A. 40:55D-1, et. seq.), and subsequent amendments and supplements thereto, in order to promote and protect the public health, safety, morals and general welfare.
- 150-4 Interpretation of Standards. Where the provisions of this ordinance impose greater restrictions than those imposed by any other provisions of law or by other ordinances, regulations or resolutions, the provisions of this ordinance shall control. Where the provisions of any other law, ordinance, regulation or resolution impose a greater restriction than those imposed by this ordinance, the provisions of such other law, ordinance, regulation or resolution shall control.
- 150-5 Prohibited Uses. Following the effective date of this ordinance, the establishment of any use not expressly permitted by this ordinance shall be prohibited.
- 150-6 Time of Compliance. All applicable requirements shall be met at the time of erection, enlargement, alteration, moving or change in use of a structure or structures or in the use of land and shall apply to the entire structure or structures or lot irrespective of the proportion thereof that may be involved in the erection, enlargement, alteration, moving or change in use except as set forth in Article XV.



ARTICLE II

DEFINITIONS

150-7

Definitions and Usages. Unless otherwise expressly stated, the following terms shall, for the purpose of this ordinance, have the meaning as herein defined. Any word or term not noted below shall be used with a meaning as defined in Webster's Third New International Dictionary of the English Language, unabridged (or latest edition).

Access - A physical entrance to property.

Accessory Building or Structure - A building or structure detached from a principal building located on the same lot as, and customarily incidental and subordinate to, the principal building.

Accessory Use - A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

Addition - A structure added to the original structure at some time after the completion of the original.

Administrative Officer - The Township Clerk of the Township of Cranbury, unless a different municipal official is designated by the township to administer its land development ordinance.

Agricultural Stands - A booth or stall located on a farm from which agricultural products are sold to the general public.

Agriculture - The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to; forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; fruits of all kinds, including grapes, nuts and berries; vegetables; floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program.

Aisle - The travelled way by which cars enter and depart parking spaces.

Alley - A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

Alterations - A change or rearrangement in the structural parts of a building or structure, or in the existing facilities, or an enlargement of a building whether by extension on the site or by an increase in height, or by a move from one location or position to another.

Applicant - The landowner or the agent, optionee, contract purchaser or other person authorized to act for the landowner in submitting an application under this ordinance.

Application for Development - The application form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.

Automobile Service Station - A structure and surrounding land used for the storage and sale of petroleum fuel primarily to motor vehicles and for accessory uses such as the sale of lubricants, accessories or supplies, the incidental washing of motor vehicles and the performing of minor repairs. A service station is not a repair garage nor a body shop.

Automobile Sales Lot or Building - A lot or building used for the sale or hire of automotive equipment. This shall be interpreted to include new and used car dealerships and auto accessory salesrooms but not the sale of junked automotive equipment.

Basement - The portion of a building that is partly below grade and partly above grade which has more than one-half ($\frac{1}{2}$) of its height, measured from floor to ceiling, above the average finished grade of the ground adjoining the building.

Berm - A mound of earth, or the act of pushing earth into a mound.

Block - An area bounded by one or more streets or a municipal boundary and of sufficient size to accommodate a lot or lots of minimum size required by this ordinance.

Buildable Area - The area of a lot remaining after the minimum yard and open space requirements of the zoning ordinance have been met.

Building - Any structure or exterior thereof having a roof supported by such things as columns, posts, piers, walls, or air and intended for the shelter, business, housing or enclosing of persons, animals, property, or other materials.

Building Coverage - The area covered by all buildings on a lot as measured on a horizontal plane around the periphery of the facades and including the area under the roof of any structure supported by columns, but not having walls, as measured around the outside of the outermost extremities of the roof above the columns.

Building Height - The vertical distance of a building measured from the average elevation of the finished grade within twenty feet of the structure to the highest point of the roof.

Building Line - A line formed by the intersection of a horizontal plane at average grade level and a vertical plane that coincides with the exterior surface of the building on any side. In case of a

cantilevered section of a building, the vertical plane will coincide with the most projected surface. All yard requirements shall be measured to the building line.

Cartway - The hard or paved surface of a street customarily used for 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.

Caliper - The diameter of a tree trunk.

Capital Improvements Program - A proposed timetable or schedule of all future capital improvements to be carried out during a specific period and listed in order of priority, together with cost estimates and the anticipated means of financing each project.

Cellar - That portion of a building that is partly below grade, which has more than one-half ($\frac{1}{2}$) of its height, measured from floor to ceiling, below the averaged finished grade of the ground adjoining the building.

Certificate of Occupancy - A document issued by the Construction Official allowing the occupancy or use of a building and certifying that the structure or use has been constructed and can be used in compliance with all the applicable state codes and municipal ordinances.

Common Open Space - An open space area within or related to a site designated as a development that is available for the use of all residents or occupants thereof. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents, occupants and owners of the development.

Common Water/Sewerage - Water supply and sewage disposal systems, whether privately or publicly owned and operated, that serve two or more dwellings or other buildings.

Complete Application - An application form for a development completed as specified by ordinance and the rules and regulations of the appropriate agency of the Township, and all accompanying documents required by such ordinance or rules and regulations for approval of the application for development, including where applicable, an application for approval of a site plan or subdivision plat; provided that the municipal agency may require such additional information not specified in the ordinance or any revisions in the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application for development have been met. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the municipal agency. An

application shall be certified as complete immediately upon the meeting of all requirements specified in the ordinance and in the rules and regulations of the municipal agency, and shall be deemed complete as of the day it is so certified by the administrative officer for purposes of the commencement of the time period for action by the municipal agency.

Conditional Use - A use permitted in a particular zoning district subject to the issuance of an authorization therefor by the planning board upon a showing that such use, in a specified location, will comply with the conditions and standards prescribed in this ordinance for the location or operation of such use.

Construction Official - The municipal official specified in the building code and charged with administering the land development regulations together with the administrative officer of the township.

Contiguous Parcels - Tracts of land which share a common boundary.

Corporate Office - A building comprising more than 30,000 square feet of office use.

Court - Any area bounded by three or more attached building walls.

Cul-de-Sac - The turnaround at the end of a dead-end street.

Curb Cut - The opening along the curb line at which point vehicles may enter or leave the roadway.

Days - Calendar days.

Dedication - An appropriation or giving up of property to public use, which precludes the owner or others under him from asserting any right of ownership inconsistent with the use for which the property is dedicated.

Density, Gross - The number of dwelling units per acre computed by dividing the total number of dwelling units proposed to be built by the total number of acres in the development.

Density, Net - The total number of dwelling units per acre computed by dividing the total number of dwelling units proposed to be built by the gross area after deducting all areas designated as common open space and all collector streets.

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 structure, or the use, change in use, or extension of use of land for which permission may be required pursuant to this ordinance.

Development Credit - An interest in land which represents a right to exchange land for residential purposes in accordance with the provisions of this ordinance.

Development Credits Certificate - A certificate issued by the Township Clerk indicating the number of development credits to which a person named on the certificate is entitled.

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

Dwelling - Any permanent building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons. Dwellings may include but not be limited to the following types:

- a. Detached Single Family: A building physically detached from other buildings or portions of buildings which is occupied or intended to be occupied for residence purposes by one housekeeping unit and which has its own sleeping, sanitary and general living facilities.
- b. Garden Apartment - Three or more dwellings located within a single building, with an entrance to each dwelling by direct access from the outside or through a common hall. Garden apartments may include buildings in cooperative or condominium ownership. Also see "Dwellings, Multi-Family."
- c. Townhouse - A building containing at least four connected dwelling units divided by common vertical party walls, with private entrances to each dwelling. A townhouse may include dwelling units owned in fee simple or in condominium or cooperative ownership or any combination thereof.
- d. Zero Lot Line - A freestanding single family detached building serving one family, with one wall of the building abutting a side property line. Side, rear or front yards may be enclosed by walls provided that such yards remain unoccupied and open to the sky.
- e. Dwelling, Multi-Family - Three or more dwelling units that share common vertical and/or horizontal separations. Includes "Garden Apartments."
- f. Dwelling, Semidetached, Single Family - A single-family dwelling attached to one other single-family dwelling on an adjoining lot by a common vertical wall erected on the lot line dividing the two lots.

g. Dwelling, Two-Family - A building containing two (2) dwelling units entirely separated from one another by vertical walls or horizontal floors, unpierced except for access to outside or to a common basement, each having entrances on the first floor, intended for residential occupancy by two housekeeping units, each living independently of the other and each with its own sleeping, cooking and sanitary facilities.

Easement - An interest in land owned by another that entitles its owner to specific limited use and enjoyment.

Farm - For the purposes of this ordinance a farm shall be defined as agriculture.

Farm Buildings - All structures useful or necessary for the conduct of agricultural activities including, but not limited to, barns, silos, mechanical equipment storage sheds, animal pens or other shelters.

Fast-Food Establishments - A business establishment where food and drink prepackaged to be ready for consumption are sold to be consumed either on or off the premises.

Fence - A vertical enclosure, solid or partially open, to prevent straying from within or intrusion from without or intended to be used as a visual screen. A fence over seven (7) feet high is also considered a "structure" for purposes of this ordinance.

Flood Fringe Area - That portion of the flood hazard area outside the floodway.

Flood Hazard Area - Land in the flood plain subject to a one percent (1%) or greater chance of flood in any given year.

Flood Plain - The relatively flat area or low lands adjoining the channel of a river, stream, watercourse, canal, or any body of standing water, which has been or may be covered by flood water.

Floodway - The watercourse and its adjacent land area that must be reserved in order to discharge the design flow without annually increasing the water surface elevation more than one (1) foot.

Financial Institutions- Any structure wherein business of primarily a financial nature is transacted, such as: banks, savings and loans associations, mortgage companies and similar institutions.

Floor Area - The sum of the gross horizontal areas of the several floors of a building or group of buildings on a lot, measured from the exterior faces of exterior walls or from the center line of party walls separating two (2) buildings. "Floor area" shall not include (1) roof overhangs projecting less than three feet or any floors or portions thereof contained on terraces or balconies projecting beyond the exterior face of the building; or (2) roofed or enclosed areas

devoted exclusively to off-street parking and loading spaces in excess of the number required by this ordinance.

Floor Area Ratio (FAR) - The aggregate floor area, in square feet, of a building or group of buildings on a lot divided by the area, in square feet, of the lot.

Frontage - The street line of the lot.

Garage, Private - A building or enclosed space used as an accessory to the main building which provides for the storage of motor vehicles and in which no occupation, business or service for profit is carried on.

Garage, Public or Commercial - A building or enclosed space other than a private garage, for the storage of motor vehicles exclusively or for the storage of motor vehicles at which filling station service, sales of accessories or repairs, other than body and collision repairs and painting and refinishing, are permitted. This term does not include motor vehicle show rooms for new or used motor vehicles.

Ground Floor - The first floor of a building other than a cellar or basement.

Historic Building - Any building or structure which is historically or architecturally significant.

Historic District Area - A district or zone designated by a local authority, state or federal government within which the buildings, structures, appurtenances and places are of basic and vital importance because of their association with history, or because of their unique architectural style and scale, including color, proportion, form and architectural detail, or because of their being part of or related to a square, park, or area the design or general arrangement of which should be preserved and/or developed according to a fixed plan based on cultural, historical or architectural motives or purposes.

Historic Site - A structure or place of outstanding historical and cultural significance and designated as such, by local, state or federal government.

Home Occupation - Any activity, including the professions, carried on for gain by a resident and conducted in the resident's dwelling unit.

Homeowners Association - A community association, including a condominium association, which is organized in a development in which individual owners have a shared interest in open space or facilities.

Hotel - A facility offering transient lodging accommodations to the general public and providing additional services such as restaurants, meeting rooms, and recreation facilities.

Housekeeping Unit - One or more persons living together in one dwelling unit on a non-seasonal basis and sharing living, sleeping, cooking and sanitary facilities on a non-profit basis.

Impervious Coverage - The building coverage plus the area of all impervious surfaces on a lot such as parking areas, driveways, service areas, streets, walkways, patios, and plazas, expressed as a percentage of the total lot area.

Institutional Home - A nonprofit or quasi-profit use or institution, municipally owned or operated building, structure or land use for community residences for developmentally disabled.

Landscaping - An area of land restricted to landscape items which may also include such elements as natural features, earth berms, sculpture, signs, lighting, access-ways, bikeways and pedestrian-ways.

Lane Acceleration or Deceleration - An added roadway lane which permits integration and merging of slower moving vehicles into the main stream or slowing down for vehicles approaching a turn.

Light Industry - An activity which involves the fabrication, reshaping, reworking, assembly or combining of products from previously prepared materials and which does not involve the synthesis of chemical or chemical products other than for pharmaceutical or research purposes or the processing of any raw materials. Light industry includes industrial operations such as electronic, machine parts and small component assembly, as opposed to heavy industrial operations such as automobile assembly or milling activities.

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

Lot Area - The area of a lot taken at its perimeter, exclusive of any portion within a public or private street right-of-way.

Lot, Corner - A lot at the junction of, and abutting on, two (2) or more intersecting streets, where the interior angle of intersection does not exceed one hundred thirty-five (135°) degrees.

Lot Depth - The length of a line, lying midway between and parallel to side lines or midway between and making equal angles with two converging side lines, between the point of its intersection with the street line and the point of its intersection with a rear lot line.

Lot Frontage - The straight line distance measured between points where side lines meet street lines; e.g., the chord of a circle in a cul-de-sac.

Lot, Interior - A lot other than a corner lot or a through lot.

Lot Line - A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Lot Line, Front - The lot line separating a lot from a street right-of-way; also referred to as "street line."

Lot Line, Rear - The lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

Lot Line, Side - Any lot line other than a front or rear lot line.

Lot, Reverse Frontage - A through lot which is not accessible from one of the parallel or non-intersecting streets upon which it fronts.

Lot, Through - A lot which fronts upon two streets which do not intersect at the boundaries of the lot.

Lot Width - The distance between the side lines measured parallel to the front lot line at the minimum front yard setback line.

Low Income Housing - Low income housing shall mean housing which, with the appropriate purchase or rental subsidy, is constructed and kept available for families or individuals, including senior citizens, whose incomes do not exceed 50 percent of the median income of the area, with adjustments for smaller and larger families as defined for the township by the U.S. Department of Housing and Urban Development.

Maintenance Guarantee - Any security, other than cash, which may be accepted by the Township for the maintenance of any improvements required by this Ordinance.

Major Site Plan - Any site plan not classified as a minor site plan.

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

Marquee - Any hood, canopy, awning, or permanent construction which projects from the wall of a building, usually above an entrance.

Master Plan - A composite of one or more written or graphic proposals for the development of the Township as set forth in and adopted pursuant to NJSA 40:55 D-28 et seq.

Minor Site Plan - A development plan of one or more lots which (a) proposes new development within the scope of development specifically permitted by ordinance as a minor site plan; (2) does not involve planned development, any new street or extension of any off-tract improvement which is to be prorated pursuant to section 30 (C.40:55D-42) of N.J. Stat. Ann.; and (3) contains the information

reasonably required in order to make an informed determination as to whether the requirements established by ordinance for approval of a minor site plan have been met.

Minor Subdivision - Any subdivision of land that does not involve more than two (2) lots (one (1) new lot and the remaining parcel), each fronting on an existing street or road provided that such subdivision does not involve (1) a planned development, (2) any new street, (3) the extension of any off-tract improvement, (4) adverse impacts affecting the development of the remaining or adjoining parcels, (5) contribution to any unusual drainage problems or (6) conflict with any provisions of the Master Plan, Official Map, or this Ordinance. No subdivider or owner shall be entitled to approval of a minor subdivision any land which has been subdivided or a minor subdivision within 48 months immediately preceding the subdivision application.

Moderate Income Housing - Moderate income housing shall mean housing which, with the appropriate purchase or rental subsidy, is constructed and kept available for families or individuals, including senior citizens, whose incomes do not exceed 80 percent of the median income of the area, with adjustments for smaller and larger families as defined for the township by the U.S. Department of Housing and Urban Development.

Motel - A building or group of buildings, containing rented rooms for transients and having access either directly to the outside or through a common lobby or corridor.

Municipal Agency - The planning board, board of adjustment, or township committee or any agency created by or responsible to Cranbury Township when acting pursuant to this ordinance.

Non-Conforming Lot - A lot the area, or, dimension of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

Non-conforming Sign - Any sign lawfully existing on the effective date of an ordinance, or any amendment thereto, which is rendered non-conforming by reason of the adoption, revision or amendment thereof.

Non-Conforming Structure - A structure the size, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

Non-Conforming Use - A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption, revision or amendment.

Nuisance Factors - An offensive, annoying, unpleasant or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion or disturbance of another's right, including the actual or potential emanation of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement.

Off-Site - Means located outside the lot lines of a lot in question but within the property (of which the lot is a part) which is the subject of a development application or within a contiguous portion of a street or other right-of-way.

Off-Tract - Means a lot not located on the property which is the subject of a development application nor on a contiguous portion of a street or right-of-way.

On-Site - Means located on the lot that is the subject of an application for development.

On-Tract - Means located on the property which is the subject of a development application or on a contiguous portion of a street or other 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 off-street parking and other improvements that are designed to be incidental to the natural openness of the land.

Outbuilding - A separate accessory building or structure not physically connected to the principal building.

Outdoor Storage - The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four hours.

Owner - The term shall be construed to include the duly authorized agent, attorney, purchaser, devisee, fiduciary or any person having vested or contingent interest in the property in question.

Parking Lot - An off-street, ground level area, usually surfaced and improved for the temporary storage of motor vehicles.

Parking Space - A space for the parking of one motor vehicle within a public or private parking area, but not within a dedicated street.

Performance Guarantee - Any security, in accordance with the requirements of this ordinance, which may be accepted by the Township as a

guarantee that improvements required as part of an application for development are satisfactorily completed.

Person - Any association, partnership, corporation, cooperative group, trust or other entity as well as an individual.

Planned Development - An area with a specified minimum contiguous acreage as specified by this ordinance to be developed as a single entity according to a plan containing one or more residential clusters, which may include appropriate public or quasi-public uses, all primarily for the benefit of the residential development. Planned development shall also include planned office developments.

Plat - The map of a subdivision.

Principal Building - A building in which is conducted the main or principal use of the lot on which said building is located.

Professional Office - The office of a member of a recognized profession or occupation, including architects, artists, authors, dentists, doctors, lawyers, veterinarians, ministers, musicians, optometrists, engineers, realtors and such other similar professions or occupations which may be so designated by the Board of Adjustment.

Quorum - The majority of the full authorized membership of the planning board.

Recreational Vehicle - A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailer, trucks campers, camping trailers and self-propelled motor homes.

Research Laboratory - A building for experimentation in pure or applied research, design, development, and production of prototype machines or devices, or of new products, and uses accessory thereto, wherein products are not manufactured for wholesale or retail sale; wherein commercial servicing or repair of commercial products is not performed; and where there is no display of any materials or products.

Residential Cluster - An area to be developed as a single entity according to a plan containing residential housing units and having a common or public open space appurtenance.

Restaurant - Any premises where food is commercially sold for on-premises consumption to patrons seated at tables or counters. Any facility making use of carhop or parking lot service to cars or for the consumption of food to be eaten in said cars or outdoors, shall not be considered a "restaurant" for the purpose of this ordinance, and shall be deemed to be a "drive-in establishment."

Resubdivision - The further division of a lot or the adjustment of a lot line or lot lines.

Right-of-Way Lines - The boundary lines of land used or intended for use as streets, as shown on deeds, plats, or the Master Plan, and from which yard and other requirements shall be measured.

Septic Tank - A water-tight receptacle that receives the discharge of sewage from a building, sewer or part thereof and is designed and constructed so as to permit settling of solids, digestion of the organic matter, and discharge of the liquid portion into a disposal area.

School - Any public or private institution offering instruction for students up to and through the secondary level.

Setback - An area extending the full width of the lot described or a distance between the street right-of-way and building for the full required front yard depth within which no buildings or parts of buildings may be erected.

Sign - Any object, device, display or structure, or part thereof situated outdoors or indoors, which is intended to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

Sign, Animated or Moving - Any sign or part of a sign which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.

Sign Area - The entire face of a sign including the advertising surface and any framing, trim or molding, but not including the supporting structure.

Sign, Billboard - A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Sign, Business - A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.

Sign, Construction - A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals, or firms having a role or interest with respect to the structure or project.

Sign, Directional - A sign limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way," "entrance," and "exit."

Sign, Facade - See Sign, Wall.

Sign, Face - The area or display surface used for the message.

Sign, Flashing - Any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, Freestanding - Any nonmovable sign not affixed to a building.

Sign, Governmental - A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.

Sign, Ground - Any sign, other than a pole sign, placed upon or supported by the ground independent of any other structure.

Sign, Home Occupation - A sign containing only the name and occupation of a permitted home occupation.

Sign, Illuminated - A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

Sign, Projecting - A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

Sign Real Estate - A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

Sign, Roof - A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Sign, Temporary - A sign or advertising display constructed of cloth, canvas fabric, plywood or other light material and designed or intended to be displayed for a short period of time.

Sign, Wall - A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than 12 inches from such building or structure.

Sign, Window - A sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.

Site Plan - "Site plan" means a development plan of one or more lots on which is shown (1) the existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, flood plains, marshes and waterways, (2) 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, screening devices, and (3) any other information that may be reasonably required in order to make an informed determination pursuant to an ordinance requiring review and approval of site plans by the planning board adopted pursuant to N.J.S.A. 40:55D-37 et seq.

Story - That part of any building, exclusive of cellars but inclusive of basements, comprised between the level of one finished floor and the level of the next higher finished floor, or, if there be no higher finished floor, then that part of the building comprised between the level of the highest finished floor and the top of the roof beams.

Story, Half - Any space partially within the roof framing, where the clear height of not more than sixty-five (65) percent of such space between the top of the floor beams and the structural ceiling level is seven (7) feet or more.

Stream - A watercourse having a source and terminus, banks and channel through which waters flow at least periodically.

Street - Any street, avenue, boulevard, road, parkway, viaduct, drive or other way (1) which is an existing state, county or municipal road, or (2) which is shown upon a plan heretofore approved pursuant to law, or (3) which is approved by official action as provided by this ordinance, or (4) which is shown on a plat duly filed and recorded in the office of the county clerk prior to the appointment of a planning board and the grant to such board of the power to review plans. A street includes the land between the street right-of-way lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas.

Street Line - The lot line separating a lot from a street right-of-way; also referred to as "front lot line."

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: (1) divisions of land found by the planning board or any duly appointed subdivision committee thereof to be for agricultural purposes where all resulting parcels are five acres or larger in size, (2) divisions of property by testamentary or intestate provisions, (3) divisions of

property upon court order including but not limited to judgments of foreclosure, (4) consolidation of existing lots by deed or other recorded instrument and (5) the conveyance of one or more adjoining lots, tracts or parcels of land, owned by the same person or persons and all of which are found and certified by the Construction Official to conform to the requirements of the land development ordinance of Cranbury Township and are shown and designated as separate lots, tracts or parcels on the tax map or atlas of the Township. The term "subdivision" shall also include the term "resubdivision."

Township - Township of Cranbury, Middlesex County, New Jersey.

Tract - A parcel, property or area of land comprised of one or more lots adjacent to one another established by a plat or otherwise as permitted by law to be used, developed or built upon as a unit.

Transfer of Development Credits - Where permitted by this ordinance, the act of using a development credit in order that permission for development may be granted.

Transition Buffer - A landscaped area intended to act as a visual separation between two land uses of different intensity.

Use - The purpose for which land or a structure is arranged, designed, or intended, or for which either land or a structure is or may be used, occupied or maintained.

Use, Principal - The main or primary purpose or purposes for which land and/or structure(s) is designed, arranged, or intended or for which such land or structure(s) may be occupied or maintained under this ordinance.

Yard - An unoccupied ground space open to the sky.

Yard, Front - An unoccupied ground area fully open to the sky, between the street line and a line drawn parallel thereto along the front of the building, extending from lot line to lot line.

Yard Line - A line drawn parallel to a street or lot line at a distance therefrom equal to the respective yard dimension required by this ordinance.

Yard, Rear - An unoccupied ground area fully open to the sky, between the rear lot line and a line drawn parallel thereto along the rear of the building, extending from lot line to lot line.

Yard, Side - An unoccupied ground area fully open to the sky, between any lot line other than a street or rear lot line, and a line drawn parallel thereto along the side of the building, between the front and rear yards.

Zoning Board - The Zoning Board of Adjustment as established under this ordinance.

Zone - A finite area of land, as designated by its boundaries on the Zoning Map, throughout which specific and uniform regulations govern the use of land and/or the location, size and use of buildings.

Zoning Map - The map annexed to and made part of this ordinance, indicating zone boundaries.

Zoning Permit - A document signed by the Construction Official which either (1) is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building or (2) which acknowledges that such use, structure or building complies with the provisions of the municipal zoning ordinance or variance therefrom duly authorized by the appropriate agency of Cranbury Township pursuant to NJSA 40:55D-60 and 40:55D-70.

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ARTICLE III

ZONING DISTRICTS, RULES AND REGULATIONS

150-8 Establishment of Zoning Districts. The Township of Cranbury is hereby divided into a number of zones, differentiated according to use, area, and bulk requirements, to be designated as follows:

| | |
|------------|--------------------------------------|
| A-100 Zone | Agricultural |
| R-L1 Zone | Residential-Light Impact |
| R-LD Zone | Residential-Low Density |
| V-MD Zone | Village - Medium Density |
| PD-MD Zone | Planned Development - Medium Density |
| PD-HD Zone | Planned Development - High Density |
| OR Zone | Office and Research |
| C-H Zone | Commercial - Highway |
| C-V Zone | Commercial - Village |
| I-LI Zone | Industrial-Light Impact |
| I Zone | Industrial |

150-9 Zoning Map. The boundaries of the said zones are established on the "Zoning Map, Township of Cranbury" dated MAY 11, 1983 which is hereby adopted and made a part of this Ordinance.

150-10 Interpretation of Zone Boundaries. In determining the boundaries of zones shown on the map, the following rules shall apply:

- A. Along transportation right-of-way lines: Where zone boundaries are indicated as approximately following the center lines of streets, highways, waterways, or railroad rights-of-way or such lines extended, such center lines shall be construed to be such boundaries.
- B. District lines parallel to streets: Where zone boundaries are indicated as running parallel to the center lines or right-of-way lines of streets, such zone boundaries shall be construed as being parallel thereto, and at such distances therefrom as indicated on the Zoning Map.
- C. Vacation of streets: Whenever any public street or other public way is vacated by official action, the zoning adjoining the side of such public way shall be automatically extended to include the right-of-way thus vacated. In general, where the vacated right-of-way is bounded on either side by more than one zone, the former center line of such right-of-way shall determine the limits of each zone. The land formerly within the vacated right-of-way shall thenceforth be subject to all regulations of the extended zone or zones.

- D. Map dimensions: In all cases where dimensions are not shown on the map, the location of zone boundaries shall be determined by the use of the scale shown on the Zoning Map.
- E. Determination of doubtful lines: In cases of uncertainty or disagreement the location of zone boundary lines shall be determined by the Board of Adjustment.

150-11

Conditional Uses. Any use listed as a conditional use in a particular district may be permitted by the Planning Board, but only after it has determined that the development proposal complies with the conditions and standards set forth in this ordinance for the location and operation of such use. All conditional uses shall comply with the following requirements and standards in addition to those set forth elsewhere in this ordinance:

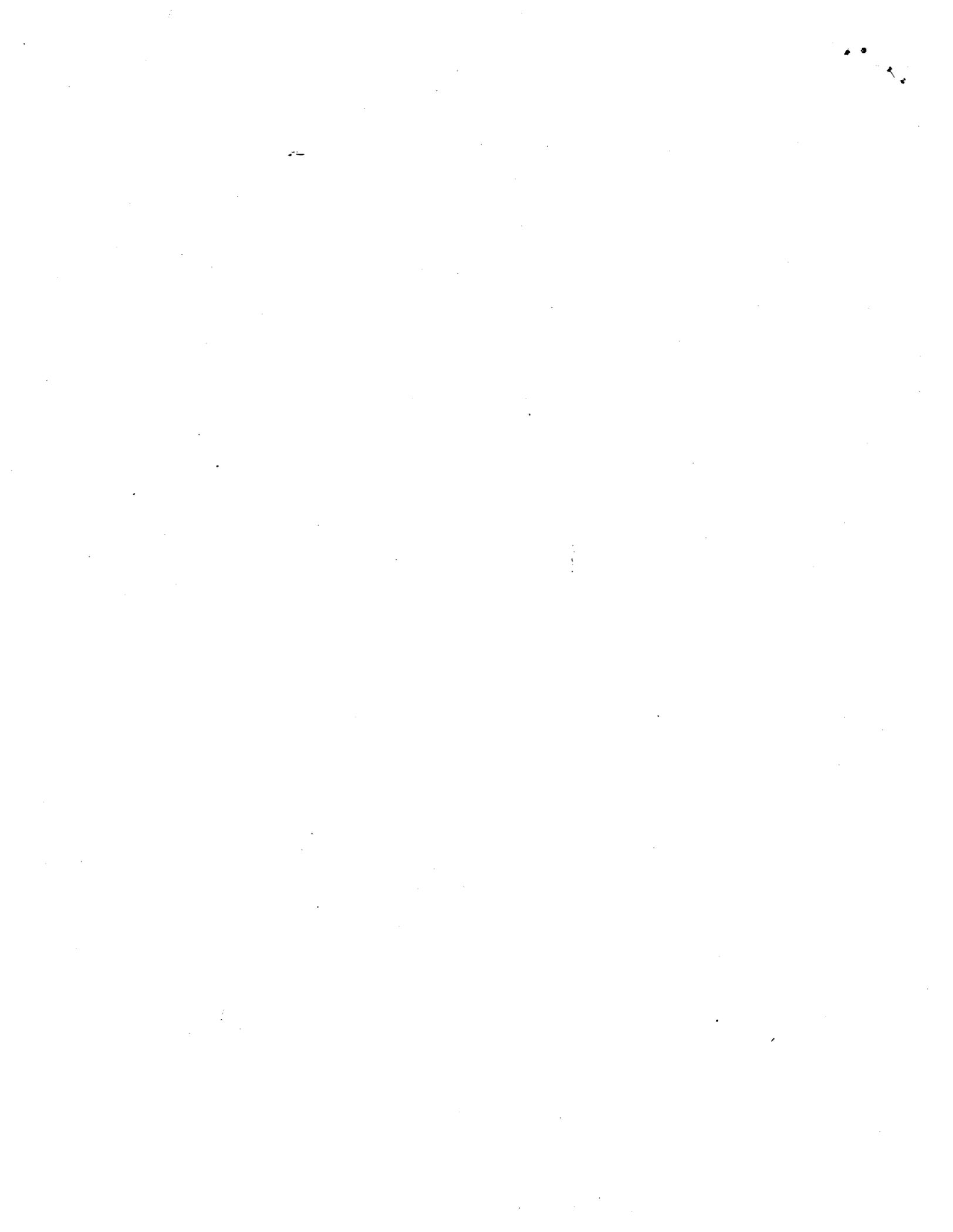
- A. All proposed structures, equipment, or material shall be readily accessible for fire and police protection.
- B. The proposed use shall be so located and of such size and character that, in general, it shall be in harmony with the existing development in the general area in which it is proposed to be situated, particularly if it is located in the historic district area or residential zone, and shall be free of nuisance characteristics as described in Article XVI.
- C. In addition to the above, in the event that any use located in, or directly adjacent to, a residential zone:
 - (1) The location, size, activity, site layout, street access, pedestrian and vehicular movement, and possible assembly of people shall be harmonious with that residential zone; and
 - (2) The location and height of buildings, fences and landscaping shall not discourage the appropriate development and use or materially affect property values of the adjacent lands or buildings.

150-12

Uses Requiring Site Plan Approval. All activities except the following shall require site plan approval:

- A. The construction, customary use, and modification of single one- or two-family dwellings, including any permitted accessory buildings and uses incidental to the principal use of the property.
- B. Buildings and customary accessory buildings other than farm stands associated with farming in the Agricultural and Residential-Light Impact Zones.

- C. Construction which is determined by the Construction Official to constitute ordinary repairs, as defined by the State of New Jersey Department of Community Affairs Uniform Construction Code.
- D. Soil disturbance of less than three hundred (300) cubic yards in total and regardless of the time span required to accomplish the proposed disturbance except that nothing shall be construed to prevent the otherwise lawful excavating or cutting, stripping or other change in the existing configuration of the land for the following purposes and no others:
 - (1) Gardening for noncommercial purposes.
 - (2) Commercial, agricultural or horticultural uses when in accordance with accepted agricultural practices approved by the County Soil Conservation District.
 - (3) The construction or reconstruction of curbs, sidewalks, private residential driveways, drainage systems, sewage disposal systems and other utility service connections, provided that all other township, county, state and district approvals have been received.
 - (4) Installation, removal, replacement or maintenance of landscaping, including trees, shrubs, flowers and cover where the existing land contours are not changed by more than one (1) foot.



ARTICLE IV

A-100 AGRICULTURAL ZONE

150-13 Permitted Uses. In the A-100 Agricultural Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:

- A. Agriculture, agricultural stands primarily for the sale of dairy and agricultural products grown on the same farm, and other farm buildings.
- B. Detached single-family dwellings.
- C. Public parks and playgrounds.
- D. Buildings, structures and uses owned and operated by the Township of Cranbury.
- E. Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

150-14 Conditional Uses. In the A-100 Agricultural Zone, the following may be permitted as a conditional use:

- A. Home occupations, in accordance with the requirements of Section 150-51.
- B. Public utility and service structures, provided that they shall be located so as to minimize interference with the conduct of agriculture and subject to the following requirements:
 - (1) The project shall conform to the master plan or utility plan of Cranbury Township.
 - (2) The project shall comply with the yard and landscape buffer requirements set forth in Article XVI.

150-15 Area and Bulk Regulations

- A. Agriculture
 - (1) Lot area: Minimum lot area shall be five (5) acres, provided that such area shall be increased to six (6) acres if a single-family dwelling is located on the lot.
 - (2) Setback: Any farm building shall be located farther than fifty (50) feet and animal shelter housing live stock, whether principal or accessory, shall be located farther than two hundred (200) feet of any zone boundary or property line.

B. Detached single-family dwellings

- (1) Lot area: Minimum lot area shall be six (6) acres.
- (2) Frontage: Minimum street frontage shall be four hundred (400) feet.
- (3) Lot depth: Minimum lot depth shall be three hundred (300) feet.
- (4) Front yard: Minimum front yard depth shall be fifty (50) feet.
- (5) Side yards: Minimum side yard width shall be fifty (50) feet.
- (6) Rear yard: Minimum rear yard depth shall be one hundred (100) feet.
- (7) Building height: Maximum building height shall be thirty-five (35) feet, except that agricultural storage structures may have a height determined by the function thereof.

C. Agricultural Stands

- (1) Lot area: Minimum lot area shall be five (5) acres.
- (2) Setback: No agricultural stand shall be located nearer than fifty (50) feet from the public right-of-way or any property line.
- (3) Building height: Maximum building height shall be one story not exceeding twenty (20) feet.
- (4) Building area: Maximum area shall be one thousand (1,000) feet.
- (5) Buffer: The Planning Board may require the provision of a transition buffer or fence if it deems it to be needed for the adequate visual separation of the farm stand operation from adjoining properties.
- (6) Hours of operation: All agricultural stands' hours of operation shall be limited to daylight hours.

150-16

Transfer of Development Credits. The owner of any land in the A-100 Agricultural Zone, in lieu of developing such land, may transfer its development potential or credit to the owner of any land in the PD-MD and PD-HD Zones, for development in accordance with the regulations applicable in such zones.

Such transfer of development credit shall be subject to the following requirements:

- A. To determine the numbers of development credits to which the owner is entitled, such owner shall submit a hypothetical subdivision Sketch Plat which shall include the following information:
- (1) Name and address of owner or owners of record and lot and block number of the affected land;
 - (2) Scale and north arrow;
 - (3) Date of original preparation and of each subsequent revision;
 - (4) Tract boundary line, clearly delineated;
 - (5) Area of the entire tract and of each proposed lot, to the nearest tenth of an acre;
 - (6) Provision for approved signatures of the Chairman and Secretary of the Planning Board and the Township Engineer, specifying the number of credits.
 - (7) Delineation of existing floodways, flood hazard and flood fringe areas of all water courses within or abutting the tract;
 - (8) Delineation of soils types on the tract as determined by the U.S. Soil Conservation Service or as otherwise approved by the Township Engineer;
 - (9) Existing contours, referred to a known datum, with intervals of five (5) feet;
 - (10) A hypothetical circulation plan showing all streets as having a uniform right-of-way of fifty (50) feet.
 - (11) Hypothetical lot layout, with lots having an area of not less than two (2) acres, in accordance with subdivision design criteria contained in Article XVI and the requirements of the R-LD Zone where neither sewers or water is available. The hypothetical layout shall provide sufficient information for a determination by the Board of Health and Township Engineer that all lots shown would be capable of being supplied with the necessary on-site septic system, and that all lots would be useable if developed as shown. In addition to information, supplied by the National Cooperative Soil Survey which was prepared by the U.S. Department of Agriculture, the Township may request

additional percolation tests or soil logs in order to reach the required determination.

Upon approval of the Sketch Plat, the owner shall be entitled to a number of development credits certificate equal to the number of approved hypothetical lots.

- B. The transfer of the approved number of development credits shall be authorized only upon the filing by the owner of a deed restriction, in a form acceptable to the Planning Board attorney, running with the land from which the development credits are proposed to be transferred and restricting such land to agricultural use and farm buildings in perpetuity. Such deed restrictions, which shall be enforceable by specific performance of the Township or any individual, be recorded with the Clerk of Middlesex County and proof of such recording shall be presented to the Planning Board as part of the final subdivision or site plan for the development which is proposed to utilize such credits.
- C. A lot of less than ten (10) acres, not on record as of the effective date of this ordinance, is not entitled to transfer of development credits.
- D. A copy of the approval of the transfer, together with a copy of the approved Sketch Plat, shall be filed with Township Clerk who shall keep a map showing all lands from which development credits have been transferred, in whole or in part. In the case of a transfer of less than all the development credits approved for a given parcel, the deed restriction shall cover a corresponding portion of the parcel from which the credits are transferred including a percent of the road frontage equivalent to the percent of the total land retired through deed restriction. The Township Clerk shall keep a record of the total approved number of credits and the number that have been transferred. Also, a current map shall be displayed in the Township offices.

ARTICLE V

R-LI RESIDENCE-LIGHT IMPACT ZONE

- 150-17 Permitted Uses: In the R-LI, Residence-Light Impact Zone, no land shall be used and no structure shall be erected, altered or occupied for any purposes except the following:
- A. Detached single-family dwellings.
 - B. Agriculture and other farm buildings.
 - C. Public parks and playgrounds.
 - D. Necessary public utilities and services.
 - E. Buildings, structures and uses owned and operated by the Township of Cranbury.
 - F. Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.
- 150-18 Conditional Uses: In the R-LI Zone, the following may be permitted as a conditional use:
- A. Home occupations, subject to the requirements of Section 150-51.
 - B. Detached single-family dwelling residential clusters subject to the following requirements:
 - (1) The number of lots permitted to be clustered shall be no greater than the number of lots arrived at by the applicant submitting a Sketch Plat showing a conventional subdivision conforming to the R-LI bulk and area regulations and the township's subdivision design requirements contained in Article XVI. Lands occupied by public utility easements or otherwise encumbered to the extent of rendering it unbuildable, shall not be considered as a lot in the preparation of a Sketch Plat.
 - (2) Lots, as determined above, may be clustered provided that lands not required for residential use shall be devoted to common open space conforming with the standards for such open space contained in Article XVI.
 - (3) All clustered lots shall meet the requirements of the Board of Health for septic suitability.
 - (4) If lots are clustered they shall be subject to the criteria set forth below:

- (a) Lot area: Minimum lot area shall be one (1) acre.
 - (b) Frontage: Minimum street frontage shall be one hundred seventy (170) feet.
 - (c) Lot depth: Minimum lot depth shall be one hundred fifty (150) feet.
 - (d) Front yard: Minimum front yard depth shall be fifty (50) feet.
 - (e) Side yards: Minimum side yard width shall be twenty-five (25) feet.
 - (f) Rear yards: Minimum rear yard depth shall be fifty (50) feet.
 - (g) Building height: Maximum building height shall be thirty-five (35) feet.
- C. Agricultural stands, primarily for the sale of dairy and agricultural products raised on the same farm and subject to the following requirements:
- (1) Setback: No agricultural stand shall be located nearer than fifty (50) feet from the public right-of-way or any property line.
 - (2) Building height: Maximum building height shall be one story not exceeding twenty (20) feet.
 - (3) Building area: Maximum building area shall be one thousand (1,000) square feet.
 - (4) Buffer: The Planning Board may require the provision of a transition buffer or fence if it deems it to be needed for the adequate visual separation of such farm stand operation from adjoining properties.
 - (5) Hours of operation: All agricultural stands' hours of operation shall be limited to daylight hours.
- D. Churches, or other places of worship, subject to the following requirements:
- (1) Lot area: Minimum lot area shall be five (5) acres.
 - (2) Frontage: Minimum street frontage shall be four hundred (400) feet.
 - (3) Front yard: Minimum front yard depth shall be one hundred (100) feet.

- (4) Side yards: Minimum side yard width shall be one hundred (100) feet.
- (5) Rear yard: Minimum rear yard depth shall be one hundred (100) feet.
- (6) Parking: All parking shall be located in the rear or side yard at a minimum of fifty (50) feet from any property line and shall be screened from view from adjacent properties.

E. Community residences for the developmentally disabled and community shelters for victims of domestic violence involving more than six (6) persons in a dwelling and conversions of dwellings for such persons subject to the following requirements:

- (1) Such facility shall not be within one thousand five hundred (1,500) feet of an existing similar facility.
- (2) Such facility shall not cause the township's population of developmentally disabled persons occupying existing dwellings in the township to exceed fifty (50) or more such persons or five-tenths (0.5%) percent of the township's total population, whichever is larger.
- (3) Such facility shall be licensed by the State of New Jersey.
- (4) Conversions of existing dwellings for such residence shall meet required occupancy standards promulgated by the licensing state agency; a minimum lot area of two (2) acres shall be required; adequate off-street parking shall be provided for staff and visitors; rear and side yard landscape strips shall be installed; and no additional exterior construction shall be permitted nor any exterior alterations shall be allowed which would change the residential appearance of the existing dwelling.

150-19 Area and Bulk Regulations

A. Single-family dwelling:

- (1) Lot area: Minimum lot area for a single-family dwelling shall be three (3) acres.
- (2) Frontage: Minimum street frontage shall be two hundred fifty (250) feet.
- (3) Lot depth: Minimum lot depth shall be two hundred fifty (250) feet.
- (4) Front yard: Minimum front yard depth shall be fifty (50) feet.

- (5) Side yards: Minimum side yard width shall be fifty (50) feet.
- (6) Rear yard: Minimum rear yard depth shall be fifty (50) feet.
- (7) Building height: Maximum building height shall be thirty-five (35) feet.
- (8) Streets: Minimum street right-of-way and cartway widths shall conform with the standards for rural streets set forth in Article XVI.

B. Agriculture:

- (1) Lot area: Minimum lot area shall be three (3) acres provided that, if any livestock is maintained on the lot, the minimum lot area shall be five (5) acres; and provided further that either lot area shall be increased to six (6) acres if a single family dwelling is located on the lot.
- (2) Setback: Any farm building shall be located farther than fifty (50) feet and other animal shelter housing livestock, whether principal or accessory, shall be located farther than two hundred (200) feet of any zone boundary or property line.

ARTICLE VI

R-LD, RESIDENCE-LOW DENSITY ZONE

150-20 Permitted Uses: In the R-LD Residence-Low Density Zone, no land shall be used and no structure shall be erected, altered or occupied for any purpose except the following:

- A. Detached single-family dwelling.
- B. Agriculture and other farm buildings but excluding agricultural stands.
- C. Public parks and playgrounds.
- D. Necessary public utilities and services.
- E. Buildings, structures and uses owned and operated by the Township of Cranbury.
- F. Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

150-21 Conditional Uses: In the R-LD Zone the following may be permitted as a conditional use:

- A. Home occupations, subject to the requirements of Section 151-51.
- B. Churches, or other places of worship, subject to the following requirements.
 - (1) Lot area: Minimum lot area shall be five (5) acres.
 - (2) Frontage: Minimum street frontage shall be four hundred (400) feet.
 - (3) Front yard: Minimum front yard depth shall be one hundred (100) feet.
 - (4) Side yards: Minimum side yard width shall be one hundred (100) feet.
 - (5) Rear yard: Minimum rear yard depth shall be one hundred (100) feet.
 - (6) Parking: All parking shall be located in the rear or side yard at a minimum distance of fifty (50) feet from any property line and shall be screened from view from adjacent properties.

Area and Bulk Regulations

A. Single-family dwellings:

Except as specified hereinafter, the minimum lot area for a single-family dwelling shall be two (2) acres subject to the following standards:

- (1) Frontage: Minimum street frontage shall be two hundred (200) feet.
- (2) Lot depth: Minimum lot depth shall be two hundred and fifty (250) feet.
- (3) Front yard: Minimum front yard depth shall be fifth (50) feet.
- (4) Side yards: Minimum side yard width shall be thirty (30) feet.
- (5) Rear yard: Minimum rear yard depth shall be fifty (50) feet.
- (6) Building height: Maximum building height shall be thirty-five (35) feet.

If either public water or sewers are provided, the lot area may be reduced to not less than forty thousand (40,000) square feet subject to the following standards:

- (1) Frontage: Minimum street frontage shall be one hundred seventy (170) feet.
- (2) Lot depth: Minimum lot depth shall be two hundred (200) feet.
- (3) Front yard: Minimum front yard depth shall be fifty (50) feet.
- (4) Side yards: Minimum side yard width shall be twenty (20) feet.
- (5) Rear yard: Minimum rear yard depth shall be forty (40) feet.
- (6) Building height: Maximum building height shall be thirty-five (35) feet.

B. Agriculture

- (1) Lot area: Minimum lot area shall be two (2) acres provided that, if any livestock is maintained on the lot, the minimum

lot area shall be five (5) acres; and provided further that either lot area shall be increased to six (6) acres if a single family dwelling is located on the lot.

- (2) Setback: Any farm building shall be located farther than fifty (50) feet and other animal shelter having livestock, whether principal or accessory, shall be located farther than two hundred (200) feet from any zone boundary or property line.



ARTICLE VII

V-MD, VILLAGE-MEDIUM DENSITY ZONE

- 150-23 Permitted Uses: In the V-MD Village-Medium Density Zone, no land shall be used and no structure shall be erected, altered or occupied for any purposes except the following:
- A. Detached single-family dwellings.
 - B. Public parks and playgrounds.
 - C. Necessary public utilities and services.
 - D. Buildings, structures and uses owned and operated by the Township of Cranbury.
 - E. Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.
- 150-24 Conditional Uses: In the V-MD Zone, the following may be permitted as a conditional use:
- A. Home occupations, subject to the requirements of Section 150-51.
 - B. The conversion into a two-family dwelling of any single-family dwelling subject to the following requirements:
 - (1) Each dwelling unit shall have independent means of access and egress.
 - (2) Off-street parking shall be provided in accordance with the requirements of Article XVI.
 - (3) The minimum lot size shall be eighteen thousand (18,000) square feet.
 - (4) The minimum size of each of the converted dwelling unit shall not be less than six hundred (600) square feet.
 - (5) Any conversion shall not alter the exterior architectural appearance of the existing structure, with the exception of an exterior entranceway affording access to the converted unit. Any alterations to the facade of any existing structure shall be in harmony with the architectural style, materials and scale thereof.
 - C. Churches, and other places of worship, subject to the following requirements:
 - (1) Lot area: Minimum lot area shall be five (5) acres.

- (2) Frontage: Minimum street frontage shall be four hundred (400) feet.
- (3) Front yard: Minimum front yard depth shall be one hundred (100) feet.
- (4) Side yards: Minimum side yard width shall be one hundred (100) feet.
- (5) Rear yard: Minimum rear yard depth shall be one hundred (100) feet.
- (6) Parking: All parking shall be located in the rear or side yard at a minimum distance of fifty (50) feet from any property line and shall be screened from view from adjacent properties.

150-25 Area and Bulk Regulations:

- A. Lot area: Minimum lot area shall be fifteen thousand (15,000) square feet.
- B. Lot width: Minimum lot width shall be one hundred (100) feet.
- C. Front yard: Minimum front yard depth shall be the lesser of forty (40) feet or the average setback of existing buildings on the same side of the street within two hundred (200) feet on each side of the lot, provided that no building shall be erected nearer than fifteen (15) feet to the street line.
- D. Side yards: Minimum side yard width shall be twelve (12) feet.
- E. Rear yards: Minimum rear yard depth shall be forty (40) feet.
- F. Building height: Maximum building height shall be thirty-five (35) feet.

ARTICLE VIII

PD-MD, PLANNED DEVELOPMENT-MEDIUM DENSITY ZONE

150-26 Permitted Uses: In the PD-MD, Planned Development-Medium Density Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:

- A. Detached single-family dwellings.
- B. Agriculture and other farm buildings but excluding agricultural stands.
- C. Public parks and playgrounds.
- D. Necessary public utilities and services.
- E. Buildings, structures and uses owned and operated by the Township of Cranbury.
- F. Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

150-27 Conditional Uses. In the PD-MD Zone the following may be permitted as a conditional use:

- A. Home occupations, subject to the requirements of Section 150-51.
- B. A planned development, including all or any of the following: single-family detached, or single-family zero-lot line detached dwellings, semi-detached and attached dwellings, two-family dwellings, townhouse dwellings, and multi-family and garden apartment dwellings, subject to the following requirements:
 - (1) Infrastructure: All units shall be served by common water and sewer systems.
 - (2) Development area: The minimum area of a planned development shall be twenty-five (25) contiguous acres.
 - (3) Gross density and transfer of development credits: The permitted base density shall be 0.5 dwelling units per acre. Additional density increases at the rate of one (1) dwelling unit per acre for each development credit transferred from the agricultural zone shall be permitted. However, the maximum gross density of the development shall not exceed three (3) dwelling units per acre.
 - (4) Net density: Except as specified hereinafter, the maximum permitted net density of particular types of dwelling units shall be in accordance with the schedule below.

- (a) Detached single-family dwellings - four (4) units per acre.
- (b) Semi-detached single-family dwellings, zero lot line dwellings and two-family dwellings - five (5) units per acre.
- (c) Townhouses - eight (8) units per acre.
- (d) Multi-family dwellings and garden apartments - ten (10) units per acre.

The frontage along Station Road shall be restricted to the development of detached single-family dwellings on lots with a minimum area of one acre.

- (5) Housing types: There shall be a range of housing types in accordance with the requirements set forth below:

Required Housing Type Mix Schedule: PD-MD

| Housing Types | Housing Mix (%) |
|---|-----------------|
| Detached Single Family dwellings | 20-50 |
| Semi-detached, zero lot line and two-family dwellings | 0-30 |
| Townhouses | 0-30 |
| Multi-family dwellings and garden apartments | 20-30 |

Notes: Housing mix describes a minimum-maximum range of a particular housing type that may be permitted expressed as a percent of the total dwelling units in a development.

- (6) Impervious Coverage: Impervious surfaces in the aggregate shall not cover more than forty (40%) percent of the area of the development tract.
- (7) Building height: Maximum building height shall be thirty-five (35) feet.
- (8) Setback: No portion of any dwelling shall be nearer than thirty (30) feet to any internal local road right-of-way, or fifty (50) feet to a collector road right-of-way, or one hundred (100) feet from any state road right-of-way. All other building setback and yard requirements are set forth in Article XVI.

- (9) Frontage: A planned development shall have a minimum street frontage of three hundred (300) feet except that the lots along Station Road shall have a minimum frontage of one hundred seventy (170) feet.
- (10) Common open space: Not less than thirty percent (30%) of the total development shall be in common open space which shall be provided in accordance with the requirements of Article XVI.

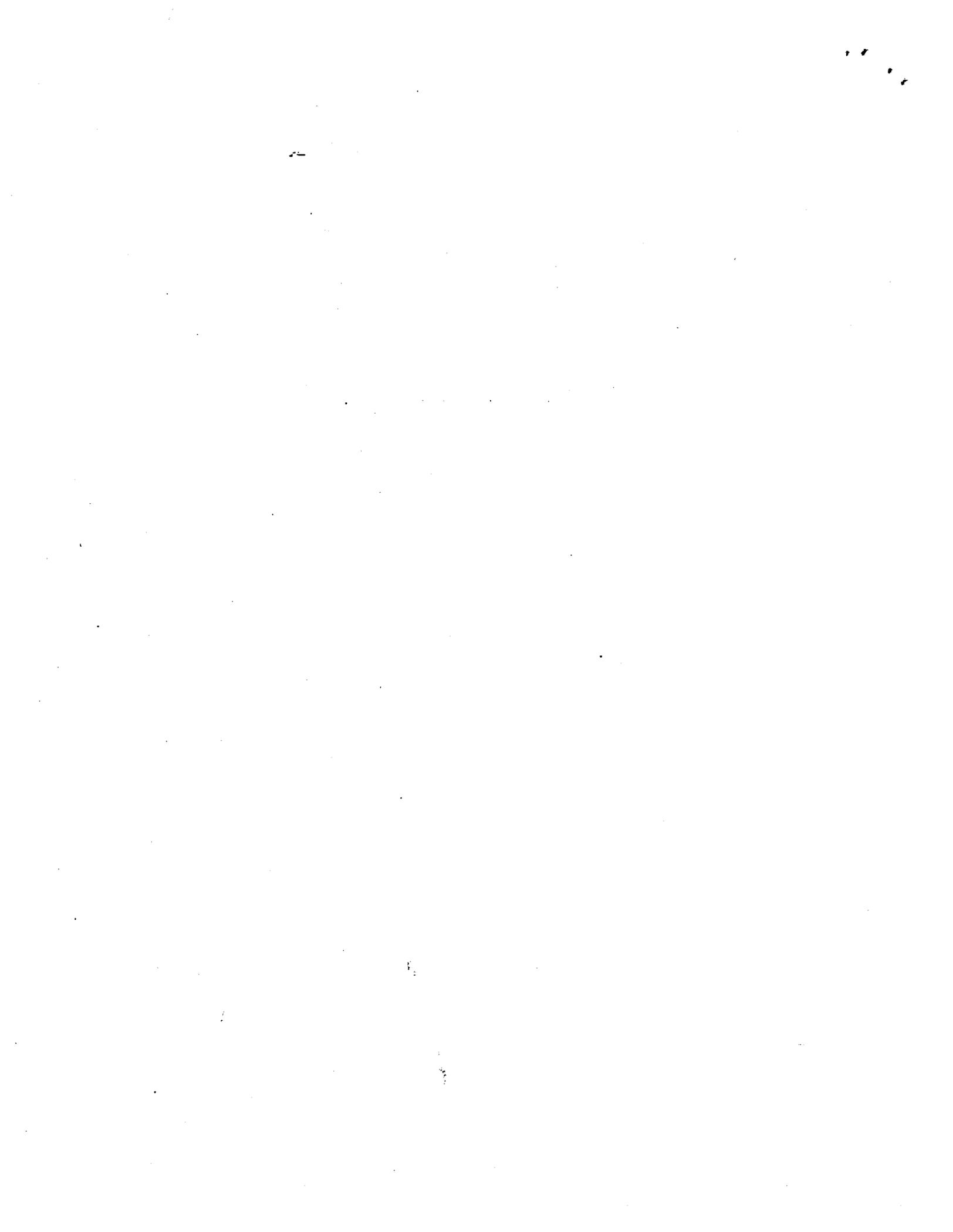
150-28 Area and Bulk Regulations

A. Detached single-family dwelling:

- (1) Lot area: Minimum lot area for a detached single-family dwelling which is not part of a planned development shall be two (2) acres.
- (2) Frontage: Minimum street frontage shall be two hundred (200) feet.
- (3) Lot depth: Minimum lot depth shall be two hundred and fifty (250) feet.
- (4) Front yard: Minimum front yard depth shall be fifty (50) feet.
- (5) Side yards: Minimum side yard width shall be thirty (30) feet.
- (6) Rear yard: Minimum rear yard depth shall be fifty (50) feet.
- (7) Building height: Maximum building height shall be thirty-five (35) feet.

B. Agriculture:

- (1) Lot area: Minimum lot area shall be two (2) acres provided that, if any livestock is maintained on the lot, the minimum lot area shall be five (5) acres; and provided further that either lot area shall be increased to six (6) acres if a single family dwelling is located on the lot.
- (2) Setback: Any farm building shall be located farther than fifty (50) feet and other animal shelter housing livestock, whether principal or accessory, shall be located farther than two hundred (200) feet from any zone boundary or property line.



ARTICLE IX

PD-HD PLANNED DEVELOPMENT-HIGH DENSITY

150-29 Permitted Uses. In the PD-HD, Planned Development-High Density Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:

- A. Detached single-family dwellings.
- B. Agriculture, including farm dwellings and other farm buildings but excluding agricultural stands.
- C. Public parks and playgrounds.
- D. Necessary public utilities and services.
- E. Buildings, structures and uses owned and operated by the Township of Cranbury.
- F. Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

150-30 Conditional Uses. In the PD-HD Zone the following may be permitted as a conditional use:

- A. Home occupations, subject to the requirements of Section 150-51.
- B. A planned development, including all or any of the following: single-family detached or single family zero-lot line detached dwellings, semi-detached dwellings, two-family dwellings, townhouse dwellings and multi-family and garden apartment dwellings, subject to the following requirements:
 - (1) Infrastructure: All units shall be served by common water and sewer systems.
 - (2) Development area: Minimum development area shall be twenty-five (25) contiguous acres.
 - (3) Gross density and transfer of development credits: The permitted base density shall be 0.5 dwelling units per acre. Additional density increases at the rate of one (1) dwelling unit per acre for each development credit transferred from the agricultural zone shall be permitted. However, the maximum gross density of the development shall not exceed four (4) dwelling units per acre.
 - (4) Net density: Except as specified hereinafter, the maximum permitted net density of particular types of dwelling units shall be in accordance with the schedule below.

- (a) Detached single-family dwellings - four (4) units per acre.
 - (b) Semi-detached single-family dwellings, zero lot line dwellings and two-family dwellings - five (5) units per acre.
 - (c) Townhouses - eight (8) units per acre.
 - (d) Multi-family dwellings and garden apartments - ten (10) units per acre.
- (5) Housing types: There shall be a range of housing types in accordance with the requirements set forth below:

Required Housing Type Mix Schedule: PD-HD

| Housing Types | Option A Housing Mix (%) |
|---|-----------------------------|
| Detached single family dwellings | 0-30 |
| Semi-detached, zero lot line and two-family dwellings | 0-30 |
| Townhouses | 20-40 |
| Multi-family dwellings and garden apartments | 30-40 |

Note: Housing mix describes a minimum-maximum range of a particular housing type that may be permitted expressed as a percent of the total dwelling units in a development.

- (6) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than forty (40%) percent of the area of the lot.
- (7) Building height: Maximum building height shall be thirty-five (35) feet.
- (8) Building setback: No portion of any dwelling shall be closer than thirty (30) feet to any internal local road right-of-way, or fifty (50) feet to a collector road right-of-way, or one hundred (100) feet from any state road right-of-way. All other building setback, and yard requirements are set forth in Article XVI.
- (9) Frontage: A planned development shall have a minimum street frontage of three hundred (300) feet.

- (10) Common open space: Not less than thirty (30%) percent of the total development shall be in common open space which shall be provided in accordance with the requirements of Article XVI.
- (11) Low and moderate income housing: The housing provisions and options set forth herein are directed toward increasing the supply of low and moderate income housing in Cranbury Township. Applicants may receive a density bonus increase for providing low and moderate income housing equal to one (1) additional dwelling unit per acre above the maximum otherwise permitted in the PD-HD district, provided that in any development where the gross density exceeds four (4) dwelling units per acre, at least fifteen (15) percent of all units shall consist of low and moderate income housing. Where low and moderate income housing is provided, applicants shall construct such housing in phases, proportional to the construction phasing of the entire development project.

These low and moderate income housing requirements may be complied with the assistance of state or federal programs, either directly or channeled through public non-profit or limited profit sponsorship, or through public, private or internal subsidies as further set forth below:

- (a) Applicants may use federal or state rental or purchase subsidy programs or other legal mechanisms, to bring on to the market the required low and moderate income housing. Guaranteed rental or purchase subsidies for twenty (20) years or more or a contract with a non-profit, limited profit or government sponsor who has obtained such guarantees or subsidies shall be deemed to have shown that such housing will remain affordable to persons within the low or moderate income range specified in the subsidy upon resale or re-rental.
- (b) Applicants may also enter into disposition agreements, in the form of covenants running with the land, or create a mechanism through a Homeowners Association instrument in a planned development, or create any other legal mechanism acceptable to the Planning Board which, in its opinion, will insure that such housing will remain affordable for a term of twenty (20) years or more for persons within the low and moderate income cost housing range upon resale or re-rental upon resale or re-rental.

Area and Bulk Requirements

A. Single-family dwellings:

- (1) Lot area: Minimum lot area for a single-family dwelling which is not part of a planned development shall be two (2) acres.
- (2) Frontage: Minimum street frontage shall be two hundred (200) feet.
- (3) Lot depth: Minimum lot depth shall be two hundred and fifty (250) feet.
- (4) Front yard: Minimum front yard depth shall be fifty (50) feet.
- (5) Side yards: Minimum side yard width shall be thirty (30) feet.
- (6) Rear yard: Minimum rear yard depth shall be fifty (50) feet.
- (7) Building height: Maximum building height shall be thirty-five (35) feet.

B. Agriculture:

- (1) Lot area: Minimum lot area shall be two (2) acres provided that, if any livestock is maintained on the lot, the minimum lot area shall be five (5) acres; and provided further that either lot area shall be increased to six (6) acres if a single-family dwelling is located on the lot.
- (2) Building setback: Any farm building shall be located farther than fifty (50) feet and other animal shelter, whether principal or accessory, shall be located farther than two hundred (200) feet from any zone boundary or property line.

ARTICLE X

OR OFFICE AND RESEARCH

150-32 Permitted Uses. In the OR, Office and Research Zone, no land shall be used and no structure shall be erected, altered or occupied for any purpose except the following:

- A. Offices: Corporate, Research, and General.
- B. Computer Centers.
- C. Accessory uses which are customarily incidental to, and located on the same lot as, the principal use, and which, unless otherwise specified, shall be located within a principal building and shall show no external evidence of such use. These may include, but shall not be limited to:
 - (1) Restaurant or cafeteria primarily for supplying meals only to employees and conference center guests.
 - (2) Newsstands, post office, branch banking facilities serving primarily employees and guests of a principal use.
 - (3) In-service training school for employees.
 - (4) Custodial living quarters.
 - (5) Indoor and outdoor recreation facilities provided that such uses, including any accessory buildings associated therewith, shall be planned as an integral part of the overall office or conference center.
 - (6) Overnight lodging accommodations for visitors to any permitted principal use on the lot, provided that such facilities are not open to the general public.
 - (7) Assembly halls for meetings incidental to the business of any principal use.
 - (8) Maintenance, utility and storage facilities incidental to any principal use.
- D. Buildings, structures and uses owned and operated by the Township of Cranbury.
- E. Necessary public utilities and services.
- F. Agriculture.

Conditional Uses. In the OR Zone, the following may be permitted as a conditional use:

A. Professional offices, subject to the following requirements:

- (1) Lot area: Minimum lot area shall be three (3) acres.
- (2) Floor area ratio: Maximum floor area ratio (FAR) shall be 0.18 for a one-story building and 0.25 for a multi-storied building.
- (3) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.
- (4) Frontage: Minimum lot frontage shall be three hundred (300) feet.
- (5) Front, side and rear yards: Minimum front, side and rear yards shall be fifty (50) feet.
- (6) Building height: Maximum building height shall be forty (40) feet.
- (7) Parking: Up to a maximum of twenty-five (25%) percent of all required parking facilities may be located in the front yard and the remaining parking shall be located in the rear yard and shall be screened from public view at the street line. No parking shall be located nearer than twenty-five (25) feet to any property line. All parking and service areas shall be screened from the view of adjoining properties or streets.

B. Planned Corporate Office Park Development subject to the following requirements:

- (1) Minimum park area: Fifty (50) acres in contiguous parcels.
- (2) Lot area: Minimum lot area within a planned development shall be four (4) acres.
- (3) Frontage: Minimum park and lot frontage shall be two hundred fifty (250) feet.
- (4) Floor area ratio: Maximum floor area ratio shall be 0.18 for a one-story building and 0.25 for a multi-story building.
- (5) Building arrangement, yard and setback requirements: Buildings, lots, yards and setback dimensions may be freely disposed and arranged and shall conform to the site plan standards contained in Article XVI. The following minimum setbacks shall be observed:

- (a) From street line - One hundred (100) feet for lots located along a planned development internal road and one hundred twenty (120) feet for lots located along arterial roadways.
 - (b) From side and rear property lines - Thirty (30) feet, except when located on the perimeter of the planned development where they shall be increased to fifty (50) feet.
- (6) Building height: Maximum building height shall be sixty (60) feet.
 - (7) Parking: No parking facilities shall be located in the area between the street line and a line drawn parallel thereto through the nearest point of construction, nor shall any such facility be located nearer than twenty-five (25) feet to any property line. All parking and service areas shall be screened from the view of adjoining properties or streets.
 - (8) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.
 - (9) Common open space: Common open space or drainage facilities shall be subject to the requirements of Article XVI.

C. Conference-Hotel/Motel Center subject to the following requirements:

- (1) The center shall be permitted only in a Planned Corporate Office Park development.
- (2) Lot area: Minimum lot area shall be four (4) acres.
- (3) Lot width: Minimum lot width shall be three hundred (300) feet.
- (4) Lot frontage: Minimum lot frontage shall be three hundred (300) feet.
- (5) Front yard, side yards, and rear yard: Minimum yards requirements shall conform to the yard requirements established for planned office park developments.
- (6) Floor area ratio: Maximum floor area ratio shall be 0.25.
- (7) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.
- (8) Building height: Maximum building height shall be sixty (60) feet.

(9) Other conditions:

(a) Any motel or hotel conference center that may be constructed on a lot shall contain a minimum of twenty (20) units of accommodations, exclusive of any permanent, on-site superintendent's living quarters, and shall contain a minimum of three thousand (3,000) square feet of meeting rooms.

(b) Each unit of accommodation shall contain a minimum floor area of three hundred (300) square feet.

150-34

Area and Bulk Regulations

A. Principal uses other than agriculture:

- (1) Lot area: Minimum lot area shall be ten (10) acres.
- (2) Floor area ratio: Maximum floor area ratio shall be 0.12 for a one story building and 0.20 for a multi-storied building.
- (3) Frontage: Minimum street frontage shall be four hundred fifty (450) feet.
- (4) Front yard: Minimum front yard depth shall be one hundred (100) feet.
- (5) Side yards: Minimum side yard width shall be seventy-five (75) feet.
- (6) Rear yard: Minimum rear yard depth shall be seventy-five (75) feet.
- (7) Building height: Maximum building height shall be forty (40) feet.
- (8) Parking: No parking facilities shall be located in the area between the street line and a line drawn parallel thereto through the nearest point of construction, nor shall any such facility be located nearer than twenty-five (25) feet to any property line. All parking and service areas shall be screened from the view of adjoining properties or streets.
- (9) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.

B. Agriculture:

- (1) Lot area: Minimum lot area shall be five (5) acres.

- (2) Building setback: Any farm building shall be located farther than fifty (50) feet and other animal shelter, whether principal or accessory, shall be located farther than two hundred (200) feet from any zone boundary or property line.



ARTICLE XI

C-H, COMMERCIAL-HIGHWAY ZONE

150-35 Permitted Uses. In an C-H Commercial-Highway Zone, no land shall be used and no structure shall be erected, altered or occupied for any purposes except the following:

- A. Restaurants excluding drive-in or fast food establishments.
- B. Offices, banks and financial institutions.
- C. Commercial recreation facilities within enclosed structures, such as indoor tennis or racquetball courts, health spas and similar facilities.
- D. Necessary public activities and services.
- E. Buildings, structures and uses owned or operated by the Township of Cranbury.
- F. Accessory uses and accessory buildings incidental to the above uses, located on the same lot.

150-36 Conditional Uses. In a C-H Zone, the following uses may be permitted as conditional uses:

- A. Automobile service stations and commercial garages, subject to the following requirements:
 - (1) Minimum lot area shall be fifty thousand (50,000) square feet.
 - (2) Minimum lot frontage, including any lot side which permits access, shall be two hundred (200) feet.
 - (3) Minimum setback line from all street lines shall be fifty (50) feet.
 - (4) Minimum distance of buildings from all property lines other than street lines shall be twenty-five (25) feet.
 - (5) Minimum distance between any buildings, including accessory uses, and any residence zone boundary shall be fifty (50) feet.
 - (6) Minimum distance between any access driveway and any residence zone boundary shall be fifty (50) feet.

- (7) Minimum distance of access driveways from adjoining property lines in the same or another non-residential zone shall be ten (10) feet.
- (8) Minimum distance between any access driveway and a minor intersection shall be thirty (30) feet and between such driveway and a major intersection such distance shall be fifty (50) feet.
- (9) Minimum distance between access driveways shall be thirty (30) feet.
- (10) Minimum distance between gasoline pump islands, compressed air connections, and similar equipment and facilities and any street lines shall be twenty-five (25) feet.
- (11) Hydraulic hoists, pits, and all lubrication, greasing, washing, and repair equipment shall be located entirely within enclosed buildings. No outdoor repair facilities shall be permitted nor shall discarded tires, auto scrap or similar materials be stored outdoors.
- (12) Exterior lighting shall be shielded so that it is deflected away from adjacent properties and from passing motorists.
- (13) No more than six (6) wrecked or junked or stripped vehicles or vehicles in an inoperative condition shall be permitted on the premises and such vehicles shall be screened from public view. No motor vehicle for sale, lease or rental shall be kept in the open on the site.

B. Facility for the sale of new automobiles, farm machinery, construction equipment and recreation vehicles subject to the following special conditions:

- (1) Minimum lot area shall be five (5) acres.
- (2) Used cars, machinery, equipment or vehicles shall not be sold except as incidental to the sale of new merchandise of the same type.
- (3) There shall be a building in conjunction with the use which shall contain not less than 12,000 square feet of floor area.
- (4) The area devoted to outdoor display of new and used cars, machinery, equipment or vehicles shall not exceed twenty-five (25%) percent of the total lot area. All outdoor display and service areas, including driveways and parking facilities, shall be paved. Vehicles, machinery and construction equipment shall be kept at least twenty-five (25)

feet from the street line and all property lines, and be neatly arranged on the lot.

- (5) Buildings, in addition to sale and display rooms, may contain administrative offices, parts rooms, and fully enclosed service and repair facilities, and space for the storage of automobiles, trucks, recreation vehicles and construction equipment for service and repair. Front yards may be used only for necessary driveways and customer parking. All areas used for outdoor storage, display or sale of automobiles or trucks shall be screened, by a landscape screen, acceptable to the Planning Board sufficient to prevent the transmission of headlight glare from within the enclosure onto adjoining properties and streets. Such screen shall be at least six (6) feet high except where the yard or portion thereof faces a State or Federal Highway, where such screen may have a height of not less than three (3) feet.

C. Facilities for light impact fabrication or light industrial use subject to the following special conditions:

- (1) Minimum lot area shall be five (5) acres.
- (2) Floor area ratio: The maximum floor area ratio shall be 0.22.
- (3) Frontage: Minimum street frontage shall be four hundred (400) feet.
- (4) Front yard: Minimum front yard depth shall be seventy-five (75) feet.
- (5) Side yards: Minimum side yard width shall be fifty (50) feet.
- (6) Rear yard: Minimum rear yard depth shall be (50) feet.
- (7) Improvement coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.
- (8) Building height: Maximum building height shall be thirty (30) feet.

150-37

Bulk and Area Regulations

- A. Lot area: Minimum lot area shall be two (2) acres.
- B. Frontage: Minimum lot frontage shall be one hundred fifty (150) feet.

- C. Front yard: Minimum front yard depth shall be seventy-five (75) feet.
- D. Side yards: Minimum side yard width shall be twenty (20) feet.
- E. Rear yard: Minimum rear yard depth shall be thirty-five (35) feet.
- F. Floor area ratio: The maximum permitted floor area ratio (FAR) shall be 0.20 for a one story building and 0.25 for a two story building.
- G. Impervious coverage: Impervious surfaces, in the aggregate, shall not cover more than sixty (60%) percent of the lot.
- H. Building height: Maximum building height shall be thirty-five (35) feet.

ARTICLE XII

C-V COMMERCIAL-VILLAGE ZONE

- 150-38 Permitted Uses. In the C-V Commercial-Village Zone no land shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
- A. Detached single-family dwelling.
 - B. Retail and service activities, serving primarily the residents of the Township of Cranbury, which may include but shall not be limited to, groceries, packaged liquors, drugs, pharmaceuticals, soft drinks, dry goods, notions, hardware, stationery, books, newspapers, antiques without auction sales, barber and beauty shop operations, tailoring, dry cleaning establishments not providing for the storage of more than ten (10) gallons of inflammable or toxic cleaning fluids on the premises, professional offices, business offices, banks and restaurants excluding drive-in or fast food establishments.
 - C. Public parks and playgrounds.
 - D. Necessary public utilities and services.
 - E. Buildings, structures and uses owned or operated by the Township of Cranbury.
 - F. Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.
- 150-39 Conditional Uses. In the C-V, Commercial-Village Zone the following may be permitted as conditional uses:
- A. Home occupations, subject to the requirements of Section 150-51.
 - B. Dwelling units on the second floor of buildings housing retail or service activities shall conform to the most current Minimum Property Standards for Multi-family Housing as published by the U.S. Department of Housing and Urban Development. Such dwelling units shall have a separate entrance from a street directly or through an unobstructed passageway.
- 150-40 Area and Bulk Regulations
- A. Detached single-family dwellings and public uses:
 - (1) Lot area: Minimum area shall be fifteen thousand (15,000) square feet.

- (2) Lot width: Minimum lot width shall be one hundred (100) feet.
- (3) Front yard: Minimum front yard depth shall be the lesser of forty (40) feet or the average setback of existing buildings on the same side of the street within two hundred (200) feet on each side of the lot, provided that no building shall be erected nearer than fifteen (15) feet to the street line.
- (4) Side yards: Minimum side yard width shall be twelve (12) feet.
- (5) Rear yards: Minimum rear yard depth shall be forty (40) feet.
- (6) Building Height: Maximum building height shall be thirty-five (35) feet.

B. Retail and service activities:

- (1) Lot area: Minimum lot area for retail and service activities shall be seven thousand five hundred (7,500) square feet.
- (2) Lot width: Minimum lot width shall be seventy-five (75) feet.
- (3) Front Yard: Minimum front yard depth shall be the lesser of forty (40) feet or the average setback of existing buildings on the same side of the street within two hundred (200) feet on each side of the lot, provided that no building shall be erected nearer than fifteen (15) feet to the street line.
- (4) Side yard: One side yard shall be required, with a minimum width of twelve (12) feet. Where a side lot line of a lot in the C-V Zone coincides with the boundary line of any residence zone, the minimum side yard requirement which is in effect in such adjoining zone shall apply.
- (5) Rear yards: Minimum rear yard shall be twenty-five (25) feet.
- (6) Building height: Maximum building height shall be thirty-five (35) feet.
- (7) Structure size: Minimum building size shall be sufficient to permit not less than six hundred (600) feet of floor area to be devoted to commercial uses.

ARTICLE XIII

I-LI, INDUSTRIAL-LIGHT IMPACT ZONE

150-41 Permitted Uses. In the I-LI, Industrial-Light Impact Zone, no land shall be used and no structure shall be erected, altered or occupied for any purposes except the following:

- A. Light industry, provided that any manufacturing or fabricating activities shall be contained within enclosed structures.
- B. Offices: corporate, research or general.
- C. Pharmaceutical operations.
- D. Food processing.
- E. Scientific or research laboratories exclusively devoted to research, design or experimentation, including processing or fabricating that is clearly incidental to the principal uses and specifically excluding the manufacture, processing or fabricating on the premises of materials or finished products for sale to the general public.
- F. Wholesaling and warehousing establishments.
- G. Agriculture.
- H. Necessary public utilities and services.
- I. Buildings, structures and uses owned or operated by the Township of Cranbury.
- J. Accessory uses and accessory buildings incidental to the above uses, located on the same lot and within the same zone.

150-42 Conditional Uses. In the I-LI Zone, the following may be permitted as a conditional use:

- A. Professional offices subject to the following conditions:
 - (1) Area: Minimum lot area shall be three (3) acres.
 - (2) Floor area ratio: Maximum floor area ratio (FAR) shall be 0.18 for a one story building and 0.25 for a multi-storied building.
 - (3) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.

- (4) Frontage: Minimum street frontage shall be three hundred (300) feet.
- (5) Front, side and rear yards: Minimum front, side and rear yards shall be fifty (50) feet.
- (6) Building height: Maximum building height shall be forty (40) feet.
- (7) Parking: Not more than twenty-five (25%) percent of all required parking facilities may be located in the front yard and the remaining required parking shall be located in the rear yard. No parking shall be located nearer than twenty-five (25) feet to any property line other than the street line. All parking and service areas shall be screened from the view of adjoining properties or streets.

B. Planned industrial parks subject to the following requirements:

- (1) Minimum park area: Fifty (50) acres in contiguous parcels.
- (2) Lot area: Minimum lot area within a planned park shall be five (5) acres.
- (3) Frontage: Minimum park and lot frontage shall be two hundred fifty (250) feet.
- (4) Floor area ratio: Maximum floor area ratio shall be as follows:
 - (a) Offices, research labs - 0.22 for one story buildings and 0.30 for multi-storied buildings.
 - (b) Light industry, wholesaling/warehousing - 0.30 for one story buildings and 0.35 for multi-storied buildings.
- (5) Building arrangement, yard and setback requirements: Buildings, lots, yards and setbacks may be freely disposed and arranged and shall conform to site plan standards as contained in Article XVI. The following minimum setbacks shall be observed:
 - (a) From street line - One hundred (100) feet for lots located along a planned park internal road and one hundred twenty-five (125) feet for lots located along arterial roadways.
 - (b) From side and rear property lines: Thirty (30) feet, except when located on the perimeter of the planned park where they shall be increased to fifty (50) feet.

- (6) Parking: No parking facilities shall be located in the area between the street line and a line drawn parallel thereto through the nearest point of construction, nor shall any such facility be located nearer than twenty-five (25) feet to any property line. All parking and service areas shall be screened from the view of adjoining properties or streets.
- (7) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.
- (8) Building height: Maximum building height shall be sixty (60) feet.
- (9) Common open space: Common open space or facilities shall be subject to the requirements of Article XVI.

150-43

Area and Bulk Regulations

A. All permitted uses other than agriculture:

- (1) Area: Minimum lot area shall be ten (10) acres.
- (2) Floor area ratio: The maximum floor area ratio shall be as follows:
 - (a) offices, research laboratories - 0.12 for one story buildings and 0.20 for multi-storied buildings.
 - (b) light industry, wholesaling and warehousing - 0.22 for one story buildings and 0.30 for multi-storied building.
- (3) Frontage: Minimum street frontage shall be four hundred (400) feet.
- (4) Front yard: Minimum front yard depth shall be seventy-five (75) feet.
- (5) Side yards: Minimum side yard width shall be fifty (50) feet.
- (6) Rear yard: Minimum rear yard depth shall be fifty (50) feet.
- (7) Parking: No parking facilities shall be located in the area between the street line and a line drawn parallel thereto through the nearest point of construction, nor shall any such facility be located nearer than twenty-five (25) feet to any property line. All parking and service areas shall be screened from the view of adjoining properties or streets.

- (8) Improvement coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.
- (9) Building height: Maximum building height shall be forty (40) feet.

B. Agriculture:

- (1) Lot area: Minimum lot area shall be five (5) acres.
- (2) Building setback: Any farm building shall be located farther than fifty (50) feet and animal shelter, whether principal or accessory, shall be located farther than two hundred (200) feet from any zone boundary or property line.

ARTICLE XIV

I INDUSTRIAL ZONE

150-44 Permitted Uses. In the I Industrial Zone, no land shall be used and no structure shall be erected, altered or occupied for any purpose except the following:

- A. Industrial uses, in conformity with the performance standards contained in Article XVI, provided that all manufacturing or fabricating activities shall be contained within enclosed structures.
- B. Offices: corporate, research and general.
- C. Scientific and research laboratories devoted exclusively to research, design or experimentation, including processing or fabricating that is clearly incidental to the principal use.
- D. Wholesaling and warehousing establishments.
- E. Agriculture.
- F. Necessary public utilities and services.
- G. Buildings, structures and uses owned or operated by the Township of Cranbury.
- H. Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

150-45 Conditional Uses. In the I Industrial Zone, the following may be permitted as a conditional use:

- A. Professional offices subject to the following conditions:
 - (1) Area: Minimum lot area shall be three (3) acres.
 - (2) Floor area ratio: Maximum floor area ratio (FAR) shall be 0.18 for one story buildings and 0.25 for multi-storied buildings.
 - (3) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.
 - (4) Frontage: Minimum street frontage shall be three hundred (300) feet.
 - (5) Front, side and rear yards: Minimum front, side and rear yards shall be fifty (50) feet.

- (6) Building height: Maximum building height shall be forty (40) feet.
- (7) Parking: Not more than twenty-five (25%) percent of all required parking facilities may be located in the front yard and the remaining required parking shall be located in the rear yard. No parking shall be located nearer than twenty-five (25) feet to any property line. All parking and services areas shall be screened from the view of adjoining properties or streets.

150-46 Area and Bulk Regulations

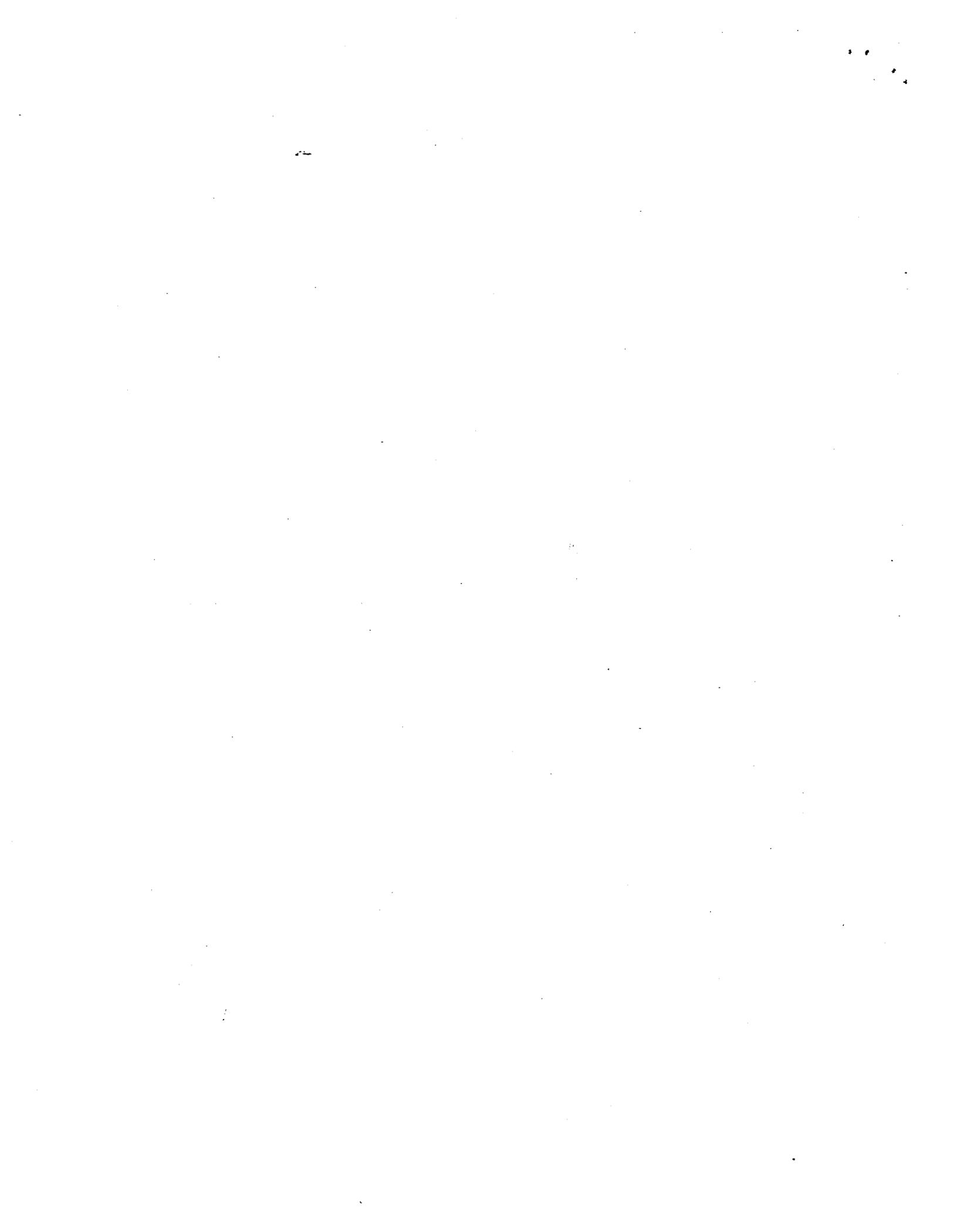
A. All permitted uses, other than agriculture:

- (1) Area: Minimum lot area shall be ten (10) acres.
- (2) Floor area ratio: The maximum floor area ratio shall be as follows:
 - (a) Offices, research laboratories 0.25
 - (b) Industry, wholesaling and warehousing 0.35
- (3) Frontage: Minimum street frontage shall be four hundred (400) feet.
- (4) Front yard: Minimum front yard depth shall be seventy-five (75) feet.
- (5) Side yard: Minimum side yard width shall be fifty (50) feet.
- (6) Rear yard: Minimum rear yard depth shall be fifty (50) feet.
- (7) Parking: No parking facilities shall be provided within twenty-five (25) feet of any street or lot line.
- (8) Impervious coverage: Impervious surfaces in the aggregate shall not cover more than fifty (50%) percent of the lot.
- (9) Building height: Maximum building height shall be forty (40) feet.

B. Agriculture:

- (1) Lot area: Minimum lot area shall be five (5) acres.
- (2) Building setback: Any farm building shall be located farther than fifty (50) feet and other animal shelter housing livestock, whether principal or accessory, shall be

located farther than two hundred (200) feet from any zone boundary or property line.



ARTICLE XV

EXCEPTIONS AND SUPPLEMENTAL REGULATIONS

150-47 Non-Conforming Uses

- A. Applicability: The following provisions shall apply to all buildings and uses lawfully existing on the effective date of this ordinance which do not conform to the requirements set forth in this ordinance and to all buildings and uses that become non-conforming by reason of any subsequent amendment to this ordinance.
- B. Regulations: Any non-conforming use of buildings or land and any non-conforming buildings may be continued indefinitely, but such buildings or uses:
- (1) Shall not be enlarged, altered, extended, reconstructed or restored, except as provided in section 150-48 herein, nor placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this ordinance, nor shall any external evidence of such use be increased by any means whatsoever.
 - (2) Shall not be moved to another location where such use would be non-conforming.
 - (3) Shall not be re-established if such use has been voluntarily discontinued for any reason for a period of one (1) year or more, or has been changed to, or replaced by, a conforming use.
 - (4) Shall not be restored for other than a conforming use after substantial destruction thereof.

150-48 Additions and Alterations to Non-Conforming Buildings. Nothing in this article shall be deemed to prevent normal maintenance and repair, structural alteration in, or the reconstruction of, a non-complying building, provided that such action does not increase or extend the degree of, or create any new, non-conformity with regard to the regulations pertaining to such buildings or the lot upon which they are constructed;*[As an example, a dwelling which complies fully with all requirements except that it is closer to the street than the minimum required depth of a front yard may build an addition to the rear that does not encroach on the required rear yard.] except that, the floor area of a detached single family house that occupies a lot that is smaller than the minimum lot area required in the district in which such house is located may be increased by not more than twenty (20%) percent of the floor area existing as of the date of adoption of this ordinance provided that the resulting building complies with all other requirements of this ordinance.

150-49

Non-Conforming Lots of Record. In residential zones, a detached single family residence, together with any permitted accessory uses may be erected on a non-conforming lot without appeal for a variance relief provided that the following provisions are met:

- A. The lot was in separate ownership from, and was not contiguous to, lots in the same ownership January 1, 1983. Also, the lot shall meet the standards set forth in Section 150-18, B. 4.
- B. The applicant for a building permit shall present an affidavit to the effect that the owners of adjoining lots are unwilling to sell the land needed to eliminate the non-conforming features of the lot, or that the price demanded for such land is unreasonable.
- C. The proposed development shall be subject to all necessary approvals by the Department of Health of Cranbury Township.
- D. In addition to the above, non-conforming vacant lots of record January 1, 1983 located in the A-100 Agricultural Zone shall be assigned one transfer of development credits which may be used in the same manner and to the same extent as provided in Section 150-16.

150-50

Accessory Buildings, Structures, and Uses

- A. Accessory buildings, structures and uses shall be permitted only on the same lot as the principal building to which they are accessory.
- B. Accessory buildings, structures and uses shall not be such as to alter the character of the premises on which they are located and, except for accessways to accessory parking or loading areas from an adjoining street, shall not encroach upon any front, side or rear yard unless otherwise permitted in this ordinance.
- C. All accessory buildings, structures, or uses shall be governed by the bulk and area regulations of the zone in which they are located except that storage sheds associated with one- and two-family dwelling units on the same lot as the principal structure may be located within ten (10) feet of the side and rear lot lines but shall comply with the front yard requirement for a principal structure. Storage sheds on corner lots shall not be located nearer to any street line than the minimum required depth of a front yard in the zone in which the lot is located.

150-51

Home Occupations. Home occupations in all residential zones shall be subject to the following requirements:

- A. Not more than one person in addition to members of the family residing on the premises shall be engaged in such occupation.

- B. The home occupation shall be conducted entirely within the principal building.
- C. The home occupation shall be clearly incidental and subordinate to the use of the dwelling for residential purposes, and shall be limited to not more than twenty-five (25%) percent of the gross floor area of the principal building, not including the cellar, or four hundred (400) square feet whichever is smaller.
- D. No commercial vehicle used in connection with the home occupation shall be visible from the public right-of-way.
- E. There shall be no external evidence of a non-residential use other than a small nameplate sign, and no display of products shall be visible from the street.
- F. No goods, chattels, materials, supplies or items of any kind shall be delivered either to or from the premises in connection with a home occupation except in passenger automobiles or vans with a maximum length of twenty (20) feet.
- G. No traffic or parking shall be generated in excess of three (3) automobiles exclusive of those parking spaces required of the residence by ordinance.

150-52

Swimming Pools, Tennis Courts, and Similar Private Recreational Facilities. Except for portable swimming pools less than three (3) feet in height and less than ten (10) feet in length or diameter, the following regulations shall apply to permanent and portable swimming pools, tennis courts and similar recreational facilities that are accessory to a residential use:

- A. Said use shall be located on the same lot as the principal structure.
- B. Said use shall comply with the minimum yard requirements for principal structures.
- C. Said use shall be appropriately screened and fenced to minimize adverse impact on adjoining properties.
- D. No loudspeakers or amplifying devices which can be heard beyond the lot lines of the lot on which said facility is located shall be used in connection with such recreation facilities.
- E. Swimming pools shall also comply with the regulations set forth in Chapter 136.
- F. Tennis courts may use a hurricane type fence around the court area. The maximum height shall be six (6) feet along the property line and an additional one foot in height for every additional one foot set back from the property line.

G. Tennis court drainage shall be reviewed by the Township Engineer.

150-53

Fences. Fences not exceeding three (3) feet in height shall be less than seventy-five (75) percent solid, and fences not exceeding four (4) feet in height shall be less than sixty (60) percent solid. Furthermore, limited sections of fencing for barrier or screening purposes may be permitted not exceeding six (6) feet in height, and subject to the following criteria:

- A. No fence exceeding four (4) feet in height shall be permitted within the area between the front main foundation line of the principal building and the front street line. In case of corner this provision shall also apply to the area between the side foundation line of the principal building and the street line adjacent thereto.
- B. No fence shall exceed twenty-five (25) feet in length in a single direction except that if a section is erected along a property line, the adjacent owner may likewise erect a section along the same common property line, the same also not exceeding twenty-five (25) feet in length.
- C. When a dwelling unit is located in non-residential area, a protective fence may be erected along the property line but not exceeding ten (10) feet in height.
- D. Any property owner in a residential zone may enclose a portion of the rear yard with a barrier or screen type fence provided that it shall be located a minimum of fifteen feet from any property line.

150-54

Exceptions and Supplemental Requirements to Bulk and Area Regulations

- A. Yards: On a corner lot, there shall be deemed two (2) front yards on abutting streets, one rear yard and one side yard.
- B. Yard dimensions:
 - (1) Where minimum permitted yard dimensions are less than sufficient to accommodate a required transition buffer, they shall be increased accordingly.
 - (2) Where a lot abuts any street which is proposed to be widened on the Official Map or Master Plan of Cranbury Township, the required minimum yard dimension shall be measured from the proposed right-of-way line.
- C. Through lots: On a through lot, front yards are required along all street lines.

- D. Curved lot frontage: When a lot adjoins a cul-de-sac or abuts a curved street with a radius of less than five hundred (500) feet, the required lot frontage may be reduced to not less than one half ($\frac{1}{2}$) the required minimum lot width, and the minimum lot width at the front yard line may be reduced to not less than seventy-five (75%) percent of the required lot width.
- E. Lot depth: The required lot depth at any point may be decreased by twenty-five (25%) percent if the average lot depth conforms with the minimum requirements.
- F. Height: The height limitations of this ordinance shall not apply to agricultural structures (e.g., silos and grain elevators), church spires, belfries, cupolas and domes not used for human occupancy; nor to chimneys or radio and television antennae less than sixty (60) feet above grade. Mechanical equipment such as elevator penthouses, condensers, exhaust fans, or air conditioning and similar equipment and stair bulkheads may exceed the maximum permitted height in the district by up to ten (10) feet, provided that such structures in the aggregate do not exceed ten (10%) percent of the roof area on which they are located, and provided further that they are shielded or screened to the satisfaction of the Planning Board. Except for walls of elevators or stair bulkheads, all such structures shall be located more than ten (10) feet from the outside face of any perimeter wall of a building.
- G. Courts: The minimum dimension of an inner court in nonresidential structures shall not be less than twice the average height of all surrounding walls, provided that no dimension of an inner court shall be less than thirty (30) feet. The height of walls surrounding an inner court shall be measured from finished grade at the base thereof to the top of such wall, except that, in the case of roofs with a slope toward the court which exceeds five (5) inches vertical to twelve (12) inches horizontal, the height shall be measured to the mean point between the top of the said wall and the highest point of the roof. The minimum dimension of an outer court shall be twenty (20) feet, and its depth shall not exceed its width.
- H. Minimum net habitable floor area: The net habitable floor area of any dwelling unit shall be not less than the least restrictive of the most current minimum floor areas as promulgated by (1) the New Jersey Housing Finance Agency or (2) the U.S. Department of Housing and Urban Development in its minimum property standards manual.
- I. Maximum occupancy limits: The number of occupants of any dwelling unit shall not exceed the maximum permitted under the most current occupancy guidelines as established by the U.S. Department of Housing and Urban Development.

- J. Number of buildings restricted: In any residence zone, except as may be allowed in planned developments, there shall be not more than one (1) principal structure on each lot. In any other zone, the placement of more than one (1) principal structure shall be subject to Planning Board approval of a site plan showing existing, proposed and all future developments on the site.

150-55

Planned Developments - Requirement for Findings

- A. General: Various types of planned developments listed as permitted or conditional uses in certain districts herein may be permitted by the Planning Board only after it has determined that the development proposal complies with the conditions and standards set forth in this section, notwithstanding other applicable regulations of this chapter or additional conditions for the particular planned development.
- B. Findings for planned developments: Prior to approval of any planned development, the Planning board shall find as required by NJS 50:55D-45, the following facts and conclusions:
- (1) That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the zoning standards applicable to the planned development.
 - (2) That the proposals for maintenance and the amount, location and purpose of the common open space are adequate.
 - (3) That provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate.
 - (4) That the proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established.
 - (5) In the case of a proposed development which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

150-56

Common Open Space Ownership, Maintenance, Staged Improvements

- A. Ownership requirements: Such common open space may be offered to the Township or other governmental agency or be dedicated to a homeowners' association or trust, the incorporation and by-laws of which shall be approved by the Planning Board and filed with the Township Tax Assessor and the Clerk of Middlesex County. Any

organization so established for the purpose of ownership and maintenance of any common recreation and open space areas shall not be dissolved nor shall it dispose of any part of the common areas during the life of the development.

- B. Open space maintenance requirements: In the event that the organization created for open space management shall, at any time after the establishment of a planned development, fail to maintain the common open space or recreation area in reasonable order and condition in accordance with the approved development plan, the township may serve written notice upon such organization or upon the owners of the development setting forth the manner in which the organization has failed to maintain said areas in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within thirty-five (35) days thereof and shall set the date and place of a hearing thereon which shall be held within fifteen (15) days of the notice. At such hearing the Township may modify the terms of the original notice as to the deficiencies and may give an extension of time not to exceed sixty-five (65) days, within which they shall be cured.

If the deficiencies set forth in the original notice or in modifications thereof fail to be cured within said thirty-five (35) days or any approved extension thereof, the Township, in order to preserve the open space, may enter upon and maintain such land for a period of one (1) year. Said entry and said maintenance shall not vest in the public any rights to use the open space and recreation areas except when the same is voluntarily dedicated to the public by the owners.

Before the expiration of said year, the Township, on its own initiative or upon the request of the organization theretofore responsible for the maintenance of said areas, and upon fifteen (15) days written notice to such organization and to the owners of the development, shall call a public hearing to be held by the Township, at which hearing such organization and owners of the development shall show cause why such maintenance by the municipality shall not, at the discretion of the Township, continue for another year. Upon determining that such organization is ready and able to maintain said open space and recreation areas in reasonable condition, the Township shall cease to maintain said open space and recreation areas at the end of said year. If the Township shall determine that such organization is not ready and able to maintain said open space and recreation areas in a reasonable condition, the Township may, in its discretion, continue to maintain said open space and recreation areas during the next succeeding year and, subject to a similar hearing, make the appropriate determination in each year thereafter. The decision of the Township in any such case shall constitute a final administrative decision subject to judicial review.

The cost of such maintenance by the municipality in each instance shall be assessed pro rata against those properties within the development that have a right of enjoyment of the open space in accordance with the assessed value of such properties at the time of imposition of the lien, and such assessment 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 Township in the same manner as other taxes.

- C. Staged improvement of Common Open Space: Not more than twenty-five (25%) percent of the Certificates of Occupancy shall be granted until all proposed improvements of the common open space, as indicated on the Final Plan of a development application, including recreational facilities, buildings and landscaping shall be completed. In the case of a development staged over time utilizing common open space areas, the extent of completion of such areas shall be calculated on a pro-ration of extent completed residential units to total residential units proposed for the planned development. Where development is primarily non-residential in nature, the pro-ration shall be calculated on the extent of non-residential building square footage proposed for the development. This ratio shall be applied against the total common open space and attendant facilities and buildings and a determination shall be made by the Township engineer as to the extent of common open space improvements completed.

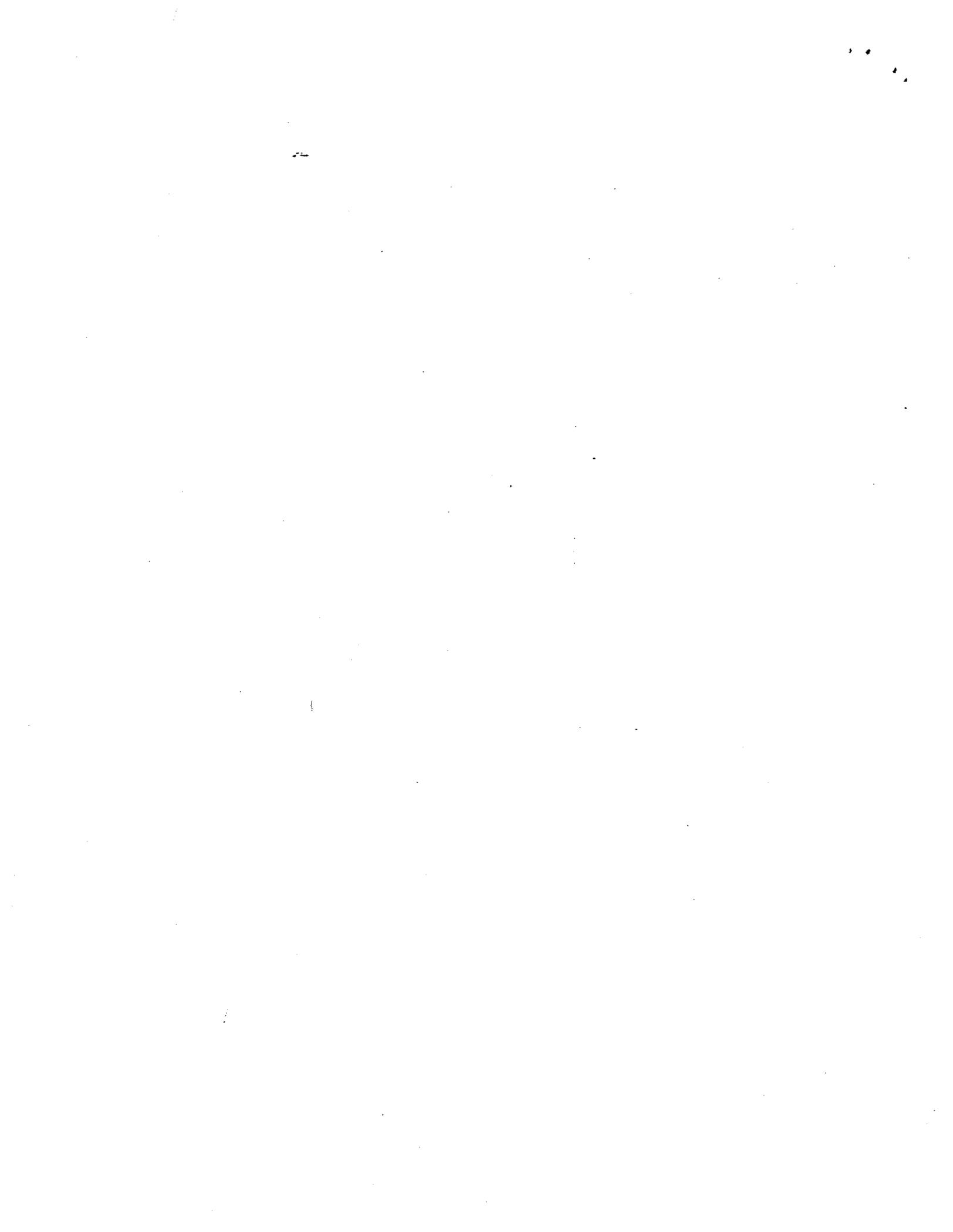
150-57

Obligation of Successive Owners in Planned Developments

- A. In the event of any conveyance or transfer of any undeveloped or partially developed property within a planned development, the Planning Board shall be given notice of such intended conveyance or transfer prior to any actual transfer thereof. Such notice shall be accompanied by the following information:
- (1) A precise description of the interest being transferred.
 - (2) The obligations to be assumed by the transferee.
 - (3) Abstract of any agreement entered into between the transferor and the transferee, signed by all parties.
 - (4) An agreement that the transferee agrees to be bound by all of the applicable provisions of prior Planning Board approvals.
 - (5) Such other information as may be required by the Planning Board.
- B. The Planning Board, following receipt of such notice and supporting information, shall consider the effect of the proposed conveyance or transfer on the completion and implementation of

any terms, conditions, and obligations imposed pursuant to the approvals granted by the Planning Board and may require such additional assurances as it shall deem necessary to protect the public interest, and the integrity of the plan of the approved planned development.

The terms, conditions and obligations of any Planning Board approvals shall be binding on the original developer, their successors and assigns, provided that no obligation, term or condition may be assigned without prior written consent of the Planning Board and the posting of acceptable performance guarantees by the proposed transferee.



ARTICLE XVI

DESIGN STANDARDS FOR SUBDIVISIONS AND SITE PLANS

150-58

Landscape Transition Areas, Buffers, Natural Features and Landscaping,
Landscape Plan

- A. Landscape transition areas, buffers and screening: Landscape transition areas with a minimum dimension of twenty-five (25) feet shall be provided along any lot and street line of any nonresidential lot where such line or the center line of the adjacent street coincides with a residence zone boundary. Yard requirements shall be deemed to be counted as part of the landscape transition buffer.

The Planning Board may waive the landscape transition area requirement where existing natural or manmade physical barriers provide an effective visual separation between residential and non-residential uses.

Each permitted use shall provide suitable buffers in order to protect the character, and to minimize any adverse impacts or nuisances on, adjoining properties.

The width or depth of buffer areas other than landscape transition areas shall be as required in each zone elsewhere in this ordinance. The plant materials, fences, walls, or berms used for screening purposes shall be sufficient to screen an area at all seasons of the year from the view of persons standing at an elevation approximately equal to that of the area to be screened on adjacent streets or properties.

Any article or material stored outside an enclosed building as an incidental part of the primary operation on a lot shall be screened as provided hereinafter by fencing, walls or evergreen planting.

Where the Board deems it necessary to assure an effective visual screen between non-residential uses and streets or residentially zoned properties, such Board may require, in addition to landscaping, the provision of a fence of a type, height, and design suitable for the purpose, provided that the height of such fence or screening shall not exceed five (5) feet.

- B. Landscaping and Natural Features:

- (1) Landscaping in planned developments and non-residential zones exclusive of the A-100 Zone: Other provisions of this ordinance notwithstanding, in any planned development or non-residential zone exclusive of the A-100 Zone, the entire lot, except for areas covered by buildings or surfaced as

parking, recreation or service areas, shall be seeded, sodded, or planted with ground cover and suitably landscaped in accordance with an overall landscape plan. All landscaping shall be consistent with the natural surroundings and shall be properly maintained throughout the life of any use on said lot. Existing trees or landscaping located within twenty (20) feet of any street or lot line or zone boundary shall not be removed except with the written approval of the Planning Board; nor shall the existing grade within that space be disturbed without such approval.

- (2) Natural landscape area along watercourses: No building or parking area shall be located within two hundred (200) feet of the center line of any stream, or within a floodway. Such area may be deemed to be part of any required landscaped or buffer area.

- C. Landscaping Plan: Every application for approval of a site plan or a subdivision shall contain a landscaping plan. The said plans shall identify, locate and provide planting details for all proposed trees, shrubs, bushes, plant material and ground cover, all such existing plant materials proposed to be retained, and all ground cover, natural features such as waterways. For all existing natural growth proposed to be retained the plan shall state the method(s) proposed to be used for its protection during and after construction (e.g., berms, tree wells, curbing or similar devices).

The landscaping plan shall conform with the following requirements, as applicable:

- (1) The development plan shall be so designed as to preserve, wherever possible, natural features such as large trees, groves, views, aquifer recharge areas, open waters, natural drainage divides, and scenic and historic features or other recognized community assets.
- (2) Landscaping shall be provided in public areas, recreation sites and adjacent to buildings. Where possible, shade trees shall be planted on the south side of buildings to shield them from the summer sun and evergreens on the north side of buildings, to serve as windbreaks.
- (3) The landscaping plan shall provide for a variety and mixture of plant materials taking into consideration their susceptibility to disease; colors, by season; textures, shapes, blossoms, and foliage.
- (4) The choice of landscaping shall be appropriate to local soil conditions and availability of water.

- (5) A sufficient number of trees shall be provided and planted on the site to insure a minimum of eight (8) trees for each acre of the lot not occupied by buildings. Except as set forth hereinafter, at planting, deciduous trees shall have a minimum caliper of two inches measured at four and one-half (4½) feet above ground level, and evergreen shall be at least four (4) feet high.
- (6) Plant materials used as screens in buffer areas shall have an initial height of not less than six (6) feet and planted at intervals appropriate for the activities involved.

150-59

Parking and Loading Area Requirements

- A. In all non-residential zones except A-100 Zone, at the time any building or structure is erected, enlarged, or increased in capacity, there shall be provided off-street parking for automotive, bicycle and other vehicles and off-street loading facilities in accordance with the requirements set forth herein as well as the parking space requirements for the handicapped contained in PL 1975, Chapter 221. All required parking and loading facilities shall be paved with an all weather impervious surface and shall be completed prior to the issuance of a certificate of occupancy. The construction, alteration, or enlargement of any public or private parking or loading area or of access to such area shall require site plan approval by the Planning Board.
- B. The following minimum number of parking spaces shall be provided for the uses specified per gross floor area unless otherwise indicated:

| <u>Land or Building Use</u> | <u>Minimum Standards</u> |
|--|---|
| (1) Assembly hall, auditorium, stadium, theatre, church or other similar place of public assemblage. | 1 space for each four fixed seats, or where capacity cannot be determined by the number of fixed seats, 1 space for each forty (40) square feet of floor area available for patron use. |
| (2) Automobile and gasoline service station | 3 space per tow truck, grease rack, or similar unit of service capability, plus one space for each two employees during the period of greatest employment, provided that the total number of spaces shall be not less than six but no greater than twelve spaces. |
| (3) Dwelling: Detached single family unit | 2 spaces per unit. |

- Dwelling: All other dwelling units, except units designed for the elderly. 1.25 spaces for each 1 bedroom unit; 1.75 spaces for each 2 bedroom unit; and 2.0 spaces for each 3 or more bedroom unit.
- Dwelling: Units designed and intended for the elderly. 1.0 spaces for each dwelling unit except where it can be demonstrated that public or private transit will be available, in which case these requirements may be reduced accordingly.
- (4) Financial institutions 1 space for each two hundred and fifty (250) square feet of building floor area.
- (5) Motel 1 space for each suite, plus 10 spaces for employees, etc.
- (6) Medical or dental clinic 1 space for each one hundred and fifty (150) square feet of building floor area.
- (7) Offices: business and professional, exclusive of medical 1 space for each two hundred fifty (250) square feet of building floor area.
- (8) Personal service business, excluding self-service laundry 1 space for each one hundred and fifty (150) square feet of building floor area.
- (9) Private kindergarten, child nursery or institutional home 1 space for each six hundred (600) square feet of building floor area.
- (10) Public or private schools 1 space for each employee, plus 1 space for each 5 seats in the auditorium or other place of assembly available to the public.
- (11) Restaurant The greater of 1 space for each four (4) seats or 1 space for each forty (40) square feet of floor area devoted to patron drinking and dining use, plus 1 space for each two persons employed on the premises.
- (12) Recreation centers, clubs and service organizations 1 space for each five hundred (500) square feet of gross floor area plus 1 space for each 2 full time employees.

- (13) Retail business 1 space for each two hundred (200) square feet of building floor area.
- (14) Self-service laundry 1 space for each two hundred (200) square feet of building floor area.
- (15) Swimming clubs 1 space for each two full time employees plus 1 space for every three separate memberships.
- (16) Undertakers, mortuary or funeral home 1 space for each sixty (60) square feet of floor area available for seating accommodations plus 1 space for each person employed on the premises.
- (17) Mixed uses If two or more uses are conducted on one lot, the minimum required number of parking spaces shall be the aggregate of the required minimum number of parking spaces for each use, computed separately.
- (18) Uses not specified As determined by the Planning Board on the basis of the number of persons to be employed or reside in or visit said building and the anticipated use by residents, visitors, or patrons of transportation modes other than private automobiles.

- C. Required parking spaces or loading berths may not be located on streets or access aisles or driveways. No areas specifically intended for parking or loading use may be located between the front building line and the street line unless otherwise specified in other sections of this ordinance.
- D. All required parking spaces shall be on the same lot or tract of land as the building or use to which they are accessory unless the Planning Board, as part of the site plan review, shall approve collective off-street parking facilities for two or more buildings or uses on contiguous lots. The total number of spaces in such collective off-street parking facilities shall be not less than the sum of the spaces required for the individual uses, computed separately. Such approval shall be granted only subject to the submission of appropriate deed restrictions, acceptable to the Planning Board Attorney, guaranteeing the availability of such facilities throughout the life of the buildings or uses to which they are proposed to be accessory.

- E. Where it can be demonstrated, at the time of Planning Board review, that the parking or loading area requirements of this article are in excess of actual needs, the Planning Board may permit a portion of the proposed parking or loading areas to be appropriately graded and landscaped, but left unpaved. If following construction, the experience with the actual operation of the proposed use should show the need for additional off-street parking or loading, the Planning Board may require such unpaved space to be paved.
- F. Off-street parking and loading areas in non-residential or agricultural zones in excess of the minimum required may be provided only with the approval of the Planning Board. The Planning Board shall grant such approval only where it determines that such additional facilities are needed for the actual operation of a proposed use.
- G. Every public or private off-street parking or loading area except single family homes and agricultural uses shall be maintained in good condition, free of hazards and deterioration. All paved areas, sidewalks, curbs, drainage facilities, lighting, bumpers, guardrails, markings, signs, bicycle parking devices, landscaping and other improvements shall be maintained in workable, safe and good condition. Further, the governing body may authorize repairs for such improvements if, after proper notice, the owner fails to maintain any improvements that are governed by a development or other similar agreement or if the said body finds that the resulting conditions constitute a public health and safety hazard.

150-60

Parking Area Design Standards

- A. Car parking space standards: All required car parking spaces shall be laid out and located in accordance with the following standards set forth below. Compact car spaces may be permitted by the Planning Board only where the total number of spaces proposed to be provided exceeds 50 and shall not exceed thirty percent (30%) of the total number required. If permitted, compact car parking spaces shall be clearly identified by marking the pavement with the letter "C" and shall be grouped in one or more locations rather than dispersed throughout the site.

(1) Standard car spaces

(a) Dimensional Requirements:

| Space Angle | Minimum | Minimum | Aisle Width | |
|-------------------|----------------|----------------|-------------|---------|
| | Space Width | Space Depth | One-Way | Two-Way |
| 90 degrees | 9 feet | 18½ feet | 25 feet | 25 feet |
| 60 degrees | 9 feet | 18½ feet | 18 feet | 25 feet |
| 45 degrees | 9 feet | 18½ feet | 13 feet | 25 feet |
| 30 degrees | 9 feet | 18½ feet | 13 feet | 25 feet |
| Parallel to Aisle | 9 feet | 18½ feet | 12 feet | 25 feet |

A space which abuts a fixed object such as a wall or column whether within a structure or not, shall have a minimum width of ten (10) feet.

(2) Compact car spaces

(a) Dimensional Requirements

| Space Angle | Space | Space | Aisle Width | |
|-------------------|----------|-----------|-------------|---------|
| | Width | Depth | One-Way | Two-Way |
| 90 degrees | 7.5 feet | 15 feet | 20 feet | 20 feet |
| 60 degrees | 7.5 feet | 15 feet | 16 feet | 20 feet |
| 45 degrees | 7.5 feet | 15 feet | 13 feet | 20 feet |
| 30 degrees | 7.5 feet | 16 feet | 13 feet | 20 feet |
| Parallel to Aisle | 7.5 feet | 16.5 feet | 12 feet | 20 feet |

A space which abuts a fixed object such as a wall or column whether within a structure or not shall have a minimum width of nine (9) feet.

- B. Parking Area Layout: All parking spaces shall be identified by means of 4-inch painted lines. Where possible, areas should be separated from roads or aisles by islands with a minimum width of ten (10) feet. Parking areas with a capacity of more than sixty (60) spaces shall, where possible, be subdivided into bays with not more than sixty (60) spaces each.

All parking areas shall be provided with permanent and durable curbing or bumpers.

It is the intent of these regulations to prevent the creation of wide expanses of pavement in parking areas, uninterrupted by landscaping or natural vegetation. To that end, in reviewing the site plan of a development which includes a parking area with a capacity of sixty (60) spaces or more, the Planning Board shall

require the provision of protected landscaped islands which, in the aggregate, shall not be required to cover more than twenty percent (20%) of the total uncovered or unenclosed parking area inclusive of all islands, aisles and other paved areas. The landscaping shall include at least one (1) tree for each ten (10) parking spaces, and the trees shall be appropriately grouped. Also, there shall be a landscape island separating every twenty (20) vehicles except in the Industrial Light Impact and Industrial Zones.

All landscaping in parking areas shall be carefully located so as not to obstruct vision. Tree types shall be selected from those specified in "Trees for New Jersey Streets -- 2nd Revision 1974," published by N. J. Federation of Shade Tree Commission. Trees that cause damage or excessive site maintenance problems due to root systems or leaf shedding shall be avoided. Trees that can withstand parking area conditions are encouraged. In narrow islands, low spreading plants such as creeping juniper, English ivy, myrtle or pachysandra are appropriate.

All parking lots with a capacity of sixty (60) or more vehicles shall be designed to include pedestrian walkways throughout the lot. They shall be raised at least six (6) inches above the parking area and shall be protected by permanent and durable curbing or bumpers so as to assure a minimum width of four (4) feet free of car overhangs.

- C. Bicycle or moped parking facilities: It is the intent of this ordinance that bicycle parking facilities that would facilitate the use of the bicycle as a means of transportation by the employees and customers of the proposed use requiring site plan approval be encouraged. To that end, for each ten (10) bicycle parking spaces provided in accordance with the requirements of this section, the Planning Board may permit one car parking space to remain sodded or seeded.

If provided in lieu of car parking areas bicycle parking facilities shall be located indoors or in sheltered areas close to major entrances to the buildings or other areas they serve, in view of working personnel on-site or close to high activity areas to minimize chances of theft or vandalism. Such parking facilities shall provide for padlock, chain or cable attachment and should allow for both wheels and the frame of a bicycle to be secured to it with a standard 6-foot cable or chain. Devices such as slotted concrete slab or vertical bar type racks that support the bicycle by a wheel and could cause damage to wheel rims, should be avoided.

- D. Loading areas: The need for off-street loading areas or berths shall be determined at the time of site plan review. Any required loading area shall be paved. Each required loading berth shall be at least 12 feet wide, 33 feet long, and 14 feet

high. Any area used regularly for loading shall be so designed as to prevent the use thereof from hindering the free movement of vehicles and pedestrians on any street, alley, or sidewalk, or from pre-empting any required parking spaces.

Each required loading berth shall be provided with unobstructed access to and from a street, having a width of not less than 10 feet: Such access may be combined with access to a parking lot. No entrance or exit for any loading area or berth shall be located within 50 feet of any street intersection. All required loading areas or berths shall be on the same lot as the use to which they are accessory and shall be so arranged as to permit the simultaneous use of all berths without blocking or otherwise interfering with the use of automobile accessways, parking facilities, fire lanes or sidewalks. No off-street loading area shall be located between the front building line and the street line unless otherwise specified in this ordinance.

150-61 Vehicular Circulation

A. Driveways

- (1) All entrance and exit driveways shall be located to afford maximum safety to traffic, provide for safe and convenient ingress and egress to and from the site, and to minimize conflict with the flow of traffic.
- (2) Any exit driveway or driveway lane shall be located and designed, in profile and grading, so as to provide the following minimum sight distance measured in each direction from the driver's seat of a vehicle touching the street line:

| Permitted Road Speed | Required Sight Distance in Feet |
|----------------------|------------------------------------|
| 25 MPH | 150 |
| 30 " | 200 |
| 35 " | 250 |
| 40 " | 300 |
| 45 " | 350 |
| 50 " | 400 |

- (3) A change in the speed regulations shall not affect a building or use for which a construction or land use permit has been issued. No driveway entrance or exit shall be located within 50 feet of the point of tangency of the existing or proposed curb radius of any corner lot.
- (4) A driveway shall not be located within ten (10) feet of any side yard other than a property line separating two adjacent

sites unless there is a common driveway as approved by the Planning Board.

- (5) No entrance or exit driveway shall be located on, or within fifty (50) feet of the point of beginning of, any rotary, ramp or interchange.
- (6) Any development fronting on arterial street shall be provided with a single access to the arterial street, where practicable. Where access is provided by more than one driveway from the same street, the driveways shall be located at least two hundred (200) feet apart.
- (7) Two-way driveways or one-way driveways permitting left turns onto the street shall intersect the road at an angle of as near ninety (90) degrees as site conditions will permit and in no case of less than sixty (60) degrees.

One-way driveways permitting a right turn only onto the street may not form an angle as small as forty-five (45) degrees with the street unless acceleration and deceleration lanes are provided.

- (8) Driveways shall be designed to the following standards:

| Use on Site | Driveway Width (In feet) | |
|-----------------------------|-----------------------------|-------------------|
| | One-Way Operation | Two-Way Operation |
| Residential | 15 | 25 |
| Commercial or Industrial | 20 | 30 |

All driveways shall be eight (8) feet wider from the curb for a distance of 20 feet past the street line into the site.

- (9) Access to any parking area with a capacity of one hundred (100) or more spaces shall be provided with acceleration and/or deceleration lanes in accordance with design criteria established by the American Association of State Highway and Transportation Officials Standards Manuals.
- (10) No access drive, driveway or other means of ingress and egress located in any residential zone shall provide access to uses that are prohibited in such zone.

- (11) Bicycle access drives shall be not less than 4 feet wide if used one-way and 8 feet wide if used for two-way operation. Bicycle access to a lot shall not be combined with pedestrian access, nor shall it be via a separate path parallel and adjacent to motor vehicle access. Bicycle access drive-ways shall be free of hazards to the cyclists (e.g. parallel bar drainage grates, insufficient sight clearance at points of intersection, or insufficient lateral or vertical clearance or radii of curvature).

150-62

Streets. Proposed streets and extensions of existing streets shall conform to the Master Plan and Official Map, and shall be designed and located to facilitate orderly circulation patterns, assure emergency access and provide for future connections to adjoining properties in accordance with the following standards:

- A. The arrangements of arterial and collector streets shall be such as to provide for the extension of existing arterials and collectors. Local streets shall not be made continuous or be so aligned that one subdivision adds to the traffic generated by a minor street in another subdivision.
- B. In any major subdivision, it shall be the duty of the Planning Board to classify proposed streets according to their types. The Planning Board, in making its decisions, shall refer to the Master Plan and/or shall consider conditions within the subdivision and surrounding area. The right-of-way shall be measured from lot line to lot line and shall not be less than the following:

Table 1

STREET RIGHT-OF-WAY REQUIREMENTS
Township of Cranbury

| | Minimum Right-of-Way (feet) | Minimum ¹ Cartway (feet) | Numbered Lanes | Travel Lane (feet) | Parking | Sidewalk | Shoulder |
|-------------------------------|-----------------------------------|---|-------------------|--------------------------|---------------------|-------------------|--|
| Major arterials | 100 | 22 | 4 | 13 | -- | -- | 8 feet stabilized earth, without curbs |
| Minor arterials | 80 | 44 | 2 | 13 | -- | 5 feet 2 sides | 5 feet stabilized earth without curbs |
| Major collectors | 80 | 44 | 2 | 13 | -- | 5 feet 2 sides | 5 feet improved without curbs |
| Minor collectors | 60 | 34 | -- | -- | 2 sides | 5 feet 2 sides | -- (6-inch curb) |
| Local streets (loop roads) | 50 | 30 | -- | -- | 1 side ² | 4 feet 1 side | -- (6-inch curb) |
| Culs-de-sac | 50 | 26 | -- | -- | 1 side ² | 4 feet 1 side | -- (6-inch curb) |
| Rural streets | 50 | 26 | -- | -- | 1 side ² | none | 12 feet stabilized earth, without curbs |

Notes:

¹ Does not include bicycle lanes.

² The side for parking shall be recommended by the Planning Board to the Township Committee prior to approval.

- C. Bikeways shall be included on all roadways as indicated on the Master Plan or Official Map. Where the bicycle lane is part of a roadway system, the bicycle lane shall be four (4) feet in each direction and shall be appropriately designated with a combination of signing and road markings.
- D. The Planning Board may deem any extension of a temporary cul-de-sac street to be a local street for the purposes of classification.
- E. In a major subdivision abutting major arterials, minor arterials or major collector streets, the frontage shall be so laid out that the lots contiguous to such major arterials, minor arterials and major collector streets shall not front on such streets, and

that such lots will have a lot width or depth exceeding by at least twenty-five (25) feet the minimum applicable zoning requirements. A strip with a depth of twenty-five (25) feet along the line of such streets shall constitute an exclusive planting and screening easement provided by the developer and maintained by the lot owner. In addition to such plantings and screening, the Planning Board shall require the provision of a fence with an access gate along the easement to be maintained by the lot owner, or a suitable alternative buffer.

- F. The widths of internal streets (not driveways) in a multifamily, business or industrial development designed in accordance with a comprehensive site plan shall be determined by the Planning Board in each case in the light of the particular circumstances and with a view to assuring the maximum safety and convenience of access for traffic and firefighting equipment, circulation and parking, including provisions for loading and unloading of goods, but in no case shall the pavement be less than twenty-six (26) feet in width for two-way traffic.
- G. Internal streets in multifamily, business or industrial development shall not be constructed in building setback areas.
- H. There shall be no reserved strips or areas for controlling access to streets except where control and disposal of the land comprising such strips or areas have been placed in the hands of the Township under conditions approved by the Planning Board.
- I. When a subdivision abuts on existing streets, the street shall be widened, if necessary, and improved to conform to the standards set forth in this ordinance.
- J. In the industrial zones, the proposed local streets shall not interconnect with existing or proposed streets located in other zones so as to form continuous routes.

150-63

Street Design Standards

- A. Grades on all streets shall not exceed six (6%) percent. No street shall have a minimum grade of less than one-half ($\frac{1}{2}$ %) percent.
- B. Street jogs with center line offsets of less than one hundred twenty-five (125) feet shall be prohibited.
- C. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial collector streets.
- D. When connecting street lines deflect from each other at any point by more than ten degrees (10°) and not more than forty-five (45°), they shall be connected by a curve with a center line radius of not less than one hundred (100) feet for minor streets

and five hundred (500) feet for arterials and major collector streets measured along the center line. When connecting street lines deflect from each other at any point by more than forty-five degrees (45°) they shall be connected by a curve with a radius of not less than five hundred (500) feet measured along the center line.

- E. All changes in grade shall be connected by vertical curves of sufficient length to provide a smooth transition and proper site distance and drainage as determined by the Township Engineer.
- F. The maximum length of a cul-de-sac shall be six hundred (600) feet to the turning circle. This distance may be increased to eight hundred (800) feet if it serves no more than twenty (20) dwelling units or uses generating equivalent traffic and if an emergency vehicular access and pedestrian walkway of at least ten (10) feet in width is provided from the head of the cul-de-sac to an adjacent street. The length of the cul-de-sac shall be measured along its center line from the center line of the intersecting street to the center of the circle at the end of the cul-de-sac.
- G. Each cul-de-sac shall provide a turnaround at the end with a minimum radius of fifty (50) feet to the outside edge of the cartway or curblin and sixty (60) feet to the outside edge of the right-of-way and be tangent preferably to the right side of the street. Landscaped islands in the center of cul-de-sac shall be encouraged.
- H. Any cul-de-sac shall be readily identifiable as such by traffic moving on the collector street to which it is connected. Cul-de-sacs shall not be located so as to appear to terminate collector streets.
- I. In any planned residential development the street system shall be integrated with the existing network of streets so that there are at least two points of access. When such a development is to be developed in sections, each section shall provide two points of access, one of which may be temporary. The separation of pedestrian circulation from vehicular circulation in such developments should be encouraged, either in a separate right-of-way or by means of protective barriers such as berms or planting.
- J. No street shall have a name which will duplicate, or so nearly duplicate as to be confused with, the names of existing streets in the township or its vicinity. The continuation of an existing street shall have the same name. The Planning Board shall reserve the right to approve or name streets within a proposed subdivision. All house identification numbers shall be seen clearly from the street.
- K. Minimum roadway construction:

- (1) Major arterial, minor arterial and major collector streets shall be constructed for their full width with a four-inch compacted depth stone subbase, using soil aggregate Type 5, Class A, quarry process stone; six-inch bituminous stabilized base stone mix; three-inch compacted depth bituminous concrete, Type MABC-2 surface course.
- (2) Minor collector, local street and cul-de-sac streets shall be constructed for their full width with a four-inch compacted depth stone subbase, using soil aggregate Type 5, Class A, quarry process stone; four-inch compacted depth bituminous stabilized basecourse, stone mix; three-inch compacted depth bituminous concrete, Type MABC-2 surface course.
- (3) The pavement width for all local streets in the Agricultural Zone may be reduced to twenty-six (26) feet with a stabilized two-inch layer over a four-inch stone base shoulder twelve (12) feet in width on each side thereof.
- (4) All of the above construction shall be in accordance with the current New Jersey State Highway Department Standard Specifications for Road and Bridge Construction and supplements thereto on file in the Township Engineer's office.

150-64

Street Intersections

- A. The intersections of two (2) streets shall be as nearly at right angles as is possible, and in no case shall be less than sixty (60°) degrees. The block corners at intersections shall be rounded at the curblines with a curve having a radius of not less than thirty-five (35) feet. On major and minor arterials and major collectors the curb radius shall be not less than 50 feet.
- B. Except as specified below only one (1) point of access and one (1) point of egress may be allowed for each property. In the case of large frontages, such points of access and egress shall be at least eight hundred (800) feet apart along major collector streets and not less than one thousand two hundred (1,200) feet apart on major or minor arterial streets. Streets or drives which enter a minor or major street from opposite sides shall either be directly opposite each other or shall be separated by at least two hundred (200) feet between their center lines measured along the center line of the intersecting street.
- C. Any collector street shall approach the intersection with another collector street or an arterial street along a straight line course within one hundred (100) feet of the intersection.
- D. Where a major collector street or a minor collector street serving more than one hundred (100) residential lots or dwelling units intersects with another collector street or an arterial

street, both the right-of-way and the pavement of the street deemed by the Planning Board to be more important shall be widened by twelve (12) feet for a distance of two hundred (200) feet both ways from the intersection of the center lines and tapered.

- E. At all street corners, the areas bounded by the right-of-way lines and a straight line connecting sight points on street center lines which are the following distances from the intersection of the center lines shall be dedicated as sight triangles:
- (1) Where a local street intersects a local street: ninety (90) feet.
 - (2) Where a local street intersects a major collector street: ninety (90) feet on the minor and two hundred (200) feet on the major collector.
 - (3) Where a local street or a minor or major collector street intersects an arterial street: ninety (90) feet back on the minor or collector streets and three hundred (300) feet back on the arterial streets.

No fences or any other obstruction, nor any planting exceeding twenty-four (24) inches in height as measured above the elevation of the center line of the road may be placed in any such sight triangle.

- F. Unless necessary to provide access to a lot in separate ownership existing before the effective date of this ordinance, no driveway access to property or additional street intersection may be permitted within those portions of any street which require widening under the provisions of this ordinance or within any required sight triangles.
- G. The Planning Board may require street widening or other street improvements on arterials and major collectors, including acceleration and deceleration lanes and concrete curbs, to assure safe ingress and egress and to achieve the following wherever possible:

| Legal Speed Limit (mph) | Acceleration | | Deceleration | |
|----------------------------------|--------------------------|--------------------------------------|--------------------------|--------------------------------------|
| | Lanes | | Lanes | |
| | Full Length (feet) | Length of plus Taper (feet) | Full Length (feet) | Length of plus Taper (feet) |
| 25 | 100 | 50 | 150 | 50 |
| 35 | 200 | 75 | 200 | 75 |
| 40 | 300 | 75 | 200 | 75 |
| 50 | 300 | 75 | 200 | 75 |

150-65 Street Signs. Street signs shall be of the type, design and standard acceptable to the Planning Board. 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.

150-66 Sidewalks

- A. Except as specified hereinafter, sidewalks shall be required on both sides of all streets serving a minor arterial, major collector and minor collector or 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 in nonresidential developments at the discretion of the Board 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. No sidewalks may be required in the A-100 Zone and Low Density Residential Zone unless clustered.
- B. Where required, sidewalks shall be at least five (5) feet wide and located as approved by the Board. Sidewalks shall be at least Class C concrete four thousand (4,000) pounds per square inch air-entrained, six (6) inches thick at driveways with wire reinforcement or eight (8) inches thick without such reinforcement. Sidewalks such as brick pavers may be considered by the Planning Board upon submission of complete design details.
- C. Curb ramps for the physically handicapped shall be provided at all street intersections and shall be constructed in compliance with standards of the New Jersey Department of Transportation.

150-67 Curbing. Except as specified hereinafter, 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 Township Engineer. In the Agricultural and Residence-Light Impact Zones, curbs may be required only where excessive grades or other conditions require their installation.

- A. If made of concrete, the curbing shall meet the following specifications:
- (1) The concrete to be used for curb shall be Class B four thousand five hundred (4,500) pounds per square inch 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 Township Engineer.
 - (3) Openings for driveway access shall be of 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 (1½) inches shall extend above the finished pavement.
 - (4) Concrete curbs for local streets shall be eight (8) inches wide at their base and not less than six (6) inches wide at their top. Their height shall not be less than eighteen (18) inches and they shall be so constructed as to show a vertical face above the roadway pavement of six (6) inches.
 - (5) Concrete curbs for township collector and arterial streets shall be ten (10) inches wide at their base and not less than eight (8) inches wide at their top. Their height shall not be less than twenty (20) inches and they shall be so constructed as to show a vertical face above the roadway pavement of eight (8) inches.
 - (6) The rear top corner of all curbs shall have a radius of one-fourth (¼) inch, and the front top corner shall have a radius of one and one-half (1½) inches.
- B. If made of Belgian block, the construction detail shall be as specified by the Township Engineer. Stones used for local roads shall not be less than ten (10) inches in height and shall be constructed to show a vertical face above the roadway pavement of six (6) inches. Stones used for township collector and arterial streets shall not be less than twelve (12) inches in height and shall be constructed to show a vertical face above the roadway pavement of eight (8) inches.

150-68

Shade Trees

- A. Trees shall be planted along the public right-of-way varying by tree type, as follows:

- (3) Wherever feasible, natural vegetation shall be retained and protected.
- (4) The extent of the disturbed area and the duration of its exposure shall be kept within practical geographic and time limits.
- (5) Either temporary seeding, mulching or other suitable stabilization measures shall be used to protect exposed critical areas during soil disturbance.
- (6) Drainage provisions shall accommodate any increased water runoff resulting from modified soil and surface conditions during and after the soil disturbance.
- (7) Water runoff shall be minimized and retained on site wherever possible to facilitate groundwater recharge and to mitigate possible downstream damage.
- (8) Sediment shall be retained on site to the maximum extent feasible.
- (9) Necessary diversions and sedimentation basins and similar required preventive measures shall be installed prior to any on-site soil disturbance.
- (10) Compliance with minimum standards and specifications contained in Standards for Soil Erosion and Sediment Control in New Jersey and approval of the Soil Conservation Service prior to actual soil disturbance shall be required.
- (11) Dust and mud on the premises in question, as well as on abutting lands shall be prevented or controlled.
- (12) Soil fertility and the resulting ability of the affected area to support plant and tree growth shall be preserved by the preservation of adequate topsoil.
- (13) Necessary lateral support and grades of abutting lands, structures and other improvements shall be maintained.
- (14) Pits and declivities which are hazardous or which provide insect breeding locations shall be avoided.
- (15) The manner of disturbance and/or transportation of removed soil will not adversely affect the public health, safety and general environmental welfare of the Township.

150-70

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.

150-71 Streetlighting. Streetlighting 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 streetlighting.

150-72 Public Utilities

- A. The design and location of all utilities shall be in accordance with all applicable standards of the Township and the public utility having jurisdiction. The location of all utilities shall be coordinated by the Township Engineer.
- B. 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 subsection: provided, however, that lots which 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.
- C. In large-scale development, utilities shall be placed underground. Easements along rear property lines or elsewhere for utility installations 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 be located adjacent to rear or side lot lines.

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 shall front upon an approved public street with a right-of-way width of at least fifty (50) feet, except in planned developments where lots may front on private streets maintained by the 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 to the suitability of a lot or lots for their intended use due to factors such as poor drainage conditions or flood conditions or where percolation tests or test borings show the ground conditions to be inadequate for proper 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 its reasons and notify the applicant and enter same in the minutes.

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 its 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).

150-75

Sanitary Sewers and Septic Systems

- A. Where required and where 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 and structure within the development using said treatment and collection system.
- B. Any private treatment plant and collection system, if consistent with the Township's Master Utility Plan element, or individual on-site septic systems, shall be designed in accordance with the more restrictive of the requirements of the State Department of Environmental Protection or the Township and shall be subject to approval by the Township Department of Health.

150-76

Energy Standards

- A. All proposed residential structures that have a south facing exterior wall shall have seventy-five percent (75%) of the surface of that wall unshaded with access to direct sunlight for at least four (4) hours between 9:00 a.m. and 3:00 p.m., Eastern Standard Time, on December 21st.
- B. All subdivisions and site plans for all types of development other than multi-family dwellings shall be designed so that adjoining properties are assured direct sunlight access for at least four (4) hours between 9:00 a.m. and 3:00 p.m. Eastern Standard Time on December 21st.
- C. If assuring solar access to adjoining properties requires a solar easement, such instrument shall comply with N.J.S.A. 46:3-24 et seq. and shall include at least the following:
 - (1) The vertical and horizontal angles shall be expressed in degrees, at which the solar easement extends over the real property subject to the solar easement.
 - (2) Any terms or conditions or both under which the solar easement shall be granted or terminated.
 - (3) Provisions for compensation of the owner of the property benefiting from the solar easement in the event that there is interference with the enjoyment of that solar easement, or compensation of the owner of the property subject to the solar easement for maintaining that solar easement.
- D. Wherever possible, at least seventy-five percent (75%) of all proposed detached residential structures and at least fifty percent (50%) of all proposed multi-family dwellings shall have their long axis facing within thirty (30°) degrees of true south.

150-77 General Design Principles for Planned Development. In the review of site plans for cluster, planned or multi-family developments, in addition to the site plan criteria established in preceding sections of this ordinance, the following principles shall also apply:

150-78 Building Site Design Principles. In the site planning and layout of a cluster, or planned development or of multi-family and higher density residential areas, the following principles, as appropriate, should be followed:

- A. For townhouse style or similar attached structures, a maximum of four (4) dwelling units in a attached single row or structure should be encouraged. No more than six dwelling units should be permitted in a structure. The planes of any straight facades should be no more than sixty (60) feet in length without at least a four-foot offset. Townhouses should be grouped in clusters. Private parking areas should be located near the entrances and outdoor living areas or patios adjoining open space or paths leading to open space. Dwelling units should not front on a major collector street. Townhouses and similar style structures in each cluster should be consistent in terms of architectural style and major design elements such as materials, color tones, windows, roof lines, or roof design.
- B. The site plan should be broken into visually small groupings such as quadrangles, clusters and courts. Devices to reduce the size of each visual grouping, such as garden walls and gates, reduction in setbacks of facing buildings, and variable landscape layout, are encouraged.
- C. No more than five freestanding houses should be placed in a row with the same setback from a straight street line.
- D. Boredom of visually repeated elements should be avoided. The use of curved streets, or variety of architectural design, or landscaping to avoid view of more than three identical structures from any single point on a street should be encouraged. For single family and zero lot line dwellings, no two (2) identical units of the same architectural style shall be adjacent to each other.
- E. Each garden apartment or similar multi-family structure should be limited to a maximum of six (6) dwelling units and a length of one hundred twenty (120) feet. Such structures should be grouped in clusters of consistent architectural design. An offset with a minimum depth of four (4) feet shall be encouraged for every two (2) ground floor dwelling units.
- F. All buildings shall be separated from each other by a minimum distance of twice the height of the tallest structure.

Open Space and Recreation Facilities

- A. Components of Open Space: In development plans where common open space is provided, it shall be clearly delineated, dimensioned and tabulated to nearest tenth of an acre on the final development plan.

Common space as required for certain planned residential developments shall consist of at least the following components:

- (1) A minimum of ten (10%) percent of the gross area of the development shall be retained in natural features such as significant wooded areas and usable open space which shall be defined as lands other than in channels, floodways, waterbodies, wetlands, or retention basins.
- (2) A minimum of fifteen (15%) percent of the gross area of the development shall be in active recreation facilities, which may consist of any of the following:
 - (a) Trails and Bikeways - Use to connect open space between recreational facilities and between buildings and other uses.
 - (b) Playlots, with a minimum area of 2,000 square feet for toddlers and 5,000 square feet for older children, containing such facilities as swings, a slide, play sculptures, and benches for parents. Playlots shall be located with due consideration of their effective service radius of 1/8 of a mile and their capability to serve not more than approximately 100 children, each.
 - (c) Playgrounds, with area requirements determined by the population to be served as follows:

| <u>Population</u> | <u>Size (acres)</u> |
|-------------------|---------------------|
| 2,000 | 3.75 |
| 3,000 | 4.0 |
| 4,000 | 5.0 |
| 5,000 | 6.0 |

Playgrounds should provide sandboxes and play sculpture for young children, basketball courts or backboards for older youths, paved areas for various activities, and shuffleboard and sunny and quiet areas for the elderly.

- (d) Tennis courts, providing four (4) parking spaces per court.
- (e) Swimming pools which, if provided, shall as nearly as possible provide 3 square feet of pool area for each

resident above three years of age, and shall be supplemented by wading pools for the very young.

All recreational facilities in a planned development shall be operated for the residents thereof and shall not be made available commercially to anyone who pays a fee.

As nearly as possible the designated open space shall be distributed throughout the development to afford equal access thereto to all residents. The common open space shall consist of major contiguous parcels in a natural state or developed for specific recreational purposes according to the guidelines in Site Plan Review, and shall have adequate access to public and private roads. Designating all open space in one portion of a development is to be discouraged.

150-80 Signs

- A. Signs in all zones, whether permitted or nonconforming, shall comply with all applicable county, state, and federal sign regulations as well as the following:
- (1) All signs shall be kept in good repair which shall include replacement or repair of broken or malfunctioning structural elements, casings, faces, or lighting elements and the maintenance of legibility. Upon determining that a sign has become structurally unsafe or endangers the safety of the building or the public, the construction official shall order such sign be made safe or removed. Such order shall be complied with within ten (10) days of the receipt thereof by the owner of the building or premises on which such unsafe sign is affixed or erected.
 - (2) Directional signs having an area of less than two (2) square feet are exempt from any location regulations except that they shall be located a minimum of five (5) feet from any property line.
 - (3) Except as provided hereinafter, any freestanding sign within twenty (20) feet of the street line along Route 130 shall be mounted so that the sign shall not be lower than eight (8) feet above the ground nor higher than sixteen (16) feet above the ground.
 - (4) No sign using red, green, blue or amber illumination in a beam, beacon, or flashing form resembling an emergency light shall be erected in any location.
 - (5) No sign which does not conform with these regulations shall be rebuilt, enlarged, changed, or moved.

- B. Required signs: all principal buildings in all districts shall be clearly identified as to house number, street number or name by means of a small unobstructed sign, clearly visible and legible from the main and abutting street. Such signs shall not require a construction permit.
- C. Prohibited signs: The following signs are prohibited in all zones:
- (1) Any sign which does not advertise a permitted business or use located on the same premises.
 - (2) Roof signs and signs extending above the wall to which they are attached.
 - (3) Permanent marquees extending over the sidewalk beyond the street line.
 - (4) Signs posted on fences, posts, utility poles or trees.
 - (5) Signs posted on Township property except where specifically authorized by the Township.
 - (6) Signs installed or painted on sidewalks or curbs.
 - (7) Signs using mechanical or electrical devices or wind to revolve, flash, or display movement or the illusion of movement or to spell alternating messages.
 - (8) Signs on abutments, retaining walls, embankments.
 - (9) Signs painted directly on buildings or which obstruct any windows.
 - (10) Signs on accessory buildings.
 - (11) Signs which constitute a hazard to the traveling public by obstructing driving vision, regulatory or directional signs or signals.
 - (12) Pylon signs, except as permitted herein.
 - (13) Billboard signs.
 - (14) Automobile, trailer (attached or unattached) or vehicle of any nature bearing signs or advertisements, parked or left stationary for more than twenty-four (24) hours upon any vacant land or public street.
 - (15) Signs using any lighting or control mechanism which may cause radio or television interference.

- (16) All outside lighted signs operating after 1:00 A.M. with the exception of signs in the commercial zone.
- (17) Illuminated signs where the source of light is directly visible from adjoining properties or streets.
- (18) Neon signs.
- (19) No provisions contained herein shall be construed to prohibit signs which issue warnings or safety messages such as but not limited to no hunting, no trespassing, or beware of dog.
- (20) All temporary signs, except as set forth herein.

D. Temporary signs or banners:

- (1) Not more than one temporary sign shall be permitted on any lot identifying the architects, engineers, builders, brokers, contractors and others connected with the construction of any building on such lot. No such sign shall be displayed beyond the effective date of any certificate of occupancy affecting the premises. Unless affixed to the principal building, such signs shall be set back at least ten (10) feet from all property lines. Such temporary sign shall not exceed fifteen (15) square feet in area or fifteen (15) feet in height above ground level.
- (2) One temporary sign may be erected or installed without any permit announcing that the property on which it is located is for sale or rent. Such sign shall not exceed an area of five (5) square feet on a tract of less than three (3) acres or twenty four (24) square feet on a tract larger than three (3) acres. If free-standing, such sign shall be set back from the street line a distance in feet equal to one and one-half times its area in square feet. The for sale or lease sign shall be removed within seven (7) days following the completion of the sale or lease transaction.
- (3) Temporary political signs shall be permitted in all zones for a period of two (2) months prior to a primary, general or special election and for one (1) week thereafter. said signs shall not exceed twelve (12) square feet and no side or diameter of any sign shall exceed six (6) feet.

E. Window lettering and window signs: Window lettering and signs shall be permitted only in the commercial zones. For the purpose of enforcing this ordinance, window lettering and signs shall be subject only to the following restrictions:

- (1) All window lettering and signs shall be inside the window, and considered interior signs as defined in this ordinance.

- (2) Permanent window lettering or signs shall be permitted only if the rectangle or circle confining such lettering or sign, or the background upon which it appears, does not exceed twenty (20) percent of the window area. Any painted area of any window shall be construed as window lettering or signs, whether or not such area actually contains lettering or advertising.
- (3) The window lettering or sign shall pertain only to the establishment occupying that portion of the premises where the window is located.
- (4) Temporary window lettering or signs, advertising special sales or events shall be removed within seven (7) days following the advertised event or within thirty (30) days after erection, whichever is earlier. Such temporary window lettering or signs, in conjunction with any permanent window lettering or sign, shall not cover, in the aggregate, more than fifty (50) percent of the window area.
- (5) The following window lettering and signs are specifically prohibited:
 - (a) Those having an exterior source of illumination.
 - (b) Moving signs.
- (6) All window lettering and signs shall be kept in good repair.
- (7) The construction official shall have the authority to order the removal of any window lettering or sign which does not conform to these specifications. Any owner or tenant not complying within seventy-two (72) hours of such an order shall be in violation of the provisions of this ordinance and subject to penalties set forth therein.

F. Sign regulations for specific uses: Gasoline service stations and public garages shall be permitted to display only the following signs:

- (1) One (1) temporary sign, located inside the property line, specifically advertising special or seasonal servicing of motor vehicles, provided that the area of each side of such sign shall not exceed seven (7) square feet.
- (2) One (1) non-moving, freestanding or pylon sign advertising the name of the station or garage and/or the principal products sold, including any special company or brand name, insignia or emblem, provided that the area of each side of such sign shall not exceed thirty (30) square feet, and provided further that such sign shall not be located nearer

than five (5) feet to any property line nor less than twelve (12) feet or more than twenty (20) feet above ground level.

- (3) Additional signs or lettering displayed over individual entrance doors or bays, bearing legends, essentially the same or similar to the following: "washing, lubrication, repairs, mechanic on duty, car rental, U-hauls." There shall be not more than one such sign with a maximum area of six (6) square feet and lettering not exceeding a height of twelve (12) inches over each entrance or bay.
- (4) Customary lettering or other insignia which are an integral part of a fuel pump and consisting only of a fuel name, lead warning sign, price indicator and any other sign or signs as required by law. The aggregate area of such sign shall not exceed three (3) square feet on each pump.
- (5) One one-illuminated credit card sign, not exceeding two (2) square feet in area, may be placed on or near each pump island.

G. Only the following types of signs shall be permitted in residential districts:

- (1) Signs designating entrances or exits to or from parking areas for institutional or public uses limited to one (1) sign with a maximum area of two (2) square feet for each such exit or entrance. One (1) additional sign per parking area designating the conditions of use or identity thereof, with a maximum area of six (6) square feet, shall be permitted.
- (2) A sign, with a maximum area of two (2) square feet, indicating the name or address of the occupant of any dwelling and/or any professional activity carried out therein.
- (3) Signs identifying the names of schools, colleges, churches and other similar public or semi-public institutions provided that:
 - (a) The area of any freestanding sign shall not exceed ten (10) square feet and not more than one (1) such sign shall be placed along any street on which such property fronts.
 - (b) Not more than two (2) additional such signs may be located on the walls of any structures on the site. The area of each such sign shall not exceed the lesser of twenty-five (25) square feet or two (2%) percent of the area of the wall to which it is affixed. The wall area shall be measured from ground level to the bottom

of the roof eaves and from one side of the building to the other.

- (4) Any sign erected by the borough, county, state or federal government.
 - (5) Signs used for the protection of the public during construction or repairs.
- H. Only the following types of signs shall be permitted in nonresidential districts with the exception of the Commercial Village Zone:
- (1) Any sign permitted in residential zones.
 - (2) Nonresidential establishments shall be permitted a total of two (2) exterior wall signs, provided that not more than one such sign shall be affixed to any single exterior wall. Such sign shall be affixed flat against the wall, shall not project more than six (6) inches therefrom and shall have an area not greater than five (5) percent of the area of the wall to which it is affixed and the aggregate area of all such signs shall not exceed sixteen (16) square feet. Except as provided hereinafter, freestanding signs are prohibited.
 - (3) Not more than one (1) freestanding sign advertising only the businesses or services located on the same lot, provided that:
 - (a) The area of said sign shall not exceed fifty (50) square feet on each side or surface.
 - (b) No part of such sign shall be located nearer to the street line than one-half ($\frac{1}{2}$) the required minimum front yard depth.
 - (c) The area surrounding the base of said sign shall be appropriately landscaped and kept neat and clean at all times.
- I. Only the following signs shall be permitted in the Commercial-Village Zone:
- (1) Signs on the front facade or glass window advertising the business conducted on the premises provided that such lettering does not exceed eight (8) inches in height.
 - (2) Sign advertising the permitted use of that building provided that it shall not exceed three (3) square feet, and it shall not be illuminated.

- (3) Sign advertising a home or offices of a medical practitioner provided that it shall not exceed one (1) square foot and it may be illuminated.
- (4) Any sign permitted in residential zones.

150-81

Exterior Lighting. With every application for approval of a site plan the applicant shall include a proposed exterior lighting plan showing the type, location, intensity (in footcandles), at ground level, effective radius, and the manufacturer's specifications for all light sources. The following design standards shall be followed:

- A. Streets, parking areas, intersections, points where various types of circulation systems merge, intersect, or split, stairways, sloping or rising paths, and building entrances and exits require illumination.
- B. Freestanding lights shall be so located and protected to avoid being easily damaged by vehicles. The height of such lights shall not exceed twenty-five (25) feet. Pathways, sidewalks and trails shall be lighted with low or mushroom type standards.
- C. The style of the light and light standard shall be consistent with the architectural style of the principal building.
- D. All lights shall be shielded so as to restrict the maximum apex angle of the cone of illumination to one hundred and fifty (150°) degrees, or to such lesser angle as may be required to shield the lights from the view of any adjacent residential properties. Spotlight-type fixtures attached to buildings and visible to the public shall be avoided.
- E. The intensity of light shall comply with the following standards:
 - (1) Parking Lots - an average of five tenths (0.5) footcandles throughout.
 - (2) Intersections - not less than three tenths (0.3) footcandles.
 - (3) At property lines - not more than one-tenth (0.1) foot-candle.
 - (4) In residential areas - an average of one-tenth (0.1) footcandles.

150-82

Airborne Emissions. No use activity, operation or device generating airborne emissions, shall be established, modified, constructed or used without having first obtained valid permits and certificates from the Bureau of Air Pollution Control, NJDEP, pursuant to NJAC 7:27-8. Specifically, no use, activity, operation or device shall be established, modified or constructed without a valid "Permit to Construct."

No use, activity, operation or device shall be operated, occupied or used without a valid "Certificate to Operate Control Apparatus or Equipment."

In addition to the requirements of NJDEP, the following shall also apply:

- A. Particulate matter shall not be discharged into the outdoor air in a concentration exceeding three hundredth (0.03) of a grain per cubic foot of gas at actual gas conditions unless a minimum of ninety-five (95) percent of such particles leaving the process in the stack gas are removed from the gas prior to discharge. However, regardless of degree of gas cleaning, the following provisions shall apply:
- (1) The concentrations of solid particles shall not exceed five hundredths (0.05) of a grain per cubic foot at six hundred degrees Fahrenheit (600F) and one atmosphere pressure.
 - (2) No more than three (3%) percent by weight of the particles discharged shall equal or exceed forty-four (44) microns in diameter.
 - (3) No more than twenty (20) pounds of particulate matter per hour shall be discharged into the outdoor air from any single source.
- B. Visible emission, such as smoke the shade or appearance of which is darker than No. 1 on the Ringelman Smoke Chart, shall not be discharged into the open air from any fuel-burning equipment, provided, however, that smoke emitted during the clearing of a fire box or the building of a new fire, the shade or appearance of which is not darker than No. 2 on the Ringelman Smoke Chart, shall be permitted for a period or periods aggregating no more than three (3) minutes in any fifteen (15) consecutive minutes.

150-83

Noise

- A. Standard: Noise shall be measured with a sound level meter complying with the standards of The American National Standards Institute, "American Standards Specifications for General Purpose Sound Level Meters." (NASIS1.4-1961 or its latest revisions). The instrument shall be set to the A-weighted response scale and the meter to the slow response. Measurements shall be conducted in accordance with "American Standard Method for the Physical Measurements of Sound" (ANSIS1.2-1961).
- B. Noise level restrictions: Except as specified hereinafter, noise shall not exceed the maximum sound levels specified in the following table:

NOISE LEVEL RESTRICTIONS

| Performance Category | Maximum Level Permitted | Where Measured |
|----------------------|--|--------------------------------------|
| Residence Districts | 7 AM to 9 PM: 55dBA 9 PM to 7 AM: to 65dBA | On the lot line |
| All other Districts | 65dBA | On the lot line or district boundary |

C. Exclusions and permitted variations.

- (1) The levels specified in the table may be exceeded once by ten (10) dB in a single period of 15 minutes, during any one day.
- (2) Peak values of short duration, also known as impact noises, may exceed the value specified in the table by twenty (20) dB or have a maximum noise level of seventy-five (75) dBA, whichever is more restrictive.
- (3) Noises such as alarms, sirens, emergency warning devices, are excluded from the above limitations.

150-84 Glare and Heat

- A. Allowable illumination: Any operation or activity producing intense glare except for emergency procedures shall be conducted so that direct and indirect illumination from the source shall not exceed three tenths (0.3) of a foot candle in any residence zone. Flickering and intense sources of light shall be controlled so as not to cause a nuisance across adjacent lot lines.
- B. Heat: Sources of heat, including but not limited to steam, gases, vapors, products of combustion or chemical reactions, shall not discharge onto or directly contact structures, plant life or animal life on neighboring lots or impair the function or operation of a neighboring use. No use, occupation, activity, operation or device shall cause an increase in ambient temperature, as measured on any property line.

150-85 Storage and Disposal of Waste

- A. All outdoor storage facilities for fuel, raw materials and products stored outdoors, shall be enclosed by an approved safety fence and suitable landscaping to screen such areas from public view and shall conform to all yard requirements imposed by the Land Development Ordinance of Cranbury Township upon the principal buildings in the zone.

- B. No materials, wastes or other substance shall be stored or maintained upon a lot so as to prevent natural run-off from such areas from impairing the existing water quality of any stream, water course or aquifer.
- C. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

150-86

Storm Water Management. Any development plan application shall contain a storm water control plan designed in conformance with the storm management criteria set forth herein.

- A. Flood and erosion control: The flood and erosion control standard for detention shall require that volumes and rates be controlled so that, after development, the site shall generate no greater peak runoff from the site than prior to development, for a two-year, 10-year, and 100-year storm considered individually. Such storms may be computed either as a Type II 24-hour storm under U.S. Soil Conservation procedures, (such as U.S. Soil Conservation Service, "Urban Hydrology for Small Watersheds," Technical Release No. 55) or as the estimated maximum rainfall for the estimated time of concentration of runoff at the site when using the Modified Rational Method. Tabulations of estimated maximum rainfall available from the New Jersey Department of Environmental Protection shall be used. For purposes of computing runoff, regardless of existing conditions, all lands shall be classified: as in good condition if lands are pastures, lawns or parks; as good cover if the lands are woods; or as conservation treatment if the lands are cultivated. Any agricultural expansion shall be submitted to the local Soil Conservation District for review and comment in accordance with this chapter and any Soil Conservation District guidelines.
- B. Water quality control:
 - (1) The water quality requirement for detention shall require prolonged retention of a small design storm which shall be either a one-year frequency Type II storm or a storm of 1½ inches of rainfall in two hours. Provisions shall be made for it to be retained and released so as to evacuate 90 percent in approximately 18 hours in the case of residential developments and 36 hours in the case of other developments. If the above requirement would result in a pipe smaller than three inches in diameter, the period of retention shall be waived so that three inches will be the minimum pipe size used.
 - (2) If soils have sufficient permeability and if the groundwater does not rise to within two feet of the bottom of the

detention basin, then the production of zero runoff from the site shall be considered sufficient to meet the water quality requirement for residential developments. Other technology may be substituted pursuant to Section 150-86, D.

C. Detention basins in floodways and floodplains:

- (1) Detention basins in the floodway shall be prohibited.
- (2) Detention basins in flood fringe shall be discouraged, but if unavoidable, they shall meet all requirements for a 100-year flood. This shall be calculated by application to both the site and to the entire watershed contributing to the flood plain if the two peak simultaneously. The time of concentration for the entire watershed shall be that appropriate to the larger area, rather than the shorter period applicable to the site. Any such development shall be in compliance with all applicable regulations under the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq.
- (3) In default of an analysis such as described above, detention storage provided by construction of dikes or embankments below the elevation of the 100-year flood derived by calculation or taken from an official flood plain delineation map shall be credited as effective storage at a reduced proportion as indicated in the table below:

Table I

ALLOWABLE PROPORTION OF USABLE STORAGE IN DETENTION
BASINS CREATED BY THE CONSTRUCTION OF DIKES AND EMBANKMENTS

| | Less than 5 Sq. Mi. | 5-100 Sq. Mi. | Over 100 Sq. Mi. |
|---|------------------------|------------------|---------------------|
| Elevation of storage provided below 100- year flood level | | | |
| Less than 2 ft. | 40 percent | 65 percent | 90 percent |
| 2-4 ft. | 25 percent | 50 percent | 75 percent |
| Over 4 ft. | 10 percent | 25 percent | 50 percent |

- (4) The above storm water detention shall not exceed that which would be filled by runoff of a 100-year storm at the site.
- (5) The net volume of fill added to the flood hazard area and added below the 100-year flood elevation shall be subtracted from the capacity of effective detention storage volume.

- D. Alternatives to detention basins may include but not be limited to roof-top storage tanks, infiltration pits, dry wells, gravel layers underneath paving, or sheet flow through vegetated areas designed for that purpose. Vacuum street sweeping may be substituted for the water quality requirement when the continuity of service can be assured and where the pollution originates on the pavement.
- E. Maintenance and repair:
- (1) Continued maintenance of all storm water control measures shall be provided by either the governing body, a homeowners or builders owner association registered with the New Jersey Department of Community Affairs.
 - (2) If maintenance or repair is neglected, the Township or the County shall perform the work and shall backcharge the owner.
- F. Exemption from the standards: If Cranbury Township grants a waiver from the standards set forth above, a written report shall be made to the County detailing the nature of the waiver, the change(s) requested, and an explanation of the reasons for the decision.
- G. All blocks and lots in all subdivisions shall be graded to secure proper drainage away from buildings and to prevent the collection of pools of stormwater. Finished floor elevation and exterior grading shall be shown on all lots.
- H. In all subdivisions, land subject to periodic or occasional flooding (flood hazard areas) shall not be platted for residential occupancy nor for any other purpose where such flooding may endanger life or property or which would aggravate the flood hazard. Such land shall be considered for open spaces or other similar uses.
- I. 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 either shall be received prior to the final plat approval or such approval shall be conditioned upon the receipt of such letter.
- J. Where a subdivision is traversed by a watercourse, surface or underground drainageway or drainage system, channel or stream, there shall be a dedicated 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 shall be adequate to accommodate expected stormwater runoff and maintenance activities in the future.

- K. Surface stormwater drainage may be carried in open ditches outside the right-of-way of the local streets or other suitable drainage structures within the right-of-way as may be approved by the Township Engineer. Storm water drainage facilities, underground pipe line inlets, catch basins, manholes, culverts, swales, and other drainage facilities shall be designed with sufficient capacity to accommodate anticipated runoff of at least a ten (10) year storm at such time as the drainage basin in which the development is located is fully developed. This standard may be increased when in the opinion of the Township Engineer circumstances warrant such an increase.

ARTICLE XVII

ZONING BOARD OF ADJUSTMENT AND PLANNING BOARD

150-87 Establishment of the Board of Adjustment

- A. A zoning board of adjustment is hereby created pursuant to N.J.S.A. 40:55D-69 et seq. which shall consist of seven regular members and which may have not more than two alternate members, each of whom shall be residents of Cranbury Township and shall be appointed by the Township Committee. Each member shall serve a term of four years from January 1 of their year of appointment. The terms of the members first appointed shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed, in the case of regular members, evenly over the first four years after their appointment and, in the case of alternate members, evenly over the first two years after their appointment; provided that the initial term of no regular member shall exceed four years and that the initial term of no alternate member shall exceed two years. Thereafter the term of each regular member shall be four years and the term of each alternate member shall be two years. Nothing in this ordinance shall, however, be construed to affect the terms of any present members of the zoning board of adjustment, all of whom shall continue in office until the completion of the terms for which they were appointed.
- B. Alternate members shall be designated at the time of their appointments "Alternate No. 1" and "Alternate No. 2." Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, "Alternate No. 1" shall vote.
- C. No member of the zoning board of adjustment shall hold an elective office or position under the municipality.
- D. No member of the board of adjustment shall be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest.
- E. A member may, after a public hearing if he requests it, be removed by the governing body for cause. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only.
- F. Yearly, the zoning board of adjustment shall organize by selecting from among its regular members a chairperson and a vice chairperson. The board shall also select a secretary who may or may not be a member of the board or a municipal employee.

- G. The governing body shall make provisions in its budget and appropriate funds for the expenses of the zoning board of adjustment.
- H. The zoning board of adjustment may employ, or contract for, and fix the compensation of legal counsel, other than the municipal attorney, and experts and other staff services as it shall deem necessary, not exceeding, exclusive of gifts and grants, the amount appropriated by the Township Committee for its use.

150-88

Powers and Jurisdiction of the Zoning Board of Adjustment

The zoning board of adjustment shall have the power to:

- A. Hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of the zoning provisions of this ordinance.
- B. Hear and decide in accordance with the provisions of any such ordinance, requests for interpretation of the zoning map or ordinance or for decisions upon other special questions upon which such board is authorized to pass by any zoning or official map ordinance in accordance with N.J.S.A. 40:55D-1 et seq.
- C. Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, or by reason of other extraordinary and exceptional situation or condition of such piece of property the strict application of any zoning regulations would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation, so as to relieve such difficulties or hardship including a variance for conditional use; provided, however, that no variance shall be granted to allow a structure or use in a district restricted against such structure or use; and provided further that the proposed development does not require approval by the planning board of a subdivision site plan or conditional use in conjunction with which the planning board shall review a request pursuant to N.J.S.A. 40:55D-60a.
- D. In particular cases and for special reasons, grant a variance to allow departure from those zoning regulations including, but not limited to, allowing a structure or use in a district restricted against such structure or use, but only by affirmative vote of at least five members of the zoning board of adjustment. It shall be the responsibility of any applicant for a use variance to assure that the hearing will be recorded verbatim by a court reporter, whether or not the means for doing so are provided by the board.

- E. No variance or other relief may be granted under the terms of this section unless such variance or other relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and other provisions of this ordinance. An application under this section may be referred to any appropriate person or agency, including the planning board, pursuant to Section N.J.S.A. 40:55D-26, for its report; provided that such reference shall not extend the period of time within which the zoning board of adjustment shall act.
- F. The zoning board of adjustment shall have such other powers including the following:
- (1) Direct issuance of a construction permit pursuant to N.J.S.A. 40:55D-34 for a building or structure in the bed of a mapped street or public drainage way, flood control basin or public area reserved pursuant to N.J.S.A. 40:55D-32.
 - (2) Direct issuance of a construction permit pursuant to N.J.S.A. 40:55-D-36 for the construction of a building or structure not related to a street.
 - (3) The zoning 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 conditional use approval whenever the proposed development requires approval by the board of adjustment of a variance. The developer may elect to submit a separate application requesting approval of the variance and a subsequent application for any required approval of a subdivision, site plan or conditional use. The separate approval of the variance shall be conditioned upon grant of all required subsequent approvals by the board of adjustment. No subsequent approval shall be granted unless such approval can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning provisions. The number of votes of board members required to grant any such subsequent approval shall be as otherwise provided in this ordinance for the approval in question, and the special vote pursuant to Section 150-88,D. of this ordinance shall not be required.
 - (4) Whenever an application for development requests relief pursuant to subsection (3). of this section, the board of adjustment shall grant or deny approval of the application within 120 days after submission by a developer of a complete application to the administrative officer or within such further time as may be consented to by the applicant. In the event that the developer elects to submit separate consecutive applications, the aforesaid provision shall apply to the application for approval of the variance. The period for granting or denying any subsequent approval shall be as otherwise provided in this act. Failure of the board

of adjustment to act within the period prescribed shall constitute approval of the application and a certificate of the administrative officer as to the failure of the board of adjustment 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, and shall be so accepted by the county recording officer for purposes of filing subdivision plats.

- (5) Whenever review or approval of the application by the county planning board is required by section 5 of P.L. 1968 c. 285 (C. 40:27-6.3), in the case of a subdivision, or section 8 of P.L. 1968 c. 285 (C. 40:27-6.6), in the case of a site plan, the zoning board of adjustment 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.

150-89

Appeals and Applications to the Zoning Board of Adjustment

- A. Appeals to the zoning board of adjustment may be taken by any interested party affected by any decision of an official of Cranbury Township based on or made in the enforcement of the zoning ordinance or official map. Such appeal shall be taken within 20 days by filing a notice of appeal with the official from whom the appeal is taken, with three copies of the notice given to the secretary of the board. The notice shall specify the grounds for the appeal. The official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record upon which the action appealed from was taken.
- B. A developer may file an application for development with the board of adjustment for action under any of its powers without prior application to an administrative officer.
- C. The board may reverse or affirm, wholly or in part, or may modify the action, order, requirement, decision, interpretation or determination appealed from and to that end have all powers of the municipal official from whom the appeal is taken.
- D. An appeal to the zoning board of adjustment shall stay all proceedings in furtherance of the action in respect to which the decision appealed from was made unless the municipal official from whose action the appeal is taken certifies to the board, after the notice of appeal shall have been filed with him, that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by an order of the Superior Court upon notice to the municipal official from whom the appeal is taken and on due cause shown.

- E. The board shall render a decision not later than 120 days after the date the appeal is taken from the decision of the municipal official or from the date the application is certified as a complete application by the administrative officer, as the case may be, or within such further time as may be consented to by the applicant. Failure of the board to render a decision within such 120-day period or within such further time as may be consented to by the applicant, shall constitute a decision favorable to the applicant.
- F. Inquiries as to whether a proposed land use is permissible under the zoning ordinance or official zoning map shall be submitted in writing to the board of adjustment which shall issue a written response within 45 days after the next meeting following receipt of the request or within such additional time as may be consented to by the inquirer.

150-90

Establishment of the Planning Board

- A. A planning board is hereby established in Cranbury Township consisting of nine regular and two alternate members of the following four classes:

Class I The Mayor.

Class II One of the officials of the municipality, other than a member of the governing body, to be appointed by the mayor; provided that if there be an environmental commission, the member of the environmental commission who is also a member of the planning board as required by section 1 of P.L. 1968, c.245 (C. 40:56A-1), shall be deemed to be the Class II planning board member for the purposes of this act in the event that there be among the Class IV or alternate members of the planning board both a member of the zoning board of adjustment and a member of the board of education.

Class III None.

Class IV
Regular
Members Seven other citizens of the municipality to be appointed by the mayor. The members of Class IV shall hold no other municipal office, except that one member may be a member of the board of adjustment. One Class IV member may be a member of the board of education. If there be a municipal environmental commission, the member of the environmental commission who is also a member of the planning board, as required by section 1 of P.L. 1968, c.245 (C. 40:56A-1), shall be a Class IV planning board member, unless there be among the Class IV or alternate members of the planning board both a member of the zoning board of

adjustment and a member of the board of education, in which case the member common to the planning board and municipal environmental commission shall be deemed a Class II member of the planning board.

Class IV Two other citizens of the municipality may be
Alternate appointed as alternate members. Alternate
Members members shall be appointed by the mayor and shall
 meet the qualifications of Class IV members.

- B. The term of the member composing Class I shall correspond to his official tenure. The term of the members composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first except for a Class II member who is also a member of the environmental commission. The term of a Class II or Class IV member who is also a member of the environmental commission shall be for three years or terminate at the completion of his term of office as a member of the environmental commission, whichever comes first. The term of a Class IV member who is also a member of the board of adjustment, or board of education shall terminate whenever he is no longer a member of such other body or at the completion of his Class IV term, whichever occurs first. The terms of all Class IV members shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first 4 years after their appointment -- provided that the initial Class IV term of no member shall exceed 4 years. Thereafter, the Class IV term of each such member shall be 4 years. If a vacancy in any class shall occur otherwise than by expiration of the planning board term, it shall be filled by appointment, as above provided, for the unexpired term. No member of the planning board shall be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest. Any member other than a Class I member, after a public hearing, if he requests one, may be removed by the governing body for cause.

Nothing in this ordinance shall, however, be construed to affect the terms of any present members of the planning board, all of whom shall continue in office until the completion of the terms for which they were appointed.

- C. Yearly, the planning board shall organize by selecting from among its Class IV regular members a chairperson and a vice chairperson. The board shall also select a secretary who may or may not be a member of the board or a municipal employee.
- D. The governing body shall make provisions in its budget and appropriate funds for the expenses of the planning board.
- E. The office of planning board attorney is hereby created. The planning board may annually appoint to such office and fix compensation or rate of compensation of an attorney at law of New Jersey other than the municipal or board of adjustment attorney.

- F. The planning board may also employ or contract for and fix the compensation of such experts and other staff and services as it may deem necessary. The board, however, shall not authorize expenditures which exceed, exclusive of gifts or grants, the amount appropriated by the governing body for its use.

150-91

Powers and Jurisdiction of the Planning Board

The Planning Board shall have the powers listed below in addition to other powers established by law:

- A. Make, adopt, and, from time to time, amend a master plan for the physical development of the township, which shall include consideration of any areas outside its boundaries which, in the board's judgement, bear essential relation to the planning of the township according to the provisions of N.J.S.A. 40:55D-28.
- B. Administer the land subdivision and site plan review provisions of this ordinance and other development control ordinances of the township in accordance with the applicable provision thereof and the provisions of N.J.S.A. 40:55D-37 et seq.
- C. Participate in the preparation and review of programs or plans required by state or federal law or regulation.
- D. Assemble data on a continuing basis as part of a continuous planning process.
- E. Approve conditional use applications in accordance with the provisions of this ordinance pursuant to N.J.S.A. 40:55D-67.
- F. Approve planned developments and clusters as conditional uses, in accordance with the provisions of this ordinance and upon making the following findings pursuant to N.J.S.A. 40:55D-45:
- (1) That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the zoning standards applicable to the planned development.
 - (2) 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.
 - (3) That the physical design of the proposed development makes adequate provision for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment.
 - (4) That the proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established.

(5) That the terms and conditions are adequate to protect the interest of the general public as well as the resident owners or tenants of the proposed development in the timely completion of any development which may be proposed to be constructed over a period of years.

- G. From time to time, at the request of the township committee, prepare or review a program of municipal capital improvement projects projected over a term of six years and recommend same to the township committee.
- H. Consider and make report to the township committee within 35 days after referral as to any proposed development regulation submitted to it pursuant to the provisions of N.J.S.A. 40:55D-26(a) and also pass upon other matters specifically referred to the planning board by the township committee pursuant to the provisions of N.J.S.A. 40:55D-26(b).
- I. Perform such other advisory functions as may be assigned to it by ordinance or resolution of the township committee.
- J. The planning board shall have such other powers as prescribed by law, including, but not limited to, the power to grant the following variances, to the same extent and subject to the same restrictions as the zoning board of adjustment, when the planning board is reviewing applications for approval of subdivision plats, site plans or conditional uses:
 - (1) Variances pursuant to subsection 150-88,C. of this ordinance except variances for conditional uses;
 - (2) Direction, pursuant to subsection 150-88,F.(1) of this ordinance, for issuance of a permit for a building or structure in the bed of a mapped street or public drainageway, flood control basin or public area; and
 - (3) Direction for issuance of a permit for a building or structure on a lot not abutting a street.

150-92

Provisions Applicable to Both the Planning Board and Zoning Board of Adjustment

A. Meetings

- (1) Meetings of both the planning board and zoning board of adjustment shall be scheduled no less often than once a month and shall be held as scheduled unless cancelled for lack of pending applications.
- (2) Special meetings may be held at the call of the chair or at the request of any two board members. The members of the respective board and the public shall be given notice of such meeting in accordance with all applicable legal requirements.

- (3) No action shall be taken at any meeting without a quorum being present, said quorum to be the majority of the full authorized membership of the board.
- (4) All actions shall be taken by majority vote of the members of the board present at the meeting except as otherwise required by a provision of N.J.S.A. 40:55D-1 et seq. A member of the board who was absent for one or more of the meetings at which a hearing was held shall be eligible to vote on a matter upon which the hearing was conducted, notwithstanding his absence from one or more of the meetings; provided, however, that a transcript or recording of all of the hearing from which he was absent exists; and provided, further, that such board member certifies in writing to the board that he has read such transcript or listened to such recording.
- (5) All regular meetings and all special meetings shall be open to the public. Notice of all such meetings shall be given in accordance with the requirements of the Open Public Meeting Law C.231, Laws of New Jersey, 1975.
- (6) Minutes of every regular or special meeting shall be kept and shall include the names of the persons appearing and addressing the municipal agency and of the persons appearing by attorney, the action taken by the municipal agency, the findings, if any, made by it and reasons therefor. The minutes shall thereafter be made available for public inspection during normal business hours at the office of the administrative officer. Any interested party shall have the right to compel production of the minutes for use or evidence in any legal proceedings concerning the subject matter of such minutes. Such interested party may be charged a reasonable fee for reproduction of the minutes for his use.

B. Public Hearings

- (1) The planning board or zoning board of adjustment shall hold a hearing on each application for development, or adoption, revision or amendment of the master plan. Each board shall make the rules governing such hearings.
- (2) Any maps and documents for which approval is sought at a hearing shall be on file and available for public inspection at least ten days before the date of the hearing during normal business hours in the office of the administrative officer. The applicant may produce other documents, records or testimony at the hearing to substantiate, clarify or supplement the previously filed maps and documents.
- (3) Every application for development submitted to the planning board or to the zoning board of adjustment shall be accompanied by proof that no taxes or assessments for local

improvements are due or delinquent on the property which is the subject of such application.

- (4) The officer presiding at the hearings, or such person as he may designate, shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence, including witnesses and documents presented by the parties, and the provisions of the "County and Municipality Investigations Law," P.L. 1953, c.38(C.2A:67A-1 et seq.) shall apply.
- (5) The testimony of all witnesses relating to an application for development shall be taken under oath or affirmation by the presiding officer, and the right of cross-examination shall be permitted to all interested parties through their attorneys, if represented, or directly, if not represented, subject to the discretion of the presiding officer and to reasonable limitations as to time and number of witnesses.
- (6) Technical rules of evidence shall not be applicable to the hearing, but the board may exclude irrelevant, immaterial or unduly repetitious evidence.
- (7) The municipal agency shall provide for the verbatim recording of the proceedings by either stenographer, mechanical or electronic means at the developers expense.
- (8) Each decision on any application for development shall be reduced to writing as provided in this subsection, and shall include findings of facts and conclusions based thereon.

Failure of a motion to approve an application for development to receive the number of votes required for approval shall be deemed an action denying the application.

The municipal agency may provide such written decision and findings and conclusions either on the date of the meeting at which the municipal agency takes to grant or deny approval, or, if the meeting at which such action is taken occurs within the final 45 days of the applicable time period for rendering a decision on the application for development, within 45 days of such meeting by the adoption of a resolution of memorialization setting forth the decision and the findings and conclusions of the municipal agency thereon. An action resulting from the failure of a motion to approve an application shall be memorialized by resolution as provided above, notwithstanding the time at which such action occurs within the applicable time period for rendering a decision on the application.

The adoption of a resolution of memorialization pursuant to this subsection shall not be construed to alter the applicable time period for rendering a decision on the application for development. Such resolution shall be adopted by a

vote of a majority of the members of the municipal agency who voted for the action previously taken, and no other member shall vote thereon. The vote on such resolution shall be deemed to be a memorialization of an action of the municipal agency, and not to be an action of the municipal agency; except that failure to adopt such a resolution within the 45 day period shall result in the approval of the application for development, notwithstanding any prior action taken thereon.

Whenever a resolution of memorialization is adopted in accordance with this subsection, the date of such adoption shall constitute the date of the decision for purposes of the mailings, filings and publications required by subsections (9) and (10) of this section.

- (9) A copy of the decision shall be mailed by the municipal agency within 10 days of the date of decision to the applicant or if represented then to his attorney, without separate charge, and to all who request a copy of the decision for a reasonable fee. A copy of the decision shall also be filed by the municipal agency in the office of the administrative officer. The administrative officer shall make a copy of such filed decision available to any interested party for a reasonable fee and available for public inspection at his office during reasonable hours.
- (10) A brief notice of the decision shall be published in the official newspaper of the municipality, if there be one, or in a newspaper of general circulation in the municipality. Such publication shall be arranged by the applicant unless a particular municipal officer is so designated by ordinance; provided that nothing contained in this act shall be construed as preventing the applicant from arranging such publication if he so desires. The municipality may make a reasonable charge for its publication. The period of time in which an appeal of the decision may be made shall run from the first publication of the decision, whether arranged by the municipality or the applicant.

C. Notice of Applications

- (1) Public notice of a hearing shall be given by the applicant for the following applications for development:
 - (a) Any request for a variance;
 - (b) Any request for conditional use approval;
 - (c) Any request for issuance of a permit to build within the bed of a mapped street or public drainageway or on a lot not abutting a street;

- (d) Any request for approval of a site plan and/or subdivision except those which may be determined by the planning board to be "minor site plans" or "minor subdivisions";
 - (e) Any request for approval of a planned development.
- (2) The secretary of the planning board or zoning board of adjustment, as the case may be, shall notify the applicant at least two weeks prior to the public hearing at which the application will be discussed. Notice of a hearing requiring public notice shall be given by the applicant at least ten days prior to the date of the hearing in the following manner:
- (a) By publication in the official newspaper of the township, if there is one, or in a newspaper of general circulation in the township in the absence of an official newspaper.
 - (b) To all owners of real property as shown on the current tax duplicate, located in the state and within 200 feet in all directions of the property which is the subject of such hearing; provided that this requirement shall be deemed satisfied by notice to the (1) condominium association, in the case of any unit owner whose unit has a unit above or below it, or (2) horizontal property regime, in the case of any co-owner whose apartment has an apartment above or below it. 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.

Pursuant to the provisions of N.J.S.A. 40:55D-14, it is not required that a return receipt be obtained.

- (c) 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. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within 200 feet of the property which is subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners, or homeowners on account of such common elements or areas.

- (d) To the clerk of any adjoining municipality or municipalities when the property involved is located within 200 feet of said adjoining municipality or municipalities. Notice shall be given by personal service or certified mail.
 - (e) To the Middlesex County Planning Board when the application for development involves property adjacent to an existing county road or proposed road as shown on the county official map or the county master plan, adjoining other county land or situated within 200 feet of a municipal boundary. Notice shall be given by personal service or certified mail.
 - (f) To the Commissioner of Transportation of the State of New Jersey when the property abuts a State highway. Notice shall be given by personal service or certified mail.
 - (g) To the Director of the Division of State and Regional Planning in the Department of Community Affairs when the hearing involves an application for the development of property which exceeds 150 acres or 500 dwelling units, in which case the notice shall include a copy of any maps or documents required to be on file with the administrative officer. Notice shall be given by personal service or certified mail.
- (3) Upon the written request of an applicant the township tax collector shall, within seven days, make and certify a list from current tax duplicates of names and addresses of owners within the township to whom the applicant is required to give notice. Failure to give notice to any lot owner not on the list obtained in such manner shall not invalidate any hearing or proceeding. A sum not to exceed the maximum set forth in N.J.S.A. 40:55D-12C.
 - (4) The applicant shall be responsible for giving proper notice to all property owners.
 - (5) The applicant shall file an affidavit of proof of service with the planning board or zoning board of adjustment, as the case may be.
 - (6) The notice shall state the date, time and place of the hearing and the nature of the matters to be discussed, including a precise description of any requested variances or design standards waivers; 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 tax assessor's office; and the location and times at which any maps or documents for which approval is sought are available for inspection.

Appeal of Decisions

- A. Any interested party desiring to appeal a final decision of the zoning board of adjustment for a use variance or Planning Board decision for transfer of development credits shall appeal to the township committee.
- B. Such appeal shall be made within ten days of the date of publication of such final decision. The appeal to the township committee shall be made by serving the township clerk in person or by certified mail with a notice of appeal specifying the grounds thereof and the name and address of the appellant and the name and address of his attorney, if represented.
- C. The appellant shall either: (1) within five days of serving notice of the appeal, arrange for a transcript for use by the township committee and pay a deposit of fifty (\$50.00) dollars or the estimated cost of such transcription, whichever is less; provided that the charge by the township to the applicant for the transcript shall not exceed the maximum permitted in N.J.S. 2A:11-15; or (2) within 35 days of serving notice of the appeal, submit a transcript to the township clerk for use by the township committee. Should the appellant neither arrange for nor submit a transcript as provided hereinabove, the township committee may dismiss the appeal for failure to prosecute. All transcripts shall be certified in writing by the transcriber to be accurate.
- D. Notice of the meeting to review the record below shall be given by the township committee by personal service or certified mail to the appellant, to those entitled to notice of a decision and to the zoning board of adjustment or planning board, as the case may be, at least ten days prior to the date of the meeting. The appeal shall be decided by the township committee only upon the record established before the zoning board of adjustment or planning board, as the case may be. The parties shall submit written arguments on the record at least two weeks prior to the township committee meeting, and may submit oral arguments at such meeting. The township committee shall provide for verbatim recording and transcripts of such meeting.
- E. The township committee shall conclude a review of the record below not later than 95 days from the publication of the notice of the subject decision of the zoning board of adjustment or planning board, as the case may be, unless the developer's appellant consents in writing to an extension of such period. Failure of the township committee to hold a hearing and conclude a review of the record below and to render a decision within such specified period without such written consent of the appellant shall constitute a decision affirming the action of the zoning board of adjustment or the planning board, as the case may be.
- F. The township committee, by the affirmative vote of a majority of its full authorized membership, may reverse, remand or affirm,

wholly or in part, or may modify the final decision of the zoning board of adjustment or planning board, as the case may be.

- G. An appeal to the township committee shall stay all proceedings in furtherance of the action in respect to which the decision appealed from was made unless the board from whose action the appeal is taken certifies to the township committee, after the notice of appeal shall have been filed with the board, that, by reason of facts stated in the certificate, a stay would, in its opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by an order of the Superior Court on application upon notice to the board from whom the appeal is taken and on good cause shown.

150-94 Notice of Decisions

Any decision of the planning board or zoning board of adjustment when acting upon an application for development and any decision of the township committee when acting upon an appeal shall be given notice in the following manner:

- A. Within ten days of the date of decision or date of memorialization a copy thereof shall be mailed without separate charge by the appropriate municipal authority to the applicant, or appellant or to any attorney by whom represented. A copy of the decision shall also be mailed within ten days to any interested party who has requested it and who has paid the fee prescribed by the municipal authority for such service.
- B. A brief notice of every final decision shall be published in the official newspaper of the township. Such publication shall be arranged by the secretary of the planning board, the secretary of the zoning board of adjustment or the township clerk, as the case may be, without separate charge to the applicant. The notice shall be sent to the official newspaper for publication within ten days of the date of any such decision.
- C. A copy of the decision shall also be filed in the office of the township clerk, who shall make a copy of such filed decision available to any interested party upon payment of a fee calculated in the same manner as that established for copies of other public documents in the township.

150-95 Fees

Fees for applications or for the rendering of any services by the planning board or the zoning board of adjustment or any member of their administrative staffs shall be as provided in the fee ordinance of Cranbury Township.

150-96 Application by Corporation or Partnership

- A. A corporation or partnership applying to the planning board or the board of adjustment or to the governing body for permission

to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be.

- B. If a corporation or partnership owns 10% or more of the stock of a corporation or 10% or greater interest in a partnership, either of which is subject to disclosure pursuant to Subsection 13-710.a of this ordinance, that corporation or partnership shall list the names and addresses of its stockholders holding 10% or more of its stock or of 10% or greater interest in the partnership, as the case may be, and this requirement shall be followed by every corporate stockholder or partner in the said partnership, until the names and addresses of the noncorporate stockholders and individual partners exceeding the 10% ownership criterion act have been listed.
- C. The planning board, board of adjustment or governing body shall not approve the application of any corporation or partnership which does not comply with Section 150-96,A. or Section 150-96,B. of this ordinance.
- D. Any corporation or partnership which conceals the names of the stockholders owning 10% or more of its stock, or of the individual partners owning a 10% or greater interest in the partnership, as the case may be, shall be subject to a fine of \$1,000.00 to \$10,000.00 which shall be recovered in the name of Cranbury Township in any court of record in the State in a summary manner pursuant to "The Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.)

ARTICLE XVIII

DEVELOPMENT APPLICATION REVIEW PROCEDURES

150-97

Jurisdiction of Responsibility During Development Application Review
The planning board and zoning board of adjustment have certain overlapping powers to expedite the review process. Their respective responsibilities are outlined below:

- A. The planning board shall have the power to grant subdivision or conditional use approval simultaneously with site plan approval.
- B. The planning board shall have the power to act in lieu of the zoning board of adjustment as set forth in Section 150-88,C. of this ordinance.
- C. The zoning board of adjustment shall have the power to act in lieu of the planning board as set forth in Section 150-91,B. of this ordinance.

150-98

Application of Requirements

- A. Variance Relief. All applications for variance relief to the board of adjustment not involving any related site plan, subdivision or conditional use approval shall be filed at least three weeks prior to the meeting of the board at which the discussion is desired. The filing shall include 20 copies of any maps and related material; 20 copies of the completed application form; and the fee in accordance with the fee ordinance of Cranbury Township. The board shall act upon the application as set forth in Section 150-89 of this ordinance.
- B. Informal Review by the Planning Board
 - (1) A concept plan of a proposed subdivision or site plan is not required but is encouraged for development proposals involving large acreage or complex planning and engineering details. A prospective applicant desiring to submit a concept plan shall so notify the secretary of the planning board at least thirty (30) days prior to the regularly scheduled monthly meeting of the planning board.
 - (2) A concept plan submission shall include sufficient detail to apprise the planning board of the nature of the proposed development. The informal review of such a concept plan is not binding upon the township or the prospective applicant.

150-99

Submission of Minor Subdivision Plats and Minor Site Plans

- A. The applicant shall submit to the administrative officer at least thirty (30) days prior to the regularly scheduled monthly meeting of the planning board or zoning board of adjustment a fee in accordance with the township's fee ordinance and three copies,

each, of the application and the minor subdivision plat or minor site plan for a determination by the township planner and township engineer that the application is complete. Upon determining that the application is complete, the administrative officer shall request 20 additional copies and plans, and, upon receipt thereof, shall process the application, shall issue an application number, and shall place the item on the agenda. Once an application has been assigned a number, such number shall appear on all papers, maps, plats or plans and other documents submitted for processing in conjunction with the application.

B. The administrative officer shall retain one copy, each, of the completed application and the minor subdivision plat or minor site plan and shall forward the remaining copies to the secretary of the planning board if the application has been submitted to the planning board or to the secretary of the zoning board of adjustment if the application has been submitted to the zoning board of adjustment. Upon receipt of the material, the secretary of the planning board or the secretary of the zoning board of adjustment, as the case may be, shall distribute copies for review and comment in the following manner, and those who receive such copies shall furnish a written report to the board within 30 days:

- (1) Township planner (one copy each of the minor plat or plan and the application);
- (2) Township engineer (one copy each of the minor plat or plan and the application);
- (3) Secretary of the township board of health (one copy each of the minor plat or plan and the application);
- (4) Construction official (one copy each of the minor plat or plan and the application);
- (6) Zoning officer (one copy each of the minor plat or plan and the application);
- (7) Township environmental commission (one copy each of the minor plat or plan and the application);
- (8) Soil Conservation District with more than 5,000 square feet of impervious surface (one copy each of the minor plat or plan and the application);
- (9) At the direction of the planning board or zoning board of adjustment, as the case may be, additional copies of the minor plat or plan shall be sent to other township, county or State agencies and officials including any subdivision or site plan committee that may have been designated by the board.

- C. Each minor plat or minor site plan shall be drawn by, and shall bear the signature, seal, license number and telephone number of a professional engineer and/or land surveyor licensed to practice in the State of New Jersey; provided, however, that all engineering data shall be signed and sealed by a professional engineer.

Each submission shall be at a scale of one inch equals 50 feet for a tract up to 40 acres in size; one inch equals 100 feet for a tract between 40 and 150 acres or more. Each submission shall be on one of four of the following standard sheet sizes 8½" x 13"; 15" x 21"; 24" x 36"; 30" x 42". 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 reference on each sheet to the adjoining sheets.

Each minor plat or site plan shall show the following information:

- (1) A key map showing the entire tract and its relation to the surrounding area, at a scale of one inch equals not more than 2,000 feet;
- (2) Title block:
 - (a) Name of subdivision or development, Cranbury Township and Middlesex County;
 - (b) Name and address of subdivider or developer;
 - (c) Name and address of the owner or owners of record;
 - (d) Scale; and,
 - (e) Date of original preparation and of each subsequent revision, and a list of the specific revisions on each sheet.
- (2) Areas, to the nearest tenth of an acre;
- (3) North arrow;
- (4) Certification that the applicant is the owner of the land or his properly authorized agent, or that the owner has given his consent under an option agreement;
- (5) Approval signatures:
 - (a) Chairman;
 - (b) Secretary.
- (6) Existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the township's tax map;

- (7) Tract boundary line, clearly delineated;
- (8) The location of existing and proposed property lines, streets, buildings (with an indication as to whether existing buildings will be retained or removed), parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, drain pipes, and any natural features such as wetlands and treed areas, both within the tract and within 200 feet of its boundary;
- (9) The location and width of all existing and proposed utility easements;
- (10) Zoning districts affecting the tract;
- (11) All adopted master plan proposals affecting the proposed development;
- (12) Proposed buffer and landscaped areas;
- (13) Delineation of flood plains including both floodway and flood fringe areas;
- (14) Marshes, ponds and land subject to flooding within the tract and within 100 feet thereof;
- (15) Contours as shown on the U.S.G.S. topographic sheets, or based on more precise sources, if available;
- (16) Concerning minor subdivisions only, existing and proposed monuments;
- (17) Concerning minor subdivision application only, and if the proposed lot(s) is (are) not served by a sanitary sewer, approval by the board of health of percolation tests, certified by a licensed professional engineer, indicating that the proposed lot(s) can adequately accommodate a septic system. The location(s) of the test hole(s), test results and compliance with the "Individual Sewage Disposal Code of New Jersey" shall be shown on the plat and certified by a licensed professional engineer;

No minor subdivision or minor site plan 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 approved unless such additional right-of-way, either along one or both sides of said streets, as applicable, shall be deeded to the township or other appropriate governmental agency;

No minor subdivision or minor site plan involving any corner lot shall be approved unless a sight triangle easement shall be granted as specified in this ordinance.

Deed descriptions, including metes and bounds, easements, covenants, restrictions, and roadway and sight triangle easement dedications shall be submitted for approval by the board prior to filing with the county recording officer.

- D. Within 45 days from the date of submission of the application, the administrative officer shall notify the applicant in writing that the application has been determined to be incomplete or shall certify that the submission constitutes a complete application. If the application is determined to be incomplete, the reasons for such determination shall be specified to the applicant and an appropriately revised plan may thereafter be submitted to the administrative officer as in the first instance. If the administrative officer neither certifies to the applicant that the application is complete nor notifies the applicant in writing that the application has been determined to be incomplete, then the application shall be considered certified complete and the period for action by the board shall commence.
- E. The board shall take action on minor subdivision and minor site plan applications within 45 days after the application has been certified complete by the administrative officer or within such further time as may be consented to by the applicant. Failure of the board to act within the prescribed time period shall constitute approval of the application.
- F. Any designated subdivision committee or site plan committee, as the case may be, shall read any written report submitted concerning the application and shall itself review the submission to ascertain its conformity with the requirements of this ordinance. The subdivision committee or site plan committee, as the case may be, shall offer its recommendations to the board at a regularly scheduled meeting of the board within 30 days after the application has been certified complete.
- G. Where the remaining portion of the original tract is sufficient to be subdivided or developed further, the applicant may be required to submit a sketch of the entire remaining portion of the tract to show that the subdivision or development applied for, together with subdivision(s) or development(s) that may be submitted subsequently, will not create, impose, aggravate or lead to any such adverse effect.
- H. When a minor subdivision or minor site plan is approved by the board, a notation to that effect, including the date of approval, shall be made on a master copy. No further approval of the application shall be required. At least six prints of the plat or plan and any related deed descriptions to be filed with the county recording officer shall be signed by the chairman and secretary of the board (or, where either or both may be absent, the acting chairman or secretary) and returned to the applicant within one week following the date of approval. In the event the same is disapproved by the board, the secretary of the board, within ten days of memorialization of such action, shall notify

the applicant of such disapproval and forward the applicant a copy of the resolution adopted setting forth the reasons for the disapproval.

- I. Within 190 days from the date of approval by the board of a minor subdivision, a plat map drawn in compliance with the Map Filing Act, P.L. 190c. 141 (C.46:29-9.9 et seq.) or a deed description shall be filed by the subdivider with the county recording officer. Unless so filed within 190 days, the approval shall expire and will require the submission of a new application.
- J. 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 two years after the date of minor subdivision approval by the board, provided that the approved minor subdivision shall have been duly recorded.
- K. Before the administrative officer of the board returns any approved minor subdivision or minor site plan to the applicant, the applicant shall provide additional copies of the plat or plan in such number as may be necessary in order to furnish one copy to each of the following:
 - (1) Administrative officer.
 - (2) Township engineer.
 - (3) Construction official.
 - (4) Zoning officer.
 - (5) Township tax assessor.
 - (6) Secretary of the township board of health.
 - (7) Such other township, county or State agencies and officials as directed by the board.

150-100 Submission of Preliminary Major Subdivision Plats and Preliminary Major Site Plans

- A. The applicant shall submit to the administrative officer at least thirty (30) days prior to the first regularly scheduled monthly meeting of the planning board or zoning board of adjustment a fee in accordance with the township's fee ordinance, three copies, each, of the application and the preliminary major subdivision plat or preliminary major site plan for a determination by the township planner and township engineer that the application is complete, and three copies of any protective covenants or deed restrictions applying to the land being subdivided or developed. Upon determining that the application is complete, the administrative officer shall request 20 additional copies and plans of the application and two additional copies of the protective

covenants or deed restrictions and, upon receipt thereof, shall process the application and shall issue an application number, and shall place the item on the agenda. Once an application has been assigned a number, such number shall appear on all papers, maps, plats or plans and other documents submitted for processing in conjunction with the application.

- B. The administrative officer shall retain one copy, each, of the completed application and the preliminary subdivision plat or site plan and shall forward the remaining copies to the planning board if the application has been submitted to the planning board or to the zoning board of adjustment. Upon receipt of the material, the secretary of the planning board or the secretary of the zoning board of adjustment, as the case may be, shall distribute copies for review and comment in the following manner, and those who receive such copies shall furnish a written report to the board within 30 days:
- (1) Township planner (one copy each of the application, the preliminary plat or plan, and any protective covenants or deed restrictions);
 - (2) Township engineer (one copy each of the application, the preliminary plat or plan, and any protective covenants or deed restrictions);
 - (3) Township board of health (one copy each of the application and the preliminary plat or plan);
 - (4) Construction official (one copy each of the application and the preliminary plat or plan);
 - (5) Zoning officer (one copy each of the application and the preliminary plat or plan);
 - (6) Township environmental commission (one copy each of the application and the preliminary plat or plan);
 - (7) Soil Conservation District with more than 5,000 square feet of impervious surface (one copy each of the application and the preliminary plat or plan);
 - (8) At the direction of the planning board or zoning board of adjustment, as the case may be, copies of the preliminary plat or plan shall be sent also to other township, county or State agencies and officials including any subdivision or site plan committee that may have been designated by the board.
- C. Each preliminary plat or preliminary site plan shall be drawn by, and shall bear the signature, seal, license number and telephone number of a professional engineer licensed to practice in the State of New Jersey.

Each submission shall be at a scale of one inch equals 50 feet for a tract up to 40 acres in size; one inch equals 100 feet for a tract between 40 and 150 acres and one inch equals 200 feet for a tract 150 acres or more. Each submission shall be on one of four of the following standard sheet sizes: 8½" x 13"; 15" x 21"; 24" x 36"; 30" x 42". 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 reference on each sheet to the adjoining sheets.

Each preliminary plat or plan shall show the following information, as appropriate to a subdivision plat or site plan, unless the board determines, and so notifies the applicant, that such information either is unnecessary or inapplicable to the particular subdivision or site plan. Applicants for major subdivision approval of any portion of a tract of land which has received Phase I preliminary approval for a planned development as provided in this ordinance, may attach, by reference, any required information which has been previously submitted and approved as part of the Phase I preliminary application:

- (1) A key map showing the entire tract and its relation to the surrounding areas, at a scale of one inch equals not more than 2,000 feet;
- (2) Title block;
 - (a) Name of subdivision or development, Cranbury Township, Middlesex county;
 - (b) Name and address of subdivider or developer;
 - (c) Name and address of the owner or owners of record;
 - (d) Scale; and
 - (e) Date of original preparation and of each subsequent revision, and a list of the specific revisions on each sheet.
- (3) Areas, to the nearest tenth of an acre;
- (4) North arrow;
- (5) Approval signatures:
 - (a) Chairman;
 - (b) Secretary; and,
- (6) The names and addresses of all property owners within 200 feet of the extreme limits of the tract as shown on the most recent tax list prepared by the township tax assessor;

- (7) Existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the township tax map, and proposed development lot numbers.
- (8) Tract boundary line, clearly delineated;
- (9) Zoning districts affecting the tract;
- (10) All adopted master plan proposals affecting the proposed development;
- (11) The locations and dimensions of existing and proposed bridges and the location of natural features such as wooded areas, and any extensive rock formations, both within the tract and within 200 feet of its boundaries;
- (12) The location and species associations of all existing trees or groups of trees having a caliper of eight inches or more measured three feet above the ground level.
- (13) All existing and proposed watercourses (including lakes and ponds), accompanied by the following information:
 - (a) A report on the status of review by the New Jersey Department of Environmental Protection of any proposed alteration, improvement or relocation of any stream, the proposed location of any drainage structure or fill over, under, in or along a running stream;
 - (b) Cross-sections of watercourses and/or drainage swales at a scale sufficient to show the extent of flood plain, top of bank, normal water levels and bottom elevations at the following locations, as appropriate:
 - (aa) At any point where a watercourse crosses a boundary of the tract.
 - (bb) At 100 foot intervals up to 500 feet upstream and downstream.
 - (cc) At not more than 100 foot intervals, but not less than two locations, along each watercourse which runs through or within 500 feet of the tract.
 - (dd) The proposed method of stabilizing slopes and measures to control erosion and siltation, as well as typical ditch sections and profiles wherever ditches, streams or watercourses are to be altered, improved or relocated.
 - (ee) A delineation of the floodways and flood fringe areas of all watercourses within or within 500 feet of the tract.

- (c) The total acreage in the drainage basin of any watercourse running through the tract;
 - (d) The location and extent of drainage and conservation easements and stream encroachment lines;
 - (e) The location, extent and water level elevation of all existing or proposed lakes or ponds within the tract and within 200 feet of the tract.
- (14) Existing contours, referred to a known U.S.G.S. datum and indicated by a dashed line, with intervals of two feet, where slopes are less than 15 percent, and five feet when 15 percent or more. Where any changes in contours are proposed, finished grades shall be shown as a solid line.
 - (15) A statement of proposed methods for control of soil erosion and sediment.
 - (16) 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.
 - (17) Size, height and location of all proposed buildings, structures and signs.
 - (18) All dimensions necessary to confirm conformity to this ordinance such as structure setbacks, structure heights, yards and floor area ratios.
 - (19) The proposed location, height, direction of illumination, power and type of proposed outdoor lighting including details of lighting poles and luminaries.
 - (20) A landscaping plan showing all proposed plant materials including all proposed screening and buffering. The location of all proposed plantings shall also be indicated and keyed into a legend listing the botanical and common names, the size at time of planting, and the total quantity of each plant.
 - (21) The location of any off-street parking area, showing size and location of bays, aisles, barriers, and landscaping.
 - (22) All means of vehicular access and egress to and from the site onto public streets, showing the location of driveways and curb cuts, including the possible utilization of traffic signals, channelization, acceleration and deceleration, lanes, additional width and any other proposed devices.
 - (23) Storm drainage systems plans showing the following:

- (a) All existing or proposed storm sewer lines within or adjacent to the tract showing size and slope of the lines, direction of flow and the location of each catch basin, inlet, manhole, culvert and headwall.
 - (b) The location and extent of any proposed ground water recharge basins, retention basins or other water or soil conservation devices.
- (24) The location of existing utility structures such as water and sewer mains, gas transmission lines and high tension power lines on the tract and within 200 feet of its boundaries.
 - (25) Plans of proposed utility improvements including sewers, storm drains and water lines and connections to gas, telephone and electrical utility systems, and a letter from any existing utility company to the effect that such service will be available. Any proposed private utilities shall comply fully with all township, county and State regulations. Any plans for individual on-lot water or sewage disposal shall be accompanied by the result of percolation tests and soil log data acceptable to the township board of health.
 - (26) Plans, typical cross sections and details, centerline profiles and tentative grades of all proposed streets and of existing streets abutting the tract based on U.S.G.S. vertical datum or a more specified datum supplied by the township engineer, including curbing, sidewalks, storm drains and drainage structures and utility service lines. Sight triangles, the radius of curblines and street sign locations shall be clearly indicated at all intersections.
 - (27) Certification from the township tax collector that all taxes are paid up to date.
 - (28) A copy of any protective covenants or deed restrictions applying to the land being developed.
 - (29) The location of all proposed permanent monuments.
 - (30) Existing and proposed traffic patterns.
 - (31) Existing and proposed drainage flows with supporting calculations.

D. Environmental Impact Assessment

- (1) The impact on the environment generated by land development projects necessitates a comprehensive analysis of the variety of problems that may result and the actions that can be taken to minimize these problems. The level of detail of such analyses required for various types of applications

will vary depending on the size of the proposal, the nature of the site, the location of the project and the information already in the possession of the township.

Within this flexible context, an environmental impact assessment requirement shall apply as follows:

- (a) All agricultural operations conducted in accordance with a plan approved by the Soil Conservation District and all silva-culture operations conducted in accordance with a plan prepared by a professional forester are specifically exempt from the environmental impact assessment requirements.
 - (b) Any variance application to the zoning board of adjustment not involving a site plan or subdivision application shall not require an environmental impact assessment unless specifically requested by the board. The zoning board of adjustment shall inform the applicant of the reason for such requirement and specify any information that may be required.
 - (c) Any application for subdivision approval where ten lots or less are involved and all applications for minor site plan approval, either to the planning board or to the zoning board of adjustment, as the case may be, shall not require an environmental impact assessment unless specifically required by the appropriate board. The planning board or zoning board of adjustment, as the case may be, shall inform the applicant of the reason for such requirement and specify any information that may be required.
 - (d) All preliminary major subdivision and/or preliminary major site plan applications shall be accompanied by an environmental impact assessment.
 - (e) All applications for Phase I preliminary approval of a planned development shall include an environmental impact assessment detailed only to the extent required by the elements of the plan for which approval is requested, it being understood that greater detail will be provided with the application for preliminary approval.
- (2) Any required environmental impact assessment shall be prepared by licensed professional planners. Material on file in the township pertinent to local conditions and other available material pertinent to evaluation of regional impacts shall be supplemented by original research to the extent needed to document fully the probable effect of the proposed development. All environmental impact assessments shall consist of written and graphic materials presented in the following format:

- (a) A description of the proposed project shall clearly state its purpose and scope; the benefits to the public which will result from the proposed project; the suitability of the site for the intended use given the extent to which the site must be altered, the kinds of facilities to be constructed and the uses intended. The resident population, working population and visitor population shall be estimated. The compatibility or incompatibility of the proposed project shall be described in relation to the township master plan.
- (b) The environmental conditions on the site shall be described, including the following items:
- (aa) Types of soils. A description of each soil type on the site including percolation data, if applicable. Where the proposed area of land disturbance will involve soils with moderate or severe limitations relative to the type of project proposed, all soils with such limitations shall be mapped.
 - (bb) Topography. A description of the topographic conditions of the site.
 - (cc) Vegetation. A description and map of the existing vegetation on the site showing the location of major vegetative groupings such as woodlands, open fields, wetlands and isolated trees greater than six (6) inches in diameter. Where woodlands are delineated, the forest types shall be indicated.
 - (dd) Wildlife. Any unique habitats of endangered or protected species shall be identified and described.
 - (ee) Subsurface water. A description of the subsurface water conditions and water quality on the site, both in terms of depth to ground water and water supply capabilities. The location, depth, capacity and water quality of all existing water wells on the site and within 500 feet of the site shall be indicated.
 - (ff) Distinctive scenic and/or historic features. Those portions of the site that can be considered to have distinctive scenic and/or historic qualities shall be mapped and described.
 - (gg) Existing development features. A description of any existing features on the site that are not considered to be part of the natural environment. This may include, but not necessarily be limited

to roads, housing units, accessory structures, utility lines, etc.

- (hh) Miscellaneous. An analysis shall be conducted of existing air quality and noise levels as prescribed by the New Jersey State Department of Environmental Protection and Article XVI.
- (c) Impact. A discussion of both the negative and positive impacts during and after construction, including specifically those negative impacts that are unavoidable. The specific concerns that shall be considered include the following:
 - (aa) Soil erosion and sedimentation resulting from surface run-off.
 - (bb) Flooding and flood plain disruption.
 - (cc) Degradation of surface water quality.
 - (dd) Ground water pollution.
 - (ee) Reduction of ground water capabilities.
 - (ff) Sewage disposal.
 - (gg) Solid waste disposal.
 - (hh) Vegetation destruction.
 - (ii) Disruption of wildlife habitats of endangered and protected species.
 - (jj) Destruction or degradation of scenic and historic features on and off site.
 - (kk) Air quality degradation.
 - (ll) Noise levels.
 - (mm) Energy utilization.
- (d) Environmental performance controls. The measures that will be employed during the planning, construction and operation phases which will minimize or eliminate negative impacts that could result from the proposed project shall be described. Of specific interest are:
 - (aa) Drainage plans, including soil erosion and sedimentation controls.
 - (bb) Sewage disposal techniques.

(cc) Water supply and water conservation proposals.

(dd) Energy conservation measures.

(ee) Noise reduction techniques.

(ff) Screening and landscaping intended to enhance the compatibility of the project with its surroundings.

(e) Licenses, permits and other approvals required by law. The applicant shall list all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project. The list shall include approvals required by the township, as well as agencies of the county, State and Federal governments. Where approvals have been granted, copies of said approvals shall be attached. Where approvals are pending, a note shall be made to that effect.

(f) Documentation. All publications, file reports, manuscripts or other written sources of information which were consulted and employed in the compilation of the environmental impact assessment shall be listed. A list of all agencies and individuals from whom pertinent information was obtained orally or by letter shall be listed separately. Dates and locations of all meetings shall be specified.

(3) Disposition by the board. The board shall review the information furnished in the environmental impact assessment in the context of the overall design of the proposed development and the relationship of the proposed development to the environment.

E. Community Impact Statement

(1) General provisions. All applications for preliminary major subdivision or site plan approval for projects on a site of 50 acres or more or involving not less than 100 dwelling units or 250,000 square feet of non-residential floor space shall be accompanied by a community impact assessment analyzing the proposed development and its expected impact upon the existing facilities and services. The information furnished within the community impact assessment shall serve to influence the design of the proposed development so that the provision of necessary municipal facilities can be coordinated with the construction of the proposed development; and/or (b) to alert the appropriate public agencies to anticipated needs that may have to be satisfied in the near future.

(a) Population impact. An analysis of the number of people expected to be added to the municipal population as a

result of the proposed development according to the following age cohorts: pre-school aged children, school aged children, adults of child-bearing age, middle aged adults and persons of retirement age.

- (b) School impact. An analysis of the anticipated number of pupils who will be added to the student population in the municipality and anticipated operating and capital improvement costs.
- (2) Facilities impact. Applicants evaluation as to the adequacy of the existing facilities to serve the proposed development, including the adequacy of existing public water facilities; public sewerage facilities; recreational facilities; and library facilities.
- (3) Service impact. Applicants evaluation as to the adequacy of the existing public services to serve the proposed development and the impact of the development upon the services, including police protection; fire protection; solid waste disposal and street maintenance services.
- (4) Utility impacts. Letters directed to the chairman of the board and signed by a responsible official of the lighting agency, water company, and of any other utility company or governmental authority or district having jurisdiction in the area and which will provide utility service to the proposed development approving the design of each proposed utility installation and stating who will construct the facility so that service will be available prior to occupancy.
- (5) Traffic impact. An analysis of the impact of the project on the road network including the capacity of the existing and proposed roadways in relation to the anticipated traffic volumes from the proposed development as well as any increases in traffic volumes expected from other developments within the area; and any existing and anticipated problem spots in the overall road network including unsafe intersections, turns or grades.
- (6) Financial impact. An analysis of the revenues expected to be generated from the development compared to the anticipated costs which the proposed development is expected to generate. Revenues and costs shall be shown for the municipality, the municipal school system and the county.

F. Action by the Approving Agency

- (1) Within 45 days following the date of submission of the application the administrative officer either shall notify the applicant in writing that the application has been determined to be incomplete or shall certify that the submission constitutes a complete application. If the application is determined to be incomplete, the reasons for such determination shall be specified to the applicant and an appropriately revised plan may thereafter be submitted to the administrative officer as in the first instance. If the secretary of the planning board or the secretary of the zoning board of adjustment, as the case may be, neither certifies to the applicant that the application is complete nor notifies the applicant in writing that the application has been determined to be incomplete, then the application shall be considered certified complete and the period for action by the board shall commence.
- (2) The planning board shall take action on a preliminary major site plan application involving ten acres of land or less and ten dwelling units or less and/or a preliminary major subdivision application involving ten lots or less within 45 days after the application has been certified complete by the secretary of the planning board or the secretary of the zoning board of adjustment, as the case may be, or within such further time as may be consented to by the applicant. Failure of the board to act within the prescribed time period shall constitute approval of the application; provided that any preliminary application including a request for variance relief shall be acted upon within 95 days after the application has been certified complete or within such further time as may be consented to by the applicant.
- (3) The planning board shall take action on a preliminary major site plan application involving more than ten acres of land or more than ten dwellings and/or a preliminary major subdivision application involving more than ten lots within 95 days after the application has been certified complete by the administrative officer or within such further time as may be consented to by the applicant. Failure of the board to act within the prescribed time period shall constitute approval of the application.
- (4) If a preliminary site plan and/or preliminary subdivision application is being considered by the zoning board of adjustment simultaneously with an application for a "use" variance the zoning board of adjustment shall act on all aspects of the application within 120 days after the application has been certified complete by the secretary of the zoning board of adjustment or within such further time as may be consented to by the applicant. Failure of the board to act within the prescribed time period shall constitute approval of the application.

- (5) Any designated subdivision committee or site plan committee, as the case may be, review the submission to ascertain its conformity with the requirements of this ordinance. The subdivision committee or site plan committee, as the case may be, shall offer its recommendations to the board at a regularly scheduled meeting of the board within 30 days after the application has been certified complete.
- (6) Where the remaining portion of the original tract is sufficient to be subdivided or further developed, the applicant may be required to submit a sketch of the entire remaining portion of the tract to indicate that the subdivision or development applied for, together with such subsequent subdivision(s) or development(s) as may be submitted in the future, will not create, impose or aggravate or lead to any such adverse effect. Any requirements under this subsection shall be limited to those that will prevent the proposed development from causing any reasonably avoidable damage to any adjacent property or any environmental resource.
- (7) All hearings held on applications for preliminary major subdivision approval (and in certain cases preliminary major site plan approval) shall require public notice of the hearing.
- (8) If the board acts favorably on the preliminary plat or plan, the chairman and secretary of the board (or, where either or both may be absent, the acting chairman or secretary) shall affix their signatures to at least ten copies of the plat or plan with the notification that it has been approved.
- (9) Should minor revisions or additions to the plan be deemed necessary, the board may grant preliminary approval subject to specified conditions and receipt of revised plans within 30 days from the date of said approval. Should major revisions be deemed necessary, the board shall require that an amended plan be submitted and acted upon as in the case of the original application for preliminary approval.
- (10) If the board, after consideration and discussion of the preliminary plat or plan, determines that it is unacceptable, a notation shall be made by the chairman of the board to that effect on the plat or plan and a resolution adopted setting forth the reasons for such rejection. One copy of the plat or plan and said resolution shall be returned to the applicant within ten days of such determination.

G. Effect of Preliminary Approval

- (1) Preliminary approval shall confer upon the applicant the following rights for a period of three years from the date of such 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; and off-tract improvements;
 - (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 plat or plan; and,
 - (c) That the applicant may apply for, and the board may grant, extensions on such preliminary approval for additional periods of at least one year, but not to exceed a total extension of two years, provided that if the design standards have been revised by ordinance, such revised standards may govern after the expiration of the three-year period following the date of preliminary approval.
 - (d) That the applicant may apply for, and the board may grant, permission to install any or all of the site improvements shown on the approved preliminary subdivision or site plan in accordance with all applicable design standards and subject to such of the requirements of Article XVI and such other terms or conditions as the board may deem necessary to protect the public interest.
- (2) In the case of a subdivision of, or a site plan for an area of 50 acres or more, the planning board may grant the rights hereinabove for such period of time, longer than three years, as shall be determined by the board to be reasonable taking into consideration:
- (a) The number of dwelling units and nonresidential floor area permissible under preliminary approval;
 - (b) Economic conditions; and,
 - (c) The comprehensiveness of the development.

The applicant may apply for, and the board may thereafter grant, an extension to the preliminary approval for such additional period of time as shall be determined by the board to be reasonable taking into consideration:

- (a) The total number of dwelling units and nonresidential floor area permissible under preliminary approval.
- (b) The potential number of dwelling units and nonresidential floor area of the section or sections awaiting final approval;

- (c) Economic conditions; and,
- (d) The comprehensiveness of the development

If the design standards have been revised by ordinance prior to any application for extension of effectiveness of the preliminary approval, such revised standards may govern.

150-101 Submission of Final Major Subdivision Plats and Final Major Site Plans

A. Procedure for Submitting Final Plats and Final Plans

- (1) A final plat or final plan shall be submitted to the administrative officer within three years after the date of preliminary approval or any authorized extension thereof. The applicant shall submit to the administrative officer at least thirty (30) days prior to the first regularly scheduled monthly meeting of the planning board or zoning board of adjustment a fee in accordance with the township's fee ordinance, and three copies, each, of the application and the final major subdivision plat or final major site plan for a determination by the township planner and township engineer that the said application is complete.
- (2) Upon determining that the application is complete, the administrative officer shall request 20 additional copies and plans and, upon receipt thereof, shall retain one copy, each, of the final subdivision plat or site plan and the completed application and shall forward the remaining copies to the secretary of the planning board if the application has been submitted to the planning board or to the secretary of the zoning board of adjustment if the application has been submitted to the zoning board of adjustment. Upon receipt thereof, the secretary of the planning board or the secretary of the zoning board of adjustment, as the case may be, shall distribute copies for review and comment in the following manner and those who receive such copies shall furnish a written report to the board within 30 days:
 - (a) Middlesex County Planning Board (two copies, each, of the final plat or plan and the application);
 - (b) Township planner (one copy, each, of the final plat or plan and the application);
 - (c) Township engineer (one copy, each, of the final plat or plan and the application);
 - (d) Secretary of the township board of health (one copy, each, of the final plat or plan and the application);
 - (e) Construction official (one copy, each, of the final plat or plan and the application);

- (f) Township environmental commission (one copy, each, of the final plat or plan and the application);
- (g) At the direction of the planning board or zoning board of adjustment, as the case may be, additional copies of the final plat or plan shall be sent to other township, county or State agencies and officials, including any subdivision or site plan committee that may have been designated by the board.

B. Details Required for Final Major Subdivision Plats and Final Major Site Plans

- (1) All details required in Section 150-100,C. of this ordinance.
- (2) All additional details required at the time of preliminary approval.
- (3) A section or staging plan, if proposed, indicating the portion of the tract proposed to be considered for final approval as part of the current application and the relationship thereof to the remaining land area, including all applicable features such as floor area, number of lots and dwelling units, parking spaces, building coverage, and open space areas.
- (4) Certification from the applicant or his Professional Engineer that all the provisions of the Final Major Subdivision or Final Site Plans conform to the Preliminary Plan.
- (5) Detailed soil erosion and sediment control proposals as required by N.J.S.A. 4:24-39 et seq.
- (6) Detailed architectural and engineering data including:
 - (a) (a) An architect's ground floor or other floor plans sufficient to show pedestrian, vehicular or other access as it relates to the final site plan together with illustrative building elevations to show height and intended materials; and (b) typical illustrations of any signs visible to the general public.
 - (b) Cross sections, profiles and established grades of all streets, aisles, lanes and driveways.
 - (c) Plans and profiles of all storm and sanitary sewers and water mains.
 - (d) All dimensions of the exterior boundaries of any subdivision balanced and closed to a precision of one to 5,000, and the dimensions of all lot lines to within one to 10,000. All dimensions, angles and bearings

shall be tied to at least two permanent monuments not less than 300 feet apart and all information shall be indicated on the plat. At least one corner of the subdivision shall be tied horizontally to the New Jersey Grid Coordinate System and vertically to U.S.G.S. benchmarks with the data on the plat as to how the bearings were determined.

- (7) The final submission shall be accompanied by the following documents:
 - (a) Certification from the township tax collector that all taxes have been paid up to date;
 - (b) The applicant's certification in writing to the board that he has:
 - (aa) Installed all improvements in accordance with the requirements of this ordinance; and/or,
 - (bb) Posted a performance guarantee in accordance with the requirements of this ordinance.
 - (c) A statement from the township engineer that all improvements installed prior to the filing of the application are in accordance with the preliminary approval and have been inspected, and that such improvements meet the requirements of the township. Any improvements installed prior to application for final approval that do not either meet or exceed township standards shall be factored into the required performance guarantee.

C. Action by the Approving Agency

- (1) Within 45 days from the date of submission of the application and at the direction of the board, the administrative officer shall either notify the applicant in writing that the application has been determined to be incomplete, or certify that the submission constitutes a complete application. If the application is determined to be incomplete, the reasons for such determination shall be specified to the applicant and an appropriately revised plan may thereafter be submitted to the administrative officer as in the first instance. If the secretary of the planning board or the secretary of the zoning board of adjustment, as the case may be, neither certifies to the applicant that the application is complete nor notices the applicant in writing that the application has been determined to be incomplete, then the application shall be considered certified complete and the period for action by the board shall commence.
- (2) The board shall take action on a final site plan and/or final subdivision application within 45 days after the

application has been certified complete by the administrative officer or within such further time as may be consented to by the applicant. Failure of the board to act within the prescribed time period shall constitute approval of the application.

- (3) Any designated subdivision committee or site plan committee, as the case may be, may review the submission to ascertain its conformity with the requirements of this ordinance. The subdivision committee or site plan committee, as the case may be, shall offer its recommendations to the board at a regularly scheduled meeting of the board within 30 days after the application has been certified complete.
- (4) If the board acts favorably on the final plan, the township engineer and the chairman and secretary of the board (or, where either or both may be absent, the acting chairman or secretary) shall affix their signatures to at least ten copies of the plat or plan with the notification that it has been approved. The applicant shall furnish such copies to the board for signing. In the case of final subdivisions, only, the applicant shall include at least five mylar copies of the approved plat in addition to the ten (10) signed copies.
- (5) After approval of the final plat or plan by the board, the secretary of the board shall retain one copy (mylar, if applicable) of the signed plat or plan and shall furnish an additional copy to each of the following within ten days from the date of such approval:
 - (a) Administrative officer;
 - (b) Township engineer (one mylar, if applicable);
 - (c) Construction official;
 - (d) Township tax assessor;
 - (e) The applicant (two mylars, if applicable); and
 - (f) Such other township, county or State agencies and officials as directed by the board.
- (6) Within 95 days of the date of approval by the board of a final subdivision plat, the applicant shall file a copy of same with the Middlesex County Clerk. In the event of failure to file within said 95 days, the approval of the major subdivision shall expire and any further proceedings shall require the filing of a new application as in the first instance. The board, for good cause shown, may extend the time for filing for an additional 95 days.

- (7) If the board, after consideration and discussion of the final plat or plan, disapproves the submission, a notation to that effect shall be made by the chairman of the board on the plat or plan. The secretary of the board, within ten days of such action, shall notify the applicant of such disapproval and forward the applicant a copy of the adopted resolution setting forth the reasons for the disapproval.

D. Effect of Final Approval

- (1) Final approval of a subdivision or site plan shall confer upon the applicant the following rights for a period of two years from the date of such approval:
 - (a) The zoning requirements applicable to the preliminary approval first granted and all other rights conferred upon the developer, whether conditionally or otherwise, shall not be changed.
 - (b) If the developer has followed the standards prescribed for final approval, the board may extend the period of protection for extensions of one year each, not exceeding two such extensions.
- (2) In the case of a subdivision or site plan for a planned unit development, planned unit residential development or residential cluster of 50 acres or more, or in the case of a conventional subdivision or site plan of 150 acres or more, the board may grant the rights hereinabove for such period of time, longer than three years, as shall be determined by the board to be reasonable taking into consideration:
 - (a) The number of dwelling units and nonresidential floor area covered by the final approval;
 - (b) Economic conditions; and
 - (c) The comprehensiveness of the development.

The developer may apply, and the board may grant, an extension to the final approval for such additional period of time as shall be determined by the board to be reasonable taking into consideration:

- (a) The number of dwelling units and nonresidential floor area remaining to be developed;
- (b) Economic conditions; and
- (c) The comprehensiveness of the development.

150-102 Optional Phase I Preliminary Approval for Planned Developments

- A. Applicability. In order to provide flexibility in the review of large planned developments within Cranbury Township, this section prescribes requirements and procedures for a Phase I preliminary approval of permitted planned developments which exceed 50 acres in area. An applicant is not required to submit a plan for Phase I preliminary review and approval in accordance with the provisions in this section, but, instead, may immediately proceed to the preliminary review process as specified in this ordinance.
- B. Details Required for Phase I Preliminary Approval
- (1) The details specified for preliminary site plan submissions in Section 150-100,C. of this ordinance shall be required for planned development submissions under this section.
 - (2) A Land Use Plan shall be submitted, indicating the specific land areas to be devoted to each of the proposed land uses throughout the entire tract. Each particular residential land area shall be documented as to acreage, the type(s) of residential dwelling unit proposed and the number of dwelling units of each type to be situated therein. If the development is proposed to include permitted commercial uses, the aggregate floor area proposed to be provided and the floor area ratio within each defined commercial area shall be indicated.
 - (3) A Traffic Circulation Plan shall be submitted, indicating all existing and proposed collector streets, typical road cross-sections and critical elevations and grades. The plan shall indicate how the overall collector road network relates to the terrain, the overall design of the planned development and the road network of the municipality and neighboring municipalities, as applicable.
 - (4) A Utility Plan shall be submitted, indicating existing and proposed sewer and water lines, pump stations, wells and sewage treatment plants and connections to electric, gas and telephone facilities.
 - (5) A Drainage Plan together with all supporting calculations shall be submitted, indicating the proposed method of controlling and draining surficial water on and from the site. In addition, a conceptual description of the intended Soil Erosion and Sediment Control Plan shall be submitted.
 - (6) An Open Space and Recreation Plan shall be submitted, indicating the major areas to be devoted to open space, conservation and recreational purposes and a description of the intended improvements within said areas.
 - (7) An Environmental Impact Assessment shall be submitted, as set forth in this ordinance.

- (8) A Community Impact Assessment shall be submitted, as set forth in this ordinance.
 - (9) A Staging Plan shall be submitted if the planned development is intended to be developed over a period of years, indicating the areas to be developed in each stage and the priority of each stage. The eventual development of each stage shall conform to the land use plan, traffic circulation plan, drainage plan and open space and recreation plan to insure that a reasonable balance of the different components of the proposed development is maintained in each stage.
- C. Review and Action by the Township. The procedure for submitting Phase I preliminary plans shall be as provided for preliminary site plans in Section 150-100,A. and B. of this ordinance. The township shall take action on the submitted Phase I preliminary plan as provided for preliminary site plans in Section 150-100,F. of this ordinance. The submitted environmental impact assessment shall be reviewed and evaluated in relation to the Phase I preliminary application and any additional environmental impact data that will be required for Phase II preliminary approval shall be stipulated.
- D. Effect of Phase I Preliminary Approval. Phase I preliminary approval shall confer upon the applicant the following rights for the period of time in excess of three (3) years as determined by the planning board in accordance with Section 150-100,G. of this ordinance:
- (1) That the submitted land use plan shall not be changed with reference to the total number of dwelling units within the planned development, the number and type of dwelling units within each designated residential area, and the gross floor area within any designated commercial area;
 - (2) That the location and general specifications for the proposed collector roads shall not be changed;
 - (3) That preliminary application for a site plan of the entire planned development, or stage or stages of the planned development in accordance with Section 150-100,C., hereinabove, may be submitted for review and approval by the planning board in accordance with Section 150-100 of this ordinance.

ARTICLE XIX

GUARANTEES, INSPECTIONS AND OFF-TRACT IMPROVEMENTS

150-103 Fees

- A. Every application for development shall be accompanied by a check payable to the Township of Cranbury in accordance with the fee schedule set forth in the Cranbury Township Fee Ordinance.
- B. The application charge is a flat fee to cover direct administrative expenses and is non-refundable.
- C. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.
- D. If an applicant desires a court reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript to the township shall be at the expense of the applicant who shall arrange for the reporter's attendance.

150-104 Guarantees and Inspections

A. Performance Guarantee Estimate

- (1) No final application for development (whether for an entire tract or a section thereof) shall be approved by the board until the satisfactory completion and performance of all required public improvements have been certified to the board by the township engineer unless the owner shall have filed with the township a performance guarantee assuring the installation of said public improvements on or before an agreed date as hereinafter provided.
- (2) It is the intention of the township committee that residents living in each new section of a development be provided with lot and/or dwelling unit as well as tract area improvements that are as complete as possible. In order to accomplish this objective, and except as hereafter provided, all remaining improvements shall be completed as to each category set forth in the performance guarantee to a percentage extent equal to the percent of lots and/or dwelling units which have been conveyed in any manner.
- (3) A performance guarantee estimate shall be prepared by the applicant's engineer and submitted to the township engineer for review and approval, setting forth all requirements for improvements, as fixed by the board, and their estimated cost. The township committee shall pass a resolution either approving or adjusting this performance guarantee.

B. Approval by Township Attorney

- (1) The owner shall present two copies of the performance guarantee, in an amount equal to 120 percent of the approved performance guarantee estimate, for approval by the township attorney as to form and execution.
- (2) The township attorney shall notify the secretary of the board that the performance guarantee is properly executed and can be placed on the agenda of the board's next meeting.

C. Bonding and Cash Requirements

- (1) The performance guarantee shall be made payable to, and deposited with, Cranbury Township and shall be in the form of either cash, a certified check, or other financial instrument acceptable to the township attorney, or a performance bond in which the owner shall be principal provided by an acceptable surety company licensed to do business in the State of New Jersey. The township shall issue its receipts for such deposits and shall cause the same to be deposited in a bank named by the municipality in the name of the township. The said deposits shall be retained as security for completion of all requirements and shall be returned to the owner upon completion of all required work, or, in the event of default on the part of the owner, shall be used by the township to pay the cost and expense of obtaining completion of all requirements.
- (2) Ten percent of the amount of the approved performance guarantee estimate shall be deposited by the owner in cash with the township. The remaining 90 percent may be in cash or surety bond. In the event of default, the ten percent fund herein mentioned shall be first applied to the completion of the requirements and the cash or surety bond shall thereafter be resorted to, if necessary, for the completion of the requirements. The cash or surety bond shall recite the foregoing provisions.

D. Inspection and Tests

- (1) All improvements and utility installations shall be inspected during the time of their installation by the township engineer. On-site private improvements relating to drainage, landscaping and circulation as shown on an approved final subdivision or site plan, shall also be subject to inspection and approval by the township engineer. The cost of said inspection shall be the responsibility of the owner who shall deposit with the township treasurer a fee in accordance with the township fee ordinance.

- (2) In no case shall any improvements or utility installation be done without permission from the township engineer. At least two working days notice shall be given to the township engineer prior to any construction so that he or a qualified representative may be present at the time the work is to be done.
- (3) Streets shall not be paved with a wearing course until all heavy construction is completed. Shade trees shall not be planted until all grading and earth moving is completed. The seeding of grass and the placing of the surveyor's monuments shall be among the last operations.
- (4) The township engineer's office shall be notified after each of the following phases of the work has been completed so that he or a qualified representative may inspect the work:

- Road subgrade.
- Curb and gutter forms.
- Curbs and gutters.
- Road paving.
- Sidewalk forms.
- Sidewalks.
- Drainage pipes and other drainage construction.
- Street name signs.
- Monuments.
- Sanitary sewers.
- Detention and/or retention basins.
- Topsoil, seeding and plantings.

- (5) Inspection by the township of the installation of improvements and utilities shall not operate to subject Cranbury Township to any future liability, including liability for claims or suits, that may arise because of defects or negligence during construction or at any time thereafter; it being recognized that the responsibility to maintain safe conditions at all times during construction and to provide proper utilities and improvements is upon the owner and his contractors, if any.
- (6) Upon the completion or substantial completion of all required utility improvements, and the connection of same to the public system, the obligor may notify the township committee in writing, by certified mail in care of the township clerk, of the completion or substantial completion of the improvements and shall simultaneously send a certified copy of such notice to the township engineer. Within ten working days following receipt of the notice, the township engineer shall inspect all the improvements of which such notice has been given and file a detailed report, in writing, with the township committee, indicating either approval, partial approval or rejection of such improvements

with a statement of the reasons for any total or partial rejection. The costs of the improvements as approved or rejected shall be set forth.

E. Release. The township committee shall approve, partially approve or reject the improvements, on the basis of the report from the township engineer, and shall notify the obligor, in writing, by certified mail, of the contents of the engineer's report and the action of the township committee not later than 65 days after the receipt of the notice of the obligor of the completion or substantial completion of the improvements. 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 the performance guarantee for such improvements.

- (1) Where partial approval is granted, except as set forth hereinafter, the obligor shall be released from all liability pursuant to the performance guarantee for such improvements, except for that portion deemed to be required to secure provision of the improvements not yet approved. The township may retain 30 percent of the performance guarantee posted to ensure the completion of all improvements and that said 30 percent may be applied against all improvements, regardless of when completed.
- (2) If any portion of the required improvements is rejected, the obligor shall complete such improvements and, upon completion, shall notify the township committee as specified in subsection 13-902.4f of this ordinance and the same procedures shall be followed as in the first instance.

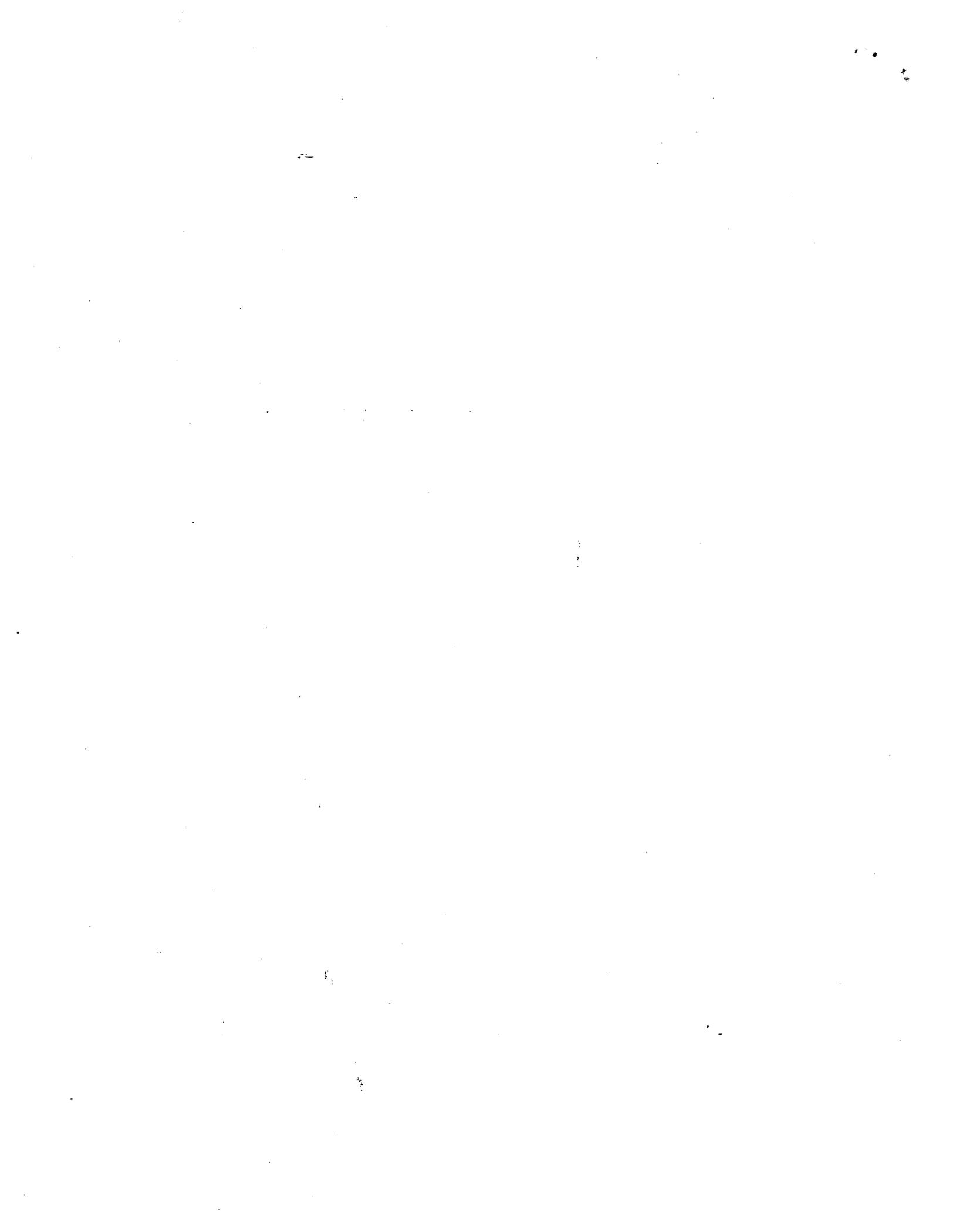
F. Conditions and Acceptance of Improvements. The approval of any application for development by the township shall in no way be construed as acceptance of any street or drainage system, or any other improvement, nor shall such approval obligate the township in any way to exercise jurisdiction over such street or drainage system or other improvement. No improvement shall be accepted by the governing body unless and until all of the following conditions have been met:

- (1) The township engineer shall have certified in writing that the improvements are complete and that they comply with the requirements of this chapter;
- (2) The final application for development shall have been approved by the board;
- (3) The owner shall have filed with the township committee a maintenance guarantee in an amount equal to not more than 15 percent of the cost of installing the improvements, to run

for a period of two years. The procedures and requirements governing such maintenance guarantee shall be identical with the procedures and requirements for a performance guarantee set forth in this ordinance. The requirements for a maintenance guarantee may be waived by the township committee only if the township engineer has certified that the improvements have been in continuous use for not less than two years from the date the township engineer certified completion of such improvements and that during this period the owner has maintained the improvements in a satisfactory manner; and

- (4) The owner shall have provided an "as built" plan and profiles of all utilities and roads (three black and white prints plus a mylar copy to be sent to the township engineer) with certification signed and sealed by a New Jersey licensed professional engineer as to the actual construction as approved by the township engineer.

150-105 Off-Tract Improvements. All off-tract improvements shall be made in accordance with the provisions of N.J.S.A. 40:55D-42.



ARTICLE XX

ADMINISTRATION, ENFORCEMENT, VIOLATIONS AND PENALTIES

150-106 Administration. These rules, regulations and standards shall be considered the minimum requirements for the protection of the public health, safety and welfare of the citizens of the township. If an applicant or his agent can clearly demonstrate that, because of peculiar conditions pertaining to his land, the literal enforcement of one or more of the regulations within this ordinance is impracticable or will exact undue hardship, the appropriate municipal agency may permit one or more exceptions as may be reasonable and within the general purpose and intent of the rules, regulations and standards established by this ordinance.

150-107 Enforcement

For any and every violation of the provisions of this ordinance, the owner, contractor, or other person or persons interested as lessee, tenants, or otherwise, in any building or premises where such violations have been committed or shall exist, and who refuses to abate such violation within five (5) days after written notice has been served upon him, either by registered mail or by personal service, shall be subject to a fine as set forth in Sections 150-109 and 150-110.

150-108 Certificate of Occupancy

A. The following shall be unlawful until a certificate of occupancy shall have been applied for and issued by the construction official:

- (1) Occupancy and use of a building erected, reconstructed, restored, altered, or moved, or any change in use of an existing building;
- (2) Occupancy, use, or any change in use of vacant land, other than agriculture;
- (3) Any change in use of a non-conforming use; and
- (4) Occupancy and use of any enlargement to an existing structure.

A certificate of occupancy shall be deemed to authorize, and is required for, both initial occupancy and the continued occupancy and use of the building or land to which it applies.

B. It shall be the duty of the construction official to issue a certificate of occupancy only when:

- (1) The structure or part(s) thereof and the proposed use of the structure(s) and land conform to this ordinance and all other applicable codes and ordinances of the township;
 - (2) Prior conditional use, site plan, subdivision and variance approvals, as may be necessary, have been granted by the appropriate municipal agency or municipal agencies in accordance with the provisions of this ordinance and the proposed structure or part(s) thereof and the proposed use of the structure(s) and land comply with all conditions and requirements imposed as part of such approvals;
 - (3) All local taxes and assessments on the property have been paid; and
 - (4) A letter from each utility company has been received by the township stating that the utility has been inspected, has been installed in accordance with the approved plan and is ready for use.
- C. A fee shall be charged for each certificate of occupancy in accordance with the fee ordinance of Cranbury Township.
- D. A certificate of occupancy shall be granted or denied in writing within 20 days from the date that a written notification is filed with the construction official that the erection of the structure is completed, unless additional time is agreed upon by the applicant in writing. If the application is denied the construction official shall state the reason for such denial on two copies of the application and return one copy to the applicant.
- E. With respect to any finally approved subdivision and/or site plan or subsection thereof, a certificate of occupancy shall be issued only upon completion of such portion of the following improvements as may be deemed by the township engineer to be needed to serve the premises being offered for occupancy:
- (1) Curbs.
 - (2) All utilities.
 - (3) Water supply and sewerage treatment facilities, which shall be functioning and servicing the property in question.
 - (4) Storm drainage facilities.
 - (5) Rough grading of the property.
 - (6) Base course of the street or streets serving the property.
 - (7) Base course of driveways and parking areas.

(8) Street names and traffic regulatory signs.

F. With respect to any individual residential lot within a subdivision, a certificate of occupancy shall be issued only upon the completion of the following improvements, in addition to those listed hereinabove, to the extent the same are required as part of a subdivision approval:

(1) Sidewalks.

(2) Driveway aprons.

G. A copy of any issued certificate of occupancy shall be kept on file at the premises affected and shall be shown to the construction official upon request.

H. A temporary certificate of occupancy may be issued by the construction official for any structure or use for which approval has been granted although not all conditions of said approval have been complied with. Such temporary certificate of occupancy shall be issued only in extenuating circumstances and only subject to specific terms and conditions including, but not limited to, a timetable for achieving full compliance with all such conditions and for the completion of all required improvements and the receipt of a performance guarantee assuring the installation of the improvements as indicated on the approved plat or plan.

150-109 Violations. In case any building or structure is erected, constructed, reconstructed, altered, moved or converted; or any building, structure or land is used in violation of, or contrary to, the provisions of this ordinance, the township may institute an action to enjoin, or any other appropriate action or proceeding to prevent, such erection, construction, reconstruction, alteration, conversion or use. However, nothing in this ordinance shall be construed to restrict the right of any party to obtain a review by any court of competent jurisdiction according to law.

150-110 Penalties

A. Any person, firm or corporation that shall violate any provisions of this ordinance shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be fined such sum not exceeding five hundred (\$500.00) dollars, as such court in its discretion may impose; or, if the party so convicted be a natural person, such person may be imprisoned for such term not exceeding ninety (90) days, as such court in its discretion may impose, or be fined a sum not exceeding five hundred (\$500.00) dollars, as such court in its discretion may impose; or such natural person may be both imprisoned and fined not exceeding the maximum limits set forth herein, as such court in its discretion may impose. Each day that such violation continues beyond a ten

(10) day period following written notice by the construction official served by certified or registered mail or personal service shall constitute a separate offense.

- B. The owner of any building or structure, lot or land, or part thereof, and/or the tenant or occupant of any building or structure, lot or land, or part thereof, where anything in violation of this chapter shall be placed or shall exist or be suffered, allowed or permitted to exist; and any architect, builder, developer, contractor, agent, person or corporation engaged in connection therewith and who assists in the commission of such violation, shall each be guilty of a separate violation, and upon conviction thereof shall each be liable to the fine or imprisonment, or both, specified hereinabove.

150-111 Selling Land Before Final Subdivision Approval. If, before final subdivision approval has been granted, any person, as owner or agent, transfers or sells or agrees to transfer or sell any land which forms a part of a subdivision for which municipal approval is required in accordance with the provisions of this ordinance, except pursuant to an agreement expressly conditioned on final subdivision approval, such person shall be subject to the requirements of N.J.S.A. 40:55D-55.

Section 2. VALIDITY OF ORDINANCE

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective. If any Court of competent jurisdiction shall judge the transfer of development scheme contained herein to be invalid. Such scheme is herewith declared to be severable from therest of this Ordinance and the basic underlining zoning provisions contained in Section 150-15, 150-28 and 150-31 shall control within their respective zones.

Section 3. REPEALER

All sections of the Township Code which contain provisions contrary to the provisions of this Ordinance shall be and are hereby repealed, including but not limited to, the Zoning Ordinance of Cranbury Township as adopted on July 28, 1969 and amendments thereto; the Subdivision and Site Plan Review Ordinance of Cranbury Township as adopted December 19, 1977 and amendments thereto; and the Land Use Procedures Ordinance of Cranbury Township as adopted December 20, 1976, and amendments thereto.



Section 4. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication, and a filing of a copy thereof with the Middlesex County Planning Board, as provided by law.

The above Ordinance was introduced and passed on first reading at a meeting of the Cranbury Township Committee held on May 23, 1983 and will be considered on second reading and final passage at a regular meeting of the Township Committee of the Township of Cranbury to be held at the Cranbury Township Committee Meeting Room, Cranbury Elementary School, Main Street, Cranbury, New Jersey at 8:00 P.M. on July 25, 1983, at which time and place any persons interested therein will be given an opportunity to be heard.

ARTHUR C. ROMWEBER, Township Clerk

Approved:

WILLIAM C. MORAN, JR.
Township Attorney



