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The Land Subdivision Ordinance of Westminster

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**THE LAND**  
**SUBDIVISION ORDINANCE**  
**of the**  
**TOWNSHIP**  
**of**  
**BEDMINSTER**

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Revision of 1969

AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND STANDARDS GOVERNING THE SUBDIVISION OF LAND WITHIN THE TOWNSHIP OF BEDMINSTER, SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE PLANNING BOARD IN APPLYING AND ADMINISTERING THESE RULES, REGULATIONS AND STANDARDS, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING THE LAND SUBDIVISION ORDINANCE OF THE TOWNSHIP OF BEDMINSTER ADOPTED JUNE 21, 1954, AND HERETOFORE AMENDED AND SUPPLEMENTED

**ARTICLE I**

**SHORT TITLE**

This ordinance shall be known and may be cited as: The Land Subdivision Ordinance of The Township of Bedminster, Revision of 1969.

**ARTICLE II**

**PURPOSE**

The purpose of this ordinance shall be to provide rules, regulations and standards to guide land subdivision in The Township of Bedminster in order to promote the public health, safety, convenience and general welfare of the municipality. It shall be administered to insure the orderly growth and development, the conservation, protection and proper use of land and adequate provision for circulation, utilities and services.

**ARTICLE III**

**APPROVING AGENCY**

The provisions of this ordinance shall be administered by the Planning Board of the Township of Bedminster, which shall have the power of approval of all plats, acting in lieu of the Township Committee.

**ARTICLE IV**

**GENERAL DEFINITIONS**

**Agricultural Purposes.** Farming and related pursuits not including the erection, alteration, enlargement, occupancy or use of any building designed for or susceptible to occupancy for residential purposes.

**Circulation.** Provision for the movement of people, goods, water, sewage, or power by means of streets, highways, railways, waterways, airways, pipes, conduits, or other means, and including facilities for transit, transportation and communication.

**Construction Plat and Specifications.** The working plans and drawings of a subdivision prepared in accordance with the requirements of Article VI of this ordinance and used for the execution of the work required upon the lands and for the installation of improvements thereon.

**Design Layout.** A map of a subdivision, with related data, prepared in accordance with the requirements therefor as set forth in Article VI of this ordinance and submitted to the Planning Board for public hearing.

**Drainage right-of-way.** The lands required for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage in accordance with Chapter I of Title 58 of the New Jersey Statutes.

**Final Plat.** The final map of all or a portion of the subdivision which is presented to the Planning Board for final approval in accordance with this ordinance and which, if approved, shall be filed with the Somerset County Clerk.

**Governing Body.** The Bedminster Township Committee

**Lot.** A parcel or portion of land separated from other parcels or portions by description as on a subdivision or record of survey map or by metes and bounds, for purpose of sale, lease or separate use.

**Maintenance Guarantee.** Any security that is acceptable to the governing body to assure the maintenance of any improvement installed by a subdivider for a period of two (2) years after final acceptance of such improvement.

**Master Plan.** A composite of the mapped and written proposals recommending the physical development of the municipality which shall have been duly adopted by the Planning Board.

**Official Map.** A map adopted in accordance with the Official Map and Building Permit Act (1953) (R.S. 40:55-1.30 et seq.). Such a map shall be deemed to be conclusive with respect to the location and width of the streets, public parks and playgrounds, and drainage rights-of-way shown thereon.

**Owner.** Any individual, firm, association, syndicate, co-partnership, corporation, having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this ordinance.

**Partition** Any subdivision containing not more than two (2) lots fronting on an existing street, not involving any new street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Zoning Ordinance or this ordinance or any Master Plan or official map now or hereafter adopted.

**Performance Guarantee.** Any security which may be accepted pursuant to the provisions of N.J.S. 40:55-1.22 in lieu of a requirement that certain improvements be made before the Planning Board approves a plat, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

**Plat.** The map of a subdivision including, where appropriate to the context, Sketch Layout, Design Layout, Construction Plat and Specifications and Final Plat

**Sketch Layout.** A map of a subdivision with related data, prepared in accordance with the requirements therefor as set forth in Article VI of this ordinance, and presented to the Planning Board for discussion and review as the initial proposal of the subdivider.

**Street.** Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing state, county or municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action, or a street or way on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street lines.

**Subdivider.** Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under this ordinance to effect a subdivision of land hereunder for himself or for another.

**Subdivision.** The division of a lot, tract, or parcel of land into two or more lots, sites or other divisions of land, for the purpose, whether immediate or future, of sale or building development; except that the following divisions shall not be considered subdivisions within the meaning hereof; provided, however, that no new streets or roads are involved: divisions of land for agricultural purposes where the resulting parcels are three acres or larger in size, divisions of property by testamentary or intestate provisions, or divisions of property upon court order. Subdivision also includes resubdivision, and where appropriate to the context, relates to the process of subdividing or to the lands or territory divided

**Subdivision Committee:** Any three members of the Planning Board appointed by the Chairman with the approval of the Board to review subdivisions, pursuant to the provisions of N.J.S. 40:55-1.15.

## ARTICLE V

### PROCEDURE AND FEES

#### 1. Submission of Sketch Layout

(a) Any owner of land within The Township of Bedminster shall, prior to subdividing or resubdividing land, as defined in this ordinance, submit to the secretary of the Planning Board, at least two weeks prior to the regular meeting of the Board, three copies of an application for approval, together with twelve copies of a Sketch Layout, as herein defined, of the proposed subdivision for purposes of examination by the appropriate officials and agencies and for preliminary discussion.

(b) The secretary shall forward one copy of the application and of the Sketch Layout to (1) the Township Clerk and (2) the Township Engineer. The Township Engineer shall examine the Sketch Layout to determine as closely as possible whether in his opinion it meets the requirements of this ordinance and that the proposed subdivision as shown thereon is in conformance with the minimum standards and requirements of this ordinance and the Zoning Ordinance of the Township of Bedminster; and he shall thereupon file a written report of his findings and recommendations with the secretary of the Planning Board. No action shall be taken by the Planning Board in respect to approval or disapproval of such Sketch Layout until receipt of such written report. If the Sketch Layout is approved by the Planning Board, a notation to that effect shall be made upon one copy thereof which shall be returned to the subdivider for use in complying with the procedure hereinafter set forth in Sections 2, 3, 4, and 5 of this Article.

## **2. Submission of Design Layout**

(a) At least 12 prints of the Design Layout as herein defined shall be submitted to the secretary of the Planning Board at least three weeks prior to the Planning Board meeting at which consideration is desired.

(b) The secretary shall forward a copy of the Design Layout to the Township Clerk and to the Township Engineer. The Township Engineer shall examine such Design Layout as in the case of a Sketch Layout, and shall file a written report of his findings and recommendations with the secretary of the Planning Board. If the Township Engineer's examination reveals that the Design Layout lacks any of the data required under the terms of this ordinance, he shall so advise the subdivider, who shall thereupon make any appropriate additions or revisions, filing twelve copies of the same with the secretary of the Planning Board. After receipt of the written report of the Township Engineer, the report and the Design Layout shall be considered by the Planning Board.

(c) 1. A public hearing on a date set by the Planning Board shall be given to all interested persons before the Planning Board takes formal action in respect to approval or disapproval of the Design Layout.

2. The subdivider shall notify by registered mail at least ten days prior to the date set for the hearing by the Planning Board all property owners within 200 feet of the extreme limits of the subdivision as their names appear on the most recent Township tax records. The subdivider shall also notify, in accordance with the applicable statutes, the County Planning Board, the Clerk of any adjoining municipality, the Commissioner of Transportation, or any other official or agency upon which notice of such a hearing is required by law to be served. Said notice shall state the time and place of hearing, a brief description of the subdivision and that a copy of said subdivision has been filed with the Township Clerk for public inspection. Proof of mailing or of personal service of said notice shall be presented to the Planning Board at the time of the public hearing. The secretary of the Planning Board shall cause notice of the hearing to be published in the official newspaper or a newspaper of general circulation in the Township at least ten days prior to the hearing.

(d) Copies of the Design Layout shall be forwarded by the secretary of the Planning Board prior to the hearing to the following:

1. Somerset County Planning Board.
2. Township Engineer.
3. Secretary of Board of Health.
4. Such other municipal, county or state officials as

directed by the Planning Board.

(e) The Planning Board shall take action in respect to the approval or disapproval of a Design Layout after considering the results of the public hearing and the recommendations, if any, made by the County Planning Board, the Township Board of Health, the Township Engineer, and any other official or agency. If the Planning Board disapproves the Design Layout, the subdivider shall be advised, in writing if he so requests, of the reasons for such disapproval, and the Design Layout shall be further considered by the Planning Board only after the objections stated in such reasons for disapproval shall have been remedied. If the Planning Board approves the Design Layout, a notation to that effect shall be made thereon and signed by the Chairman, and a copy thereof shall be returned to the subdivider for use in complying with the procedure hereinafter set forth in Sections 3, 4, and 5 of this Article.

## **3. Submission of Construction Plat and Specifications**

a) At least five copies of the Construction Plat and Specifications, as herein defined, shall be submitted to the Secretary of the Planning Board at least three weeks prior to the meeting at which consideration is desired. The secretary shall forward a copy thereof to the Township Engineer, who shall examine the same to determine if in his opinion the proposals shown thereon are in compliance with the requirements of all Township ordinances and other applicable laws regarding such construction, are feasible and sound from an engineering standpoint, and are in conformity with the proposals shown on the Design Layout. The Township Engineer shall thereupon file a written report of his findings and recommendations with the Planning Board. No formal action shall be taken by the Planning Board until the receipt of such report. The Planning Board, where it deems it advisable before any formal action is taken, may require the approval of any other appropriate official, board or agency. Upon approval, the Construction Plat and Specifications shall be signed by the Chairman and returned to the subdivider for use in complying with the procedure hereinafter set forth in Sections 4 and 5 of this Article. Copies thereof shall be filed by the secretary with the Township Engineer, the Township Clerk and with such other officials, boards or agencies as shall be directed by the Planning Board.

b) Approval of the Construction Plat and Specifications shall constitute tentative approval and shall confer upon the subdivider the following rights for a three year period from the date of approval:

- (1) That the general terms and conditions under which the tentative approval was granted will not be changed
- (2) That the subdivider may submit on or before the ex-

piration date the whole or part or parts of the plat for final approval.

**4. Improvements or performance guarantees prior to Final Approval.**

No Final Plat shall be approved until all of the improvements required by the Planning Board pursuant to the provisions of Article VII of this ordinance have been completed, inspected and certified as satisfactorily completed by the Township Engineer, accepted by the Township, and if required by The Planning Board, a maintenance guarantee acceptable to the Township Committee has been posted; provided, however, that in the case of a road or street that has been completed except for the application of the surface course thereon, the Planning Board may grant approval of the Final Plat if the subdivider files with the Township Clerk a performance guarantee in an amount sufficient to cover the cost of such improvement as estimated by the Township Engineer, plus 15% of such cost to cover contingencies, assuring the satisfactory installation of such improvement on or before an agreed date. Such performance guarantee may be in the form of a performance bond which shall be issued by a bonding or surety company approved by the Township Committee; a certified check, returnable to the subdivider after full compliance; or any other type of surety approved by the Township Attorney. The performance guarantee shall be approved by the Township Attorney as to form, sufficiency and execution. Such performance guarantee shall run for a period to be fixed by the Planning Board but in no case, for a term of more than three years. However, with the consent of the owner and the surety, if there be one, the Township Committee may by resolution extend the term of such performance guarantee for an additional period not to exceed three years. The amount of the performance guarantee may be reduced by the Township Committee by resolution when portions of such improvement have been installed.

If the required improvement has not been installed in accordance with the performance guarantee, the obligor and surety shall be liable thereon to the Township for the reasonable cost of the improvement not installed and upon receipt of the proceeds thereof the Township shall install such improvement.

A maintenance guarantee for any improvement may be required by the Planning Board in a form acceptable to the Township Committee for a period not to exceed two years after final acceptance of the improvement in an amount not to exceed 15 per cent of the cost of the improvement.

**5. Submission of Final Plat**

a) The original tracing and seven copies of the Final Plat, together with application for approval thereof on forms prescribed by the Planning Board, shall be submitted to the secretary of the Planning Board for final approval within three years from the date of approval of the Construction Plat and Specifications; otherwise such approval shall become null and void. The secretary shall immediately deliver a copy of the application and of the Final Plat to the Township Clerk and the Planning Board shall act thereon within 45 days of such delivery, or within such further time as may be agreed to by the subdivider. The secretary shall also, forthwith upon receipt of the Final Plat, forward a copy thereof to the Township Engineer, who shall examine the same to determine if in his opinion it is in all respects accurate, meets the requirements of this ordinance and other applicable laws, and is in conformance with the Construction Plat and Specifications. The Township Engineer shall thereupon report his findings and recommendations in writing to the Planning Board. If the Planning Board disapproves the Final Plat, it shall return one copy thereof to the subdivider, stating its reasons for disapproval if approved, copies of the Final Plat shall be filed by the secretary of the Planning Board with (1) the Township Clerk, (2) the Township Building Inspector, (3) the Township Engineer, (4) the Township Tax Assessor, (5) the Somerset County Planning Board, and (6) such other official or agency as may be directed by the Planning Board.

b) The Final Plat, after its approval, shall be filed by the subdivider with the Somerset County Clerk within 90 days of such approval; otherwise, such approval shall expire, unless the Township Committee extends the time for filing for an additional period, not to exceed 90 days, and the Final Plat is so filed within such period of time.

**6. Submission of Plats to County Planning Board**

A copy of every application, plat, specifications or other document submitted to the Planning Board by a subdivider shall be forwarded by the secretary to the Somerset County Planning Board for its review, and if required by law, for its approval; and no action upon any plat shall be taken until either (1) a report thereon from the Somerset County Planning Board has been received and considered; or (2) the time has expired within which the Somerset County Planning Board is required by law to furnish such report. If after the initial submission of a subdivision application or plat to the Somerset County Planning Board, its written report indicates that the filing with it of any further documents in respect to such subdivision is unnecessary, no such filing shall thereafter be required.

**7. Waiver of requirements — Partitions and Boundary Lines**

In the case of an application for a partition as herein de-

fined, or for approval of a subdivision creating no additional lots but only adjusting or straightening the boundaries between adjoining owners, the Planning Board may waive any of the requirements governing the submission of a Sketch Layout, Design Layout, or Construction Plan and Specifications in respect to such application; but the Planning Board shall in such case require as a minimum that the subdivider comply with all of the provisions herein governing the preparation, submission and filing of a Final Plat for approval.

**8 Fees**

Upon submission of any plat for approval, the following fees shall be paid by the subdivider:

Sketch Layout:	\$50.00
Design Layout:	\$50.00 plus \$10.00 for each lot shown thereon
Construction Plat and Specifications:	\$100.00 plus \$20.00 for each lot shown thereon (If new street improvements are involved, an additional \$300.00 per lot to cover costs of inspection.)
Final Plat:	\$100.00 plus \$10.00 for each lot shown thereon.

**ARTICLE VI**

**PLAT DETAILS**

**1. Sketch Layout**

The purpose of the Sketch Layout is to afford the subdivider the opportunity of presenting his proposals to the Municipal Engineer and Planning Board for discussion. At least the following data must be presented:

- a) Scale no smaller than 1"=400'.
- b) Dimensions according to Tax Map.
- c) Contours at 20 ft. intervals secured from a photographic enlargement of the standard U. S. G. S. quadrant maps or similar sources.
- d) The location of that portion which is to be subdivided in relation to the entire tract, (Key Map)
- e) All existing structures and wooded areas within the portion to be subdivided and within 200 ft. thereof.
- f) The name of the owner and of all adjoining property owners as disclosed by the most recent Municipal tax records.
- g) All streets or roads, drainage rights-of-way and streams within 400 ft. of the subdivision
- h) Proposed lot and street lines roughly sketched with about 10% accuracy.
- i) Title Block, with at least the following information shown thereon; if not otherwise shown on the Sketch Layout:
  1. Title of map.
  2. Name of subdivision, if any.
  3. Tax Map sheet, block and lot number(s) of the tract to be subdivided as shown on the latest Tax Map.
  4. Acreage of tract to be subdivided to the nearest tenth of an acre.
  5. Date (of original and all revisions).
  6. Names and addresses of owner and subdivider, so designated.
  7. North point.
  8. Written and graphic scales

**2. Design Layout**

The purpose of the Design Layout is to transfer the proposals of the Sketch Layout to a precise base to verify their feasibility and merit before proceeding with construction engineering. The following data must be presented:

- a) A key map at a scale not smaller than 1"=1000' showing the relation of the portion to be subdivided to the entire tract, and the relation of the entire tract to its neighborhood for at least 1000 ft. beyond its boundaries.
- b) Proposed subdivision layout at a scale of 1"=100 ft., using a land survey as a base, and showing sections of street improvements and profiles in critical locations.
- c) Contours of 5-ft. intervals where slope exceeds 10%, and at 2-ft intervals where slopes are less.
- d) Names of all adjacent and facing owners within 200 ft. of any property line.
- e) All proposed lot lines, dimensioned in feet and tenths, and the areas of all lots in square feet. The areas and dimensions specified shall be accurate to within plus 5 per cent (e.g. a lot line specified as 250 ft. long may not be less than 250 ft. but may be as long as 262.5 ft)
- f) The location of existing and proposed set-back lines, streets within 200 ft. of the subdivision, buildings, water courses, railroads, bridges, culverts, drain pipes, and any natural features such as wooded areas and rock formations.
- g) Plans of proposed utility layouts (sewers, storm drains, water, gas, and electricity) showing feasible connections to existing or any proposed utility systems.
- h) Location of existing generally wooded areas and exact location of existing trees with a caliper of 9 inches or more in and within 25 ft. of street rights-of-way.

i) The locations of all stakes placed on the property to aid in on-site inspections. The stakes shall be placed at the center of all cul-de-sacs, at all street intersections and at such additional locations as the Planning Board may deem necessary. The locations indicated on the plat shall be accurate within 5 ft.

j) One percolation test plus one for each lot of the tract to be subdivided, unless immediate connection to a public sewer is planned.

k) A true copy of any existing or proposed covenants or deed restrictions applying to the land being subdivided; or certification that no such covenants or restrictions exist and none will be imposed upon the land by the subdivider.

l) Title Block, with at least the following information shown therein, if not otherwise shown on the Design Layout:

1. Title of map.
2. Name of subdivision, if any.
3. Tax Map sheet, block and lot number(s) of the tract to be subdivided as shown on the latest Tax Map.
4. Acreage of tract to be subdivided to the nearest tenth of an acre.
5. Date (of original and all revisions)
6. Names and addresses of owner and subdivider, so designated.
7. North point.
8. Written and graphic scales.

### 3. Construction Plat and Specifications

The Construction Plat is to serve as the working drawing which will be followed precisely in the preparation of the land for subdivision and for the installation of all improvements. It shall include at least the following:

a. All data required in the Design Layout, but dimensioned exactly with reference to monuments.

b. Location of proposed monuments.

c. Bearings, distances in feet and hundredths, radii, points of curvature and tangency of property lines, lot widths and depths, and acres in square feet.

d. Paving widths and locations, sections and profiles.

e. Dimensioned location of all underground facilities.

f. Dimensioned location of all required improvements above ground, e.g. sidewalks, shade trees, street signs, lights, etc.

g. All existing streets and streams within the proposed subdivision and within 500 ft. of the boundaries thereof, both the width of the paving and the width of the right-of-way of each street, and existing public easements and municipal borders within 500 ft. of the subdivision.

h. All existing structures, an indication of those which are to be demolished or removed, and the front, rear, and side yard dimensions of those to remain.

i. The boundaries, nature and extent of wooded areas and the location of extensive rock formations within the proposed subdivision and within 200 ft. thereof.

j. All proposed public easements or rights-of-way and the purposes thereof, and proposed streets within the proposed subdivision. The proposed streets shall show the right-of-way width.

k. The maximum anticipated extent of the areas of cuts and fills where grade changes are proposed, including those for streets.

l. The natural flow of surface drainage (indicated with arrows) and the final disposal of surface waters.

m. The location of existing and proposed watercourses, culverts, bridges, drain pipes, lakes and ponds.

n. The tops of the banks of all watercourses (if defined) and boundaries of the related flood plains (if defined).

o. Specifications, locations, profiles and detailed cross-sections of proposed storm drains, including all inlets and the size of the drainage area of each street, including grades, and all other improvements. These shall be signed by the Engineer and attached to the Plat.

p. Certification of approval of plans for drainage or watercourse diversion or that none is required by the State Water Policy Commission.

q. The locations of existing railroad rights-of-way (showing dimensions).

r. Name(s), signature(s), address(es) and license number(s) of the Engineer or Land Surveyor who prepared the Map. The plat shall bear the embossed seal of said Engineer or Land Surveyor.

s. Location and names of adjacent streets and proposed names of new streets.

t. All parcels proposed for either general or limited public use, such as parks, playgrounds, building sites; with a statement of the purpose of each.

u. Plans and profiles of proposed improvements and utility layouts (sewers, water, gas, electricity, etc.) showing feasible connections to any existing or proposed utility systems. If private utilities are proposed, they shall comply fully with all local, county and state regulations.

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stalled thereon. The Final Plat shall be drawn in ink on cloth, mylar, or equivalent material acceptable to the Township Engineer, and shall in all respects comply with the provisions of the Map Filing Law, N. J. S. 46:23-9.9 et seq. so as to be complete and suitable for filing in the Somerset County Clerk's Office. Each lot and block shown thereon shall be numbered as specified by the Township Assessor, and there shall be attached thereto an official Tax Search signed by the Township Tax Collector indicating that all taxes have been paid to date. All improvements built or installed within the subdivision shall be shown at their exact locations as so built or installed; and the Final Plat shall contain the certification of the engineer of the owner or subdivider, that all improvements required by this ordinance and by the Planning Board pursuant hereto, have been built or installed as shown on the Final Plat.

#### ARTICLE VII

##### 1. IMPROVEMENTS

Prior to the approval of the Final Plat, the Planning Board may require the installation of any or all of the following improvements, all of which shall be installed in conformance with the applicable provisions of this Article VII and of Article VIII of this ordinance governing design standards for improvements: paving and marking, curbs, gutters, street signs, sidewalks, bicycle paths, street lights, shade trees, topsoil protection, monuments, water mains and fire hydrants, storm drainage systems, sanitary sewers, retaining walls, ground cover, cribbing.

a) Gutters or paved swales shall be used wherever, in the judgment of the Planning Board, with the advice of the Municipal Engineer, they are necessary to avoid erosion.

b) No topsoil shall be removed from the site or used as spoil. Topsoil moved during the course of construction shall be redistributed so as to provide at least six inches of cover in all areas of the subdivision and shall be stabilized so as to remain in place.

c) Monuments shall be of the size and shape required by "The Map Filing Law" (R.S. 46:23-9.9 et seq.) and any other applicable statutes.

d) Water mains and fire hydrants, if required by the Planning Board with the recommendations of the Township Engineer, shall be installed where an approved public water supply is readily available, and in all other cases where a menace to health exists because of soil conditions unsuitable for septic tanks.

e) Sanitary sewers, when required by the Planning Board, shall be installed leading to a municipal plant or an approved package plant. When an individual water supply or sewage disposal system is proposed, the plan for such system must be approved by the appropriate local, county or state health agency.

f) Retaining walls, cribbing, ground cover, diversionary swales, and guard rails shall be installed as necessary to prevent erosion, hazard, and unusual problems of maintenance in steeply rolling terrain.

g) All of the above improvements shall be subject to inspection and approval by the Township Engineer who shall be notified by the subdivider at least 24 hours prior to the start of construction. No underground installation shall be covered until inspected and approved by the proper municipal official.

#### ARTICLE VIII

##### DESIGN STANDARDS

Subdivisions shall conform to the following requirements and principles of design:

##### 1. GENERAL

The design of the subdivision shall be in harmony with and in furtherance of the purposes set forth in Article 1 of this Ordinance and shall in all respects (including the extent, if any, to which access lanes are included in the layout) be subject to approval by the Planning Board in accordance with the procedure set forth in Article V of this Ordinance. The design of the subdivision shall conform in general to the Master Plan of the municipality and in detail to the Official Map of the Township, if any.

##### 2 DETAILED SPECIFICATIONS

###### 2.1 Streets, Sidewalks, Alleys

a) **Street Extensions.** The arrangement of collector and primary streets shall be such as to provide for the extension of existing collectors and primaries. Minor streets shall not be made continuous or so aligned that one subdivision adds to the traffic generated by a minor street in another subdivision.

b) **Design of Minor Streets.** Minor streets shall be either loops or, where necessitated by shape of a parcel of land, cul-de-sacs. Loops shall return to the same collector or primary, and be so shaped that there is no possibility for their use by traffic having neither origin nor destination on the loop. Other requirements and characteristics are shown on Diagram B, attached hereto and made a part hereof.

c) **Classification of Streets** In any major subdivision it shall be the duty of the Planning Board to classify proposed streets according to their types. In making a determination as to the classification of a particular street, the Planning Board shall take into consideration the provisions of the Master Plan, the existing and proposed conditions within the subdivision and the

area in proximity thereto, and shall use as a guide the following definitions:

(1) **A Minor (Local, Destination) Street** (design speed 25 mph) is one serving only single-family detached houses, and is either a cul-de-sac serving no more than 15 lots or a loop street, with both ends intersecting the same collector, serving no more than 30 lots. It shall be designed only for traffic having either origins or destinations on the street. If it can serve traffic having origin and destination other than on the street, it shall be considered a collector street.

(2) **A Collector (Feeder, Circulation) Street** (design speed 40 mph) is one gathering traffic from more than one minor or collector street and leading it to a primary street. Generally, no properties should have driveway access to a collector street. Even if laid out as a minor street, the street shall be considered a collector street if it serves, or can serve, either more than 30 lots, or, in the case of a cul-de-sac, 15 lots; or a use or uses other than residential.

(3) **A Major (Artery, Primary) Street:** Any federal, state or county highway, street or road intended to carry traffic through the Township or any municipal road intended to carry traffic among various neighborhoods in the Township or from such neighborhoods to destinations outside the Township, specifically including the following as realigned or extended where applicable: Pluckemin By-pass and Route 206, Rattlesnake Bridge- Black River Road, Lamington Road and Route 202, Pottersville Road, Fowler Road, unnamed parallel to Long Lane between Long Lane and Pottersville Road, Long Lane, Old Dutch Road, Holland Road, Larger Cross Road, unnamed parallel to Long Lane between Long Lane and Lamington Road, Cowperthwaite Road and its extension to Pottersville Road, Cedar Ridge Road, River Road, Kline's Mill Road, Bunn Road-Airport Road, Country Club Road.

d) **Lots Abutting Primary Highways.** In a subdivision abutting a major highway or primary street, one of the following shall be required:

(1) a marginal service road shall be provided along such major highway or primary street and shall be separated from it by a raised divider strip at least eight (8) feet in width, or

(2) the frontage shall be reversed so that the lots contiguous to such major highway or primary street will front on an internal street, with a buffer strip at least fifty (50) feet in width for planting provided along the major highway or primary street, or

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

e) **Lots Abutting Collector Streets.** No lot created by a subdivision shall abut a collector street only. Access shall be provided only by reverse frontage on a minor street or by a marginal service road, but no additional screening or set back is required.

f) **Table of Street Dimensions.** Street dimension requirements shall be not less than those shown on the following Table of Dimensions and on Diagrams C and D attached hereto and made a part hereof, unless otherwise indicated on the Master Plan or on the Official Map, if any.

**TABLE OF DIMENSIONS**

	Minor Residential	Collectors	Primaries
<b>Paving Widths:</b>			
One lane with turnouts	12 ft	—	—
No parking, or with lots			
½ acre or more	20 ft.	24 ft.	24 ft.
Parking one side	27	40	46
Parking two sides	34	40	46
<b>R.O.W. (Right of Way Width):</b>			
If no parking	50	60	80
If parking	50	70	100
Curb radii at intersections	25	35	35
Tangents between reserve curves	100	200	300
Radii to inside curb on curves	100**	500	1000
Sight distances at centerlines	200	300	500
Maximum dwelling units served	30*		
If cul-de-sac-	15*		
Maximum sight line at centerline	1000	3000	4000
Size of letters on street signs	4"	4"	6"
Acceleration-Deceleration lanes	—	200	350
Maximum centerline grades	10%	8%	6%
Minimum centerline grades	¾%	¾%	¾%
Maximum grades at intersection			
— 3% for distance from cross street of	50 (0)	100 (0)	100
Cul-de-sac ROW diameter	110		
Cul-de-sac paving diameter —except for 40' diameter circle	90		

\*Streets serving more houses or other types of residential living units than indicated must also follow "Collector's" standards.

\*\*Where, because of shape of tracts to be subdivided or topography, it is not feasible to adhere to a minimum radius of 100 feet, the minimum pavement shall be widened as the radius

decreases to accommodate the widened path of a turning vehicle, as follows:

Radius	Added pavement width
100'+	0 ft.
75-99	2
50-74	6
25-49	10

g) **Curved Minor Streets.** Curved minor streets are preferred to discourage speed and monotony. The maximum straight line between points on the centerline shall not exceed those specified on the Table of Dimensions.

h) **The Crown Slope.** The slope of the crown in minor streets shall not be less than one-quarter inch per foot nor more than one-half inch per foot in order to provide for proper surface drainage.

i) **Cut and Fill Slopes.** To prevent gulleying and erosion, street cuts and streets on fill shall be provided with side slopes no steeper than one vertical to two horizontal, or shall be equipped with cribbing, loose concrete blocks, or other form of retaining wall. Such slopes, including cribbing and blocks, shall be suitably planted with perennial grasses or other vegetation in accordance with a plan approved by the Planning Board, and shall be maintained to the satisfaction of the Municipal Engineer for a period of two years following final acceptance of the street.

j) **Limit of Improvements.** The subdivider shall improve all streets to the limits of the subdivision.

k) **Street Names.** Street names and subdivision names shall not duplicate or nearly duplicate the names of existing streets or subdivisions in the Township or in surrounding communities, and shall be subject to the approval of the Township Committee. The continuation of an existing street shall have the same name.

l) **Alleys.** The following shall apply to the design and location of alleys:

(1) Public alleys shall not be permitted in residential developments except by permission of the Planning Board. Where public alleys are permitted in residential developments, they shall be twenty (20) feet wide and paved for the full width.

## 2.2 Street Intersections

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

b) **Spacing.** Only one point of access and egress may be allowed each lot except where such lot has a road frontage of at least 1000 feet. In such case, streets shall not enter the same side of collector streets at intervals of less than 800 feet, primary streets at intervals of less than 1200 feet, or through-ways at intervals of less than two thousand feet; measured from centerline to centerline. Streets which enter a minor or major street from opposite sides shall be directly opposite to each other or, if necessary, in the opinion of the Planning Board, they shall be separated by at least 150 feet between their centerlines measured along the centerline of the intersected street.

c) **Approaches.** Approaches of any collector street to any intersection of another collector street or a primary street shall follow a straight line course within 100 feet of the intersection.

d) **Extra Widths.** Where a non-residential collector street or a collector street serving more than 100 lots intersects with another collector street or a primary street, both the right-of-way and the pavement shall be widened by 24 feet for a distance of 200 feet back from the intersection of the centerlines of both streets as shown on Diagram E attached hereto and made a part hereof.

e) **Sight Triangles.** In addition to right-of-way widths required for full length of streets and wider intersections as specified above, easements for sight rights at intersections in the shape of triangles and in a form approved by the Township Attorney shall be dedicated to cover the area bounded by the right-of-way lines and a straight line connecting "sight points" on street centerlines which are the following distances from the intersection of the centerlines:

(1) Where a minor street intersects another minor street, 90 feet.

(2) Where a minor street intersects a collector street, 90 feet on the minor street and 200 feet on the collector street.

(3) Where a minor street or a collector street intersects a primary street, 90 feet on the minor street or collector street, and 300 feet on the primary street.

f) **Property Access.** 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 the "Extra Widths" or "Sight Triangles" as specified above.

g) **Street Signs.** Street signs shall have reflectorized white letters on a green background. Letters shall be 4 inches high except those marking collector streets along arterials, which shall be 6 inches high. Signs shall be placed 8 feet back from the curb or pavement. At the discretion of the Planning Board similar Neighborhood or Directional signs, with letters 8 inches high, may be permitted.

## 2.3 Curbs

Straight-face curbs constructed of either 3000 lb. concrete or Belgian block, shall be installed:

(1) On the radii of all intersections and back from intersections far enough to meet sight triangle lines.

(2) Wherever the grade is 8% or greater.

(3) Wherever parking is permitted as shown on Diagram C attached hereto and made a part hereof.

(4) Wherever, in the judgment of the Planning Board on the advice of the Municipal Engineer, curbs are necessary to control storm water and prevent erosion.

In other locations, mountable curbs of an approved design shall be installed. These may be "rolled" curbs or curbs with sloping sides 45° or flatter, so that cuts are not necessary for driveways. Curbs may be omitted as noted on Diagram C, attached hereto and made a part hereof.

#### 2.4 Culverts

Culverts shall have headwalls and railings, where necessary, placed on street right-of-way lines unless the stream flow is adjudged minor by the Planning Board and the Township Engineer. In such case, at the option of the subdivider, pipes may be extended no less than 25 feet beyond the street right-of-way line, and a single headwall may be built to grade on the upstream side without a railing. Intruding curbs and abutments shall not be installed near the paving line.

#### 2.5 Sidewalks.

The Planning Board may require the installation of sidewalks in locations designated by it, in accordance with the following standards:

(1) No sidewalks shall be required on a minor residential street whereon the lots average one acre or more each in area.

(2) No sidewalks shall be required continuously on any street which is more than 2 miles from a school site either existing or shown on the Master Plan.

(3) On collector and primary streets within 2 miles of school sites, sidewalks shall be required on one side in residential areas, and on both sides in non-residential areas.

(4) As required by the Planning Board, sidewalks may be either 6 feet wide on one side of a street or 5 feet wide on both sides thereof, and shall be constructed of either 4-inch concrete with continuous reinforcing, or 3-inch stone base and 2-inch rolled black top, or 3½-inch plant mix approved by the Municipal Engineer.

(5) Sidewalks installed by the subdivider on one side of the street only, shall be placed one foot within the boundary of the dedicated right-of-way line of the street, and the vehicular paving shall be centered upon the area remaining between the inner (street) edge of such sidewalk and the opposite right-of-way line of the street.

#### 2.6 Lots

a) **Lot Size.** The minimum lot size shall be not less than that required by the Zoning Ordinance of the Township of Bedminster as presently in force or as may from time to time be amended and supplemented.

b) **Lot and House Numbers.** House and Lot numbers shall be assigned each lot by the Municipal Engineer with the advice of the Assessor.

c) **Side Lot Lines.** Insofar as is practical, side lot lines shall be at right angles to straight streets and radial to curved streets.

d) **Lot Frontage and Width.** In all lots, whether or not of an irregular shape, it must be possible to inscribe a circle of a diameter equal to the minimum lot width specified in the Zoning Ordinance, as shown on Diagram F attached hereto and made a part hereof.

e) **Lot Line on Widened Streets.** Where extra width is provided for the widening of existing streets, lot measurements shall begin at such extra width line and all setbacks shall be measured from such line unless otherwise provided by the Zoning Ordinance.

f) **Unsuitable Lots.** All lots shall be adaptable for the purpose for which they are intended to be used without danger to health or peril from flood, fire, erosion, or other menace.

g) **Storm Drainage.** Lots shall be graded to secure proper drainage and to prevent the collection of storm water in pools. Grading shall be performed in a manner which will minimize the damage to or destruction of trees growing on the land. Topsoil shall be redistributed on the surface as cover and shall be stabilized by seeding or planting. Catch basins, curbs, culverts, and storm sewers shall be installed where required by the Planning Board, and to the satisfaction of the Municipal Engineer.

h) **Structure Location and Driveways.** All lots shall be such that a structure conforming to the intended use and setback requirements of the Zoning Ordinance can be constructed in an area of the lot that is (1) subject to flood at a frequency of less than 25-year intervals, (2) at an elevation of more than 5 feet above mean water level of an adjacent stream or drainage course, and (3) otherwise in conformity with the provisions of the Zoning Ordinance and all other ordinances or regulations of the Township and any other governmental authority.

Any structure must be accessible by means of a paved driveway not less than 10 feet wide and having a grade not in excess of 12%. Driveways and any related parking and turn-around areas shall be designed and installed so as to prevent the necessity of any vehicle's backing out of such driveway into the street.

## 2.7 Easements

a) **Utility Installation Easements.** Easements at least 25 feet wide for utility installations may be required in such locations as shall be determined by the Planning Board.

b) **Drainage Easements** If the property on which a proposed subdivision is to be located is traversed by a water course of any kind, including but not limited to, a channel or a stream, the Planning Board may require that a storm water and drainage easement along said water course be provided by the subdivider. The land which is the subject of such easement shall be a strip, which conforms substantially to the flood plain of such water course along both sides of the water course, or extends along both sides of the water course to a width of 50 feet in each direction from the centerline of the water course, or is not less than any encroachment line established by a competent governmental authority, whichever is the greater; except, however, that if the location of such water course is at or near the boundary of the subdivision, the dimensions of the easement shall be modified so as to limit it to the confines of the subdivision. Said easement shall be in a form approved by the Township Attorney and shall include provisions assuring the following: preservation of the channel of the water course; prohibition of alteration of the contour, topography or composition of the land within the easement; prohibition within the boundaries of the easement of construction which will obstruct or interfere with the natural flow of the water course; and a grant to the Township of a right of entry for the purpose of maintaining the natural flow or drainage of the water course, of maintaining any and all structures related to the exercise of the easement and of installing and maintaining a storm or sanitary sewer system or other public utility.

c) **Conservation Easements.** Easements may be required along all drainage and storm water rights-of-way in the subdivision and may be required also along all streams or other water courses along which drainage rights-of-way are not required. Such easements are intended to help prevent the siltation of streams and other water courses and the erosion of stream banks, other water courses and adjacent lands. The land subjected to a conservation easement shall be a strip at least 25 feet in width running adjacent to each side of the required drainage or storm water rights-of-way or adjacent to each side of the stream if no drainage right-of-way is reserved. Such conservation easement shall contain provisions to restrict the removal of trees and ground cover except for the following purposes: removal of dead or diseased trees, thinning of trees and other growth to encourage the most desirable growth, removal of trees to allow for structures designed to impound water, and removal of trees in areas to be flooded for the creation of ponds or lakes. The easement shall also prohibit filling or grading of the land or the disposal or refuse or waste material of any type within the limits of the easement. The easement shall be indicated on the plat and shall be marked on the land by iron pipes wherever the lines of such easement change direction or intersect lot lines.

## 2.8 Areas for Public Use

a) Any land shown on the Master Plan as intended for parks, playgrounds, school site, or other public use shall be designated and reserved for such use. The Planning Board shall be permitted to reserve any such land for public use in accordance with the provisions of N.J.S. 40:55-120.

b) Wherever possible, subdividers shall preserve trees, groves, waterways, scenic points, historic spots, and other community assets and landmarks.

## 2.9 Buffer Areas

If a subdivision abuts an area zoned for a use different from the use permitted in the area of the subdivision, the Planning Board shall consider the possibility of providing a separation to promote the public safety and general welfare of the Municipality, and where feasible shall require that the lots within such a subdivision be so laid out that the rear yards of such lots abut any area zoned other than for residential use.

## 2.10 Utilities

a) All properties shall be connected to a sanitary sewer system and to the public water supply if available.

b) Installation of all sewer, water and other utilities shall be in strict accordance with the engineering standards and specifications of the Municipal Engineer, Municipal Authority, or utility company concerned.

c) Electric and telephone lines shall either be underground or located on rear property lines with as few street crossings as possible.

## 2.11 Shade Trees

Unless a special plan has been worked out with the Planning Board in collaboration with the Shade Tree or Park Commission, if any, the developer shall plant, maintain for two years after acceptance, and replace where necessary, shade trees which shall be selected by the Planning Board from a list entitled "Excerpts from TREES FOR NEW JERSEY STREETS, New Jersey Federation of Shade Tree Commissions, 1965 Edition" a copy of which list shall be filed with the Township Clerk and shall be available for inspection. Such trees shall be a minimum 2-inch caliper, staked and guyed, and planted 50 feet apart as shown on Diagram C attached hereto and made a part hereof; and shall be located.

if no sidewalk is required, two feet within the street right-of-way line. Where desired for special interest or shelter purposes, evergreens may be substituted for deciduous plants on the north and northwest sides of streets, and smaller decorative trees, such as dogwoods, may be used in any subdivision. At least two trees shall be planted in the center island of all cul-de-sac turn-arounds.

#### ARTICLE IX

##### PENALTY

If, before final approval has been obtained, any person transfers or sells or agrees to sell, as owner or agent, any land which forms a part of a subdivision on which, by ordinance, the Planning Board is required to act, such person shall be subject to a fine not to exceed two hundred dollars (\$200.00) or to imprisonment for not more than thirty days and each parcel, plot or lot so disposed of shall be deemed a separate violation.

In addition to the foregoing, if the streets in the subdivision are not such that a structure on said land in the subdivision would meet requirements for a building permit under section three of the Official Map and Building Permit Act (1953) the township may institute and maintain a civil action:

(a) For injunctive relief  
(b) To set aside and invalidate any conveyance made pursuant to such a contract or sale if a certificate of compliance has not been issued in accordance with section twenty-four of Chapter 433 of the Laws of 1953.

In any such action the transferee, purchaser or grantee shall be entitled to a lien upon the portion of the land from which the subdivision was made that remains in the possession of the subdivider or his assigns or successors, to secure the return of any deposit made or purchase price paid, and also a reasonable search fee, survey expense and title closing expense, if any. Any such action must be brought within two years after the date of the recording of the instrument of transfer, sale or conveyance of said land, or within six years if unrecorded.

#### ARTICLE X

##### VALIDITY

1. If any article, section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

#### ARTICLE XI

##### ADMINISTRATION

1. 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 of Bedminster. Any action taken by the Planning Board under the terms of this ordinance shall give primary consideration to the above mentioned matters and to the welfare of the entire community. However, if the subdivider or his agent can clearly demonstrate that, because of peculiar conditions pertaining to his land, the literal enforcement of one or more of these regulations is impracticable or will exact undue hardship, the Planning Board may permit such variance or variances as may be reasonable and within general purpose and intent of the rules, regulations and standards established by this ordinance.

No relief may be granted or action taken under the terms of this section unless such relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of any zone plan now or hereafter adopted and the township zoning ordinance.

2. All ordinances or parts of ordinances, other than the Zoning Ordinance of the Township of Bedminster, which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency; and the ordinance known as "The Land Subdivision Ordinance of the Township of Bedminster," adopted June 21, 1954, as heretofore amended and supplemented, is specifically repealed.

3. This ordinance shall take effect immediately upon passage and publication according to law.

Albert E. Winkler, Mayor

Attest:  
Frank P. Robertson  
Township Clerk

##### NOTICE

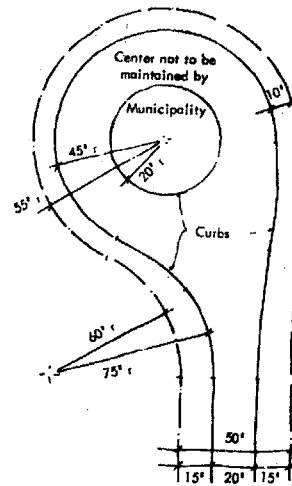
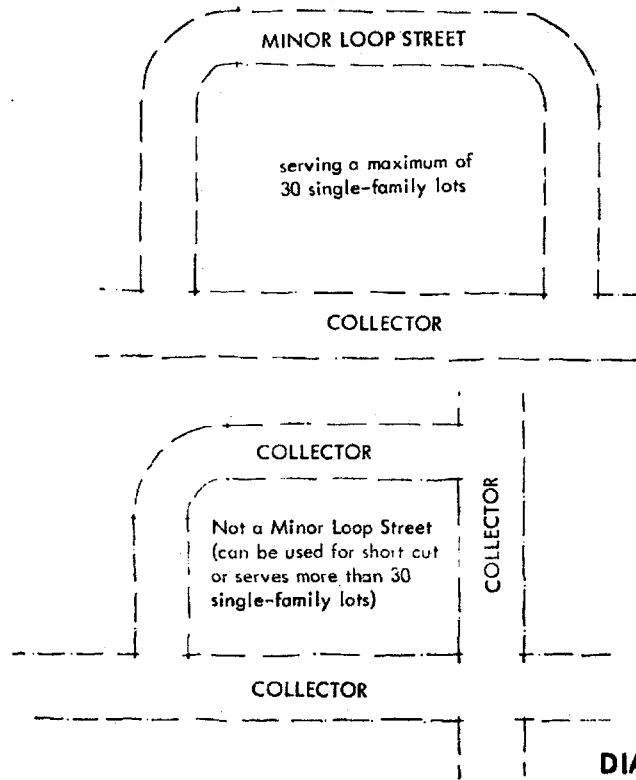
Notice is hereby given that the foregoing ordinance was introduced at a meeting of the Township Committee of the Township of Bedminster on the 3rd day of November, 1969 and passed on first reading; and the same was then ordered to be published according to law; and such ordinance will be further considered for final passage at a meeting of the Township Committee, to be held at the Municipal Building, Bedminster, in said Township, on the 1st day of December, 1969 at 8:15 p.m., at which time and place or at any time or place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

By order of the Township Committee.

Frank P. Robertson  
Township Clerk

\$839.25

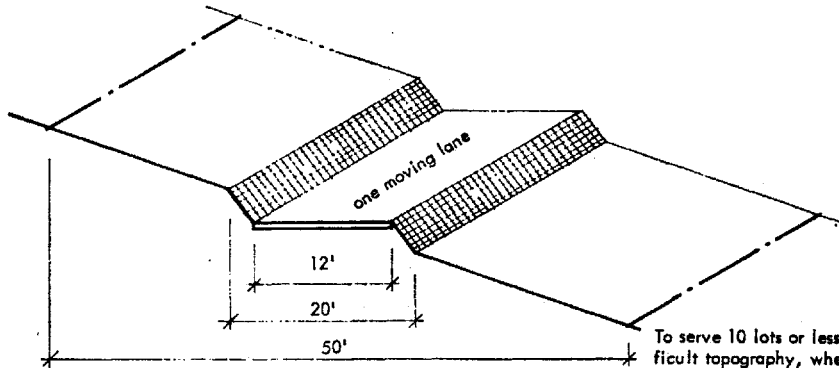
46-1t-Nov. 13



PREFERRED CUL-DE-SAC DESIGN  
Serving a maximum of 15 single-family lots.

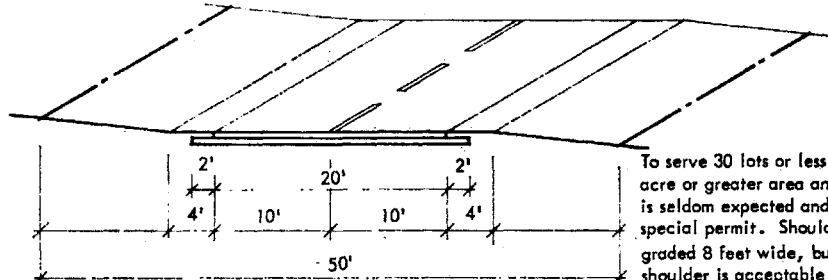
**B**  
DIAGRAM OF MINOR STREET TYPES

# C DIAGRAM OF STREET SECTIONS



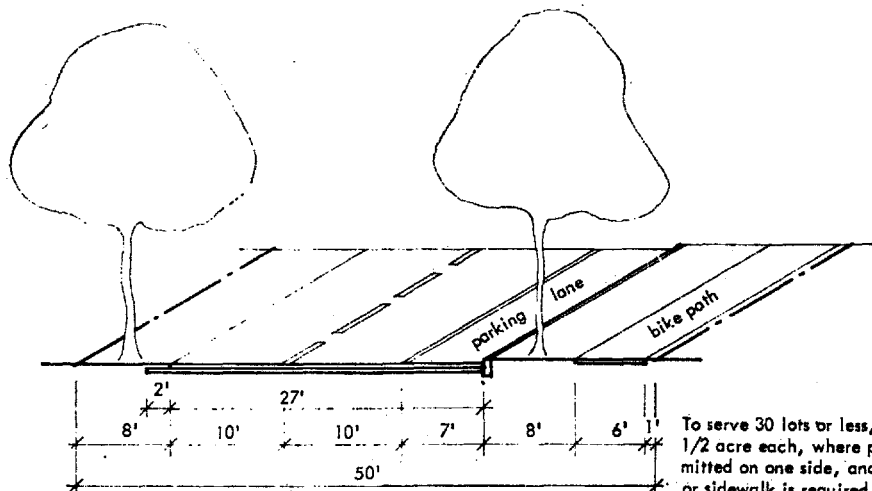
**MINOR RESIDENTIAL LANE**

To serve 10 lots or less in areas of difficult topography, where transverse slope exceeds 15%. Must be one way, one lane, with turnouts.



**MINOR RESIDENTIAL  
Large Lots**

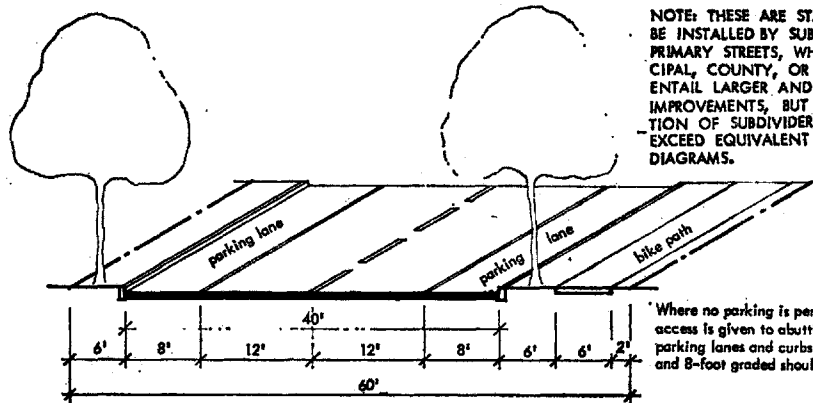
To serve 30 lots or less, each of 1/2 acre or greater area and where parking is seldom expected and is granted a special permit. Shoulder should be graded 8 feet wide, but a 4-foot shoulder is acceptable in difficult topography or to preserve trees in wooded terrain.



**MINOR RESIDENTIAL  
Small Lots**

To serve 30 lots or less, smaller than 1/2 acre each, where parking is permitted on one side, and a bike path or sidewalk is required.

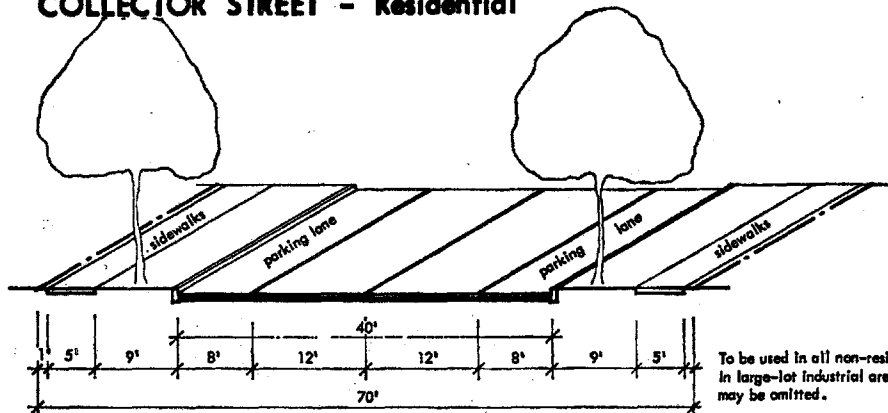




NOTE: THESE ARE STANDARDS TO BE INSTALLED BY SUBDIVIDERS. PRIMARY STREETS, WHETHER MUNICIPAL, COUNTY, OR FEDERAL, MAY ENTAIL LARGER AND HEAVIER IMPROVEMENTS, BUT PARTICIPATION OF SUBDIVIDER WILL NOT EXCEED EQUIVALENT OF THESE DIAGRAMS.

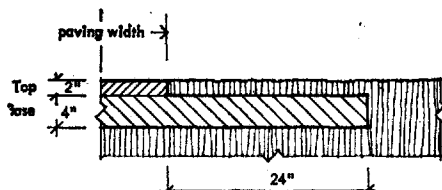
Where no parking is permitted and no access is given to abutting property, parking lanes and curbs may be omitted, and 8-foot graded shoulders substituted.

**COLLECTOR STREET - Residential**

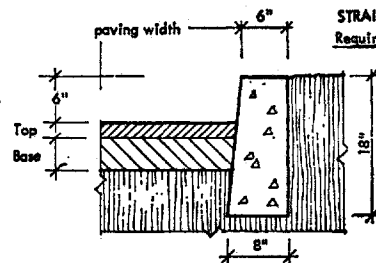


To be used in all non-residential areas. In large-lot industrial areas sidewalks may be omitted.

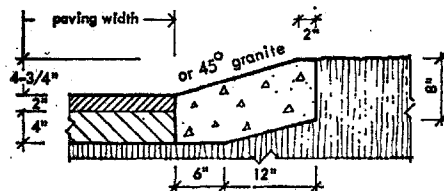
**COLLECTOR STREET - Commercial**



**NO CURB** Acceptable where grades are less than 5% and no erosion problems exist.



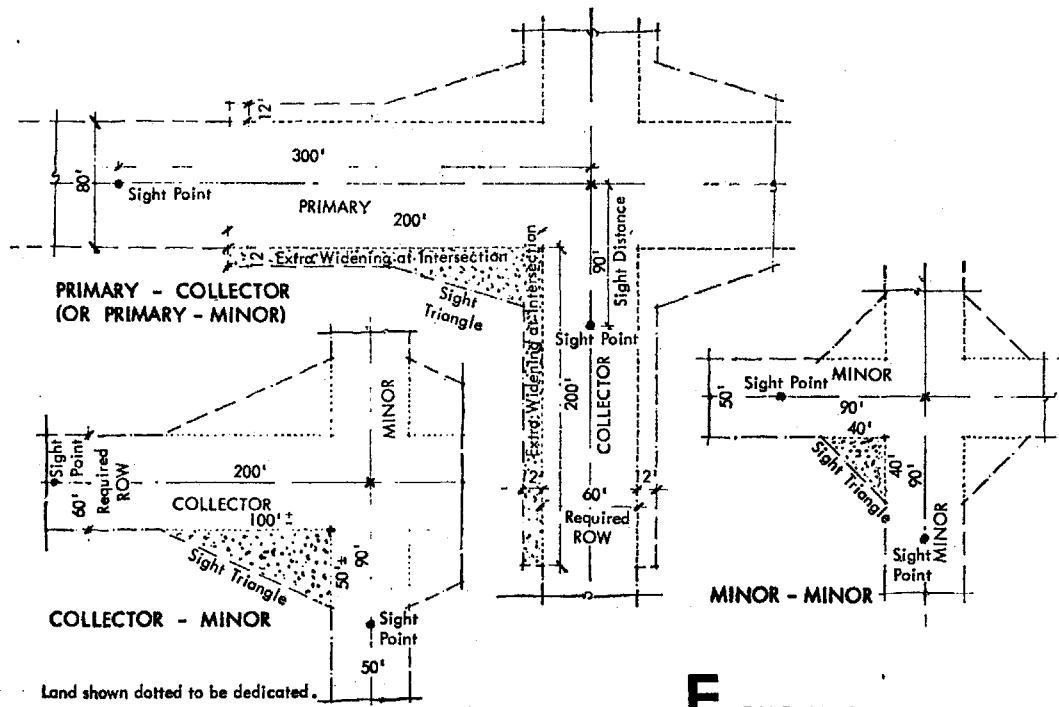
**STRAIGHT-FACE CURB**  
Required at all intersections if extensive residential parking expected in all non-residential areas where grades exceed 8% wherever erosion must be controlled.



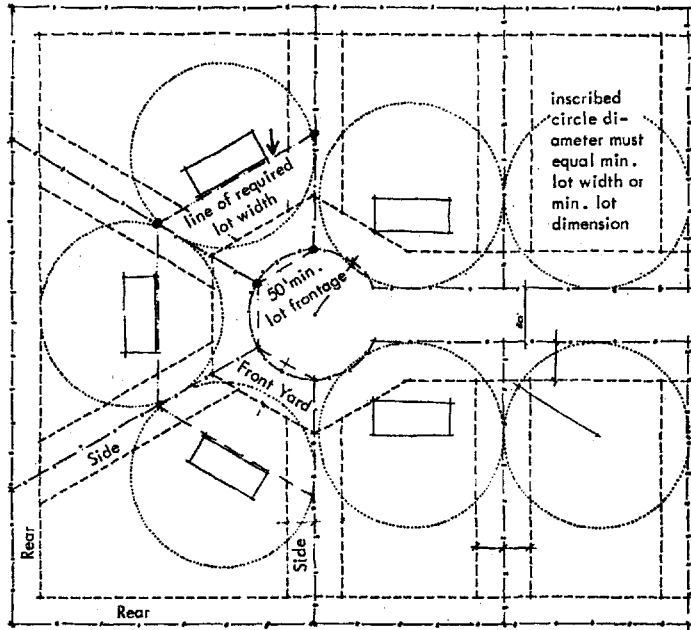
**MOUNTABLE CURB** Required where grades are less than 8% and erosion is probable.

**EDGE TREATMENT OF PAVEMENTS**

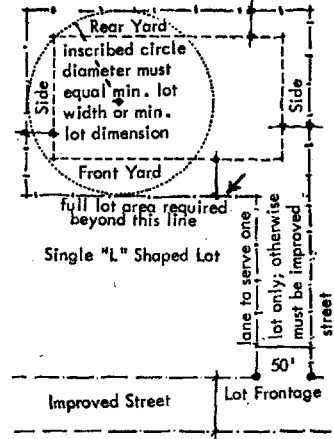
**D**



**E** DIAGRAM OF INTERSECTIONS



ILLUSTRATIVE DIAGRAMS OF CORNER OR IRREGULAR LOT TREATMENT



**F**

- building line
- property line
- required yard lines
- Req'd inscribed circle line