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- MASTER PLAN, BEDMINSTER TOWNSHIP

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MASTER PLAN

Bedminster Township, New Jersey

14 November 1977

PREAMBLE

A Master Plan is a general guide for the orderly growth, development, and preservation of a community. It consists of a number of elements: land use, housing, circulation, employment, utilities service, community facilities, recreation, environmental protection, and conservation. The Master Plan contains the fundamentals of the understanding between the citizens and their government as to future community development. Unlike other documents such as the Official Map, Zoning Ordinance, and Development Regulations, it is not a regulatory document with the effect of law. New Jersey's Municipal Land Use Law, however, requires that each township create such a basic plan. The Master Plan establishes the overall pattern within which more specific ordinances and regulations must fit. For example, a Zoning Ordinance is now required to be consistent with the Land Use Plan element of the Master Plan.

A Master Plan, once adopted by the Planning Board, also serves to guide capital expenditures of the Township. Actions necessitating the expenditures of capital funds are to be examined against the Master Plan. Thus, through the years, the Master Plan serves as a guide for community development.

Community objectives as established by the Planning Board and Township Committee, by this reference, are made part of the Plan, as is the attached map.

As the blueprint for the future growth and development of a community, the Master Plan is not a static entity; but rather, as required under the New Jersey Municipal Land Use Law, must be re-examined at maximum intervals of every six (6) years to insure it reflects the needs and objectives of the community and its people.

This Master Plan has taken notice of certain social facts. The Northeastern United States has lost population and jobs to other parts of the nation for the last seven years with no reversal of this trend yet apparent. This has resulted in decreased density mostly in the cities whose lowered density begins to make possible qualitative rehabilitation in order to attract new persons back to urban areas. Furthermore, consistent with the objectives of Bedminster, the policies of federal and state funding agencies as well as regional planning bodies, are directed towards improving and consolidating existing infrastructure, such as sewerage, potable water and other utilities. This is particularly important at this time when a downturn in the region's population and in the number of available jobs, coupled with looming shortages and increased costs of energy, make any unessential development wasteful and socially irresponsible.

I. GENERAL OBJECTIVES

For more than 40 years, Bedminster Township has carefully and responsibly charted its development. Citizens of this rural community have husbanded the environmental resources of the Township so that they could serve regional social purpose. It is clear that private ownership of open space is essential to New Jersey's future because the State cannot afford to own sufficient open land. Bedminster considers its present- and future- residents to be stewards of the land, water and air. It intends to draw sparingly on its natural resources to insure their vitality and usefulness for future generations.

Therefore Bedminster seeks- and has sought continuously- to minimize the environmental impact from development within the Township's borders; and to isolate and contain developments, such as Interstate Highways 78 and 287, that are unfortunately located on environmentally sensitive areas. The Township does not intend to allow in these corridors the urban facilities that are commonly associated with major highways in less sensitive areas.

The Township strives for a harmonious relationship between man and his works and nature. This Master Plan clearly reflects the need to limit development on the poor quality soils, and the "critical areas" within the township, in order to avoid costly mistakes in terms of dollars and degradation of the environment. Bedminster regrets the excessive impacts caused by random Federal and State projects and legislation.

In accordance with N.J.S.A. 40:55D-2 it is recognized that development and use of land in Bedminster Township should, among other things, serve:

To promote the public health, safety, morals and general welfare;

To ensure that development of Bedminster does not conflict with the general welfare of neighboring municipalities, Somerset County and the State as a whole;

To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, and communities, and to the preservation of the environment;

To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational and commercial uses and open space, both public and private, according to their respective environmental requirements, in order to meet the needs of all of the residents of the township.

To promote the conservation of open space and valuable natural resources such as a public water supply derived from the Raritan River, and

To prevent degradation of the environment through improper use of land.

It is further recognized that, in accordance with the Somerset County Master Plan of Land Use, zoning and land use practices in Bedminster Township must be designed to protect the water quality of the streams flowing through Bedminster because of the present use of the Raritan River for public water supply, and because of the State's prospective creation of the Confluence Reservoir.

The extent to which the North Branch of the Raritan River can or should accept additional effluent without causing degradation of the water quality below established standards, will not be determined until completion of the 303(e) Basin Plan and the 208 Area-wide Water Quality Management Plan of the North Branch of the Raritan River as required by the Federal Water Pollution Control Act amendments of 1972, P.L. 92-500, 33 U.S.C.A. Sec. 1251, et seq., and by L.1977, c. 75, N.J.S.A. 58:11A-1 et seq. A permit to operate any treatment system will not be issued by the Department of Environmental Protection unless such plant would conform to the Area-wide Water

Quality Management Plan, L.1977, c. 74, N.J.S.A. 58:10A-1, et seq. and L. 1977, c. 75, N.J.S.A. 58:11A-1, et seq. Present indications are that it will be several more years before the Basin Plan and the Area-wide Water Quality Management Plan are completed and approved.

Under these circumstances, and based upon independent water quality studies undertaken by the Township, it is the judgment of the Planning Board that further development in Bedminster should, until the Basin Plan and Area-wide Water Management Plan are approved, be limited to such densities, concentrations, and locations as will permit on-site waste disposal without degradation of ground water quality.

Bedminster recognizes its obligation to provide an opportunity for the construction of its fair share of dwelling units for low and moderate income families, consistent with the environmental constraints of the Township. This Master Plan makes ample provision for accommodating a variety of housing types.

II. LAND USE PLAN

Objectives:

A. Residential Districts: To make housing possible for persons of all economic levels within the constraints of the environment; to protect natural resources and prevent flooding or degradation of downstream water quality.

No residential development should be permitted in areas where slopes exceed 15% or where wet lands and flood plains are located. In areas where soils are highly erodible, of prime agricultural value, or where water tables are high and depth to bedrock shallow, careful attention should be given to the extent and location of all structures. Accordingly residential land use development should be guided by the following considerations:

1. The Township's Natural Resources Inventory confirms the basic pattern for the residential areas of Bedminster. This pattern should be preserved by:

(a) continuation of environmentally-based zoning;

(b) the containing of commercial and other non-residential areas with natural boundaries with effective buffer screening;

(c) channeling of traffic to major routes, and its discouragement on local roads and in residential areas; and,

(d) use of appropriate measures to establish and preserve open spaces.

2. Development patterns within the Township are constrained due to the artificial boundaries established by I-78 and I-287.

3. Sanitary problems have arisen in certain areas due to the poor quality soils underlying a large portion of the Township. Land use patterns must be adjusted accordingly.

4. The Township recognizes that:

(a) Our average life span has lengthened from 42 to 72 years in this century;

(b) The birth rate is decreasing and the population is declining in the Northeastern part of the United States;

(c) Our children are forming independent households earlier;

(d) There is a continuing shrinkage of family size;

(e) The Township has an obligation to permit a full range of housing accommodations;

(f) Energy resources are limited and are becoming increasingly more costly.

Accordingly, these considerations necessitate some evolution of our residential patterns. A balanced response to the present demographic facts in certain areas, approximately equal numbers of one, two, three and four bedroom dwelling units. In order to provide the opportunity for both our children and our late middle-aged couples and singles to remain in their home community, a proportion of small dwelling units must be included in the permitted residential mix. Each neighborhood grouping should have integral usable open space for outdoor recreational activities of all age groups.

Because of (a) existing transportation arteries, (b) the existence of residential support facilities, (c) the least handicapped area for expansion of existing utilities, (d) the availability of land within the boundaries of I-287 and the steep slopes of the Watchung Mountains at the eastern Township boundary, the Pluckemin area is the most appropriate in the Township for the enlarged Village Neighborhood as defined and at a density consistent with the existing Somerset County Master Plan. Lack of land and other essential conditions in Bedminster Village limits the growth potential of that area.

Within the Village Neighborhood, which includes some existing houses, several scattered "Compact Residential Clusters" of higher density should be permitted, to meet the mandate of the New Jersey Supreme Court's decision in Oakwood at Madison v. Township of Madison, 72 N.J. 481.

B. Business Districts

Objectives: To provide essential consumer services to residents of the Township; to contain business activities substantially within their present boundaries; to provide for adequate and safe vehicular access, adequate parking, and adequate loading facilities; to provide adequate pedestrian amenities; and otherwise to encourage the development, within the business district, of functional and aesthetic qualities in harmony with the character of the Township.

Various principles concerning a neighborhood business district are recognized:

1. Bedminster's business districts are designed for neighborhood commercial uses only - small retail and service establishments designed to serve residents of the Township.

2. Strip commercial development along major highways is hazardous and results in the deterioration of surrounding areas. Provision for roadside restaurants, stores and facilities catering to transient traffic, such

as are currently found on U.S. Routes 1, 22 and 17, has been considered and found incompatible with the development philosophies of Bedminster Township and is specifically excluded by this Plan.

3. The Business Districts, in the villages of Bedminster and Pluckemin must be attractive. Prospective customers are conscious of appearance. Also, scale of the establishment is important to maintain the village character.

Certain specific actions and measures, such as the following, are necessary to implement the principles set forth above.

(a) Confining business activity to the provision of retail goods and personal services essential to support nearby residential facilities and the exclusion of any enterprises which export product services, or administration beyond the local residential trading areas;

(b) Strict control of signs and lights, and exclusion of all advertising signs and billboards that advertise off-site products or services;

(c) Shielding and landscaping of all business buildings and all objectionable sights, such as parking lots for customers' cars and commercial vehicles, and loading and unloading spaces;

(d) Exclusion of outside display of all merchandise, excepting on gasoline pumps and cans of lubricating oil;

(e) Review and approval of plans for all structures and alterations the Planning Boards before a building permit is issued to insure quality of design and harmony with the environment, consistent with the character and best interests of the Township.

C. Research and Office Districts

Objectives: To make possible the convenience of nearby prime employment for local residents by providing for a minimum number of administrative, research, development and non-manufacturing organizations. The Township does not want additional corporate headquarters or regional service and administrative centers.

III. HOUSING PLAN

Objectives:

Any development west of I-287 and Routes 202-206 should be sparsely rural settlements with large open spaces for agricultural use and preservation of critical areas. Residential development on sites which must provide adequate on-site control of run-off as well as disposal of waste water sewage effluent.

Density in the Bedminster village area and its immediate vicinity can be increased modestly to prevent overloading sewerage treatment facilities or further limiting the assimilative capacity of the North Branch of Raritan.

In Pluckemin Village, bounded by I-287 on the west, by the unusual steep slopes of the First Watchung Mountains on the east, and by the south Township Line, a small area should be reserved for such additional retail shopping and personal service establishments as may become essential support local residential use. Residential development in the balance of area should be limited to: that number of housing units which: (a) can be disposed of on-site or into Chambers Brook or the North Branch of Raritan River without impairing surface water quality, limiting the assimilative capacity of the rivers or the potability of downstream waters or Confluence Reservoir, or (b) whose collective non-point discharge will impact said waterways, or (c) whatever number is consistent with the character of the area and with the Township's obligation to provide appropriate areas of land for housing low and moderate income groups of the population.

General Principles:

A residence should be a place where one may live, raise a family, pursue private happiness in a pleasant and healthful environment.

Excessive density, inappropriate scale, and a mixture of incompatible uses in residential areas all contribute to the deterioration of such a "Scale" is the relationship of physical objects and sizes to a human being's surroundings. The almost universal popularity of houses with small elements, and neighborhood shopping centers broken into small visual units indicate a human yearning which must not be overlooked. Accordingly, appropriateness of scale must be considered in all developments.

Total isolation is also unsatisfying. A neighborhood of appropriate density and quality is as important as a tight roof over a "decent safe sanitary" dwelling unit. The Congress and social scientists have repeatedly recognized the neighborhood as a "suitable living environment."

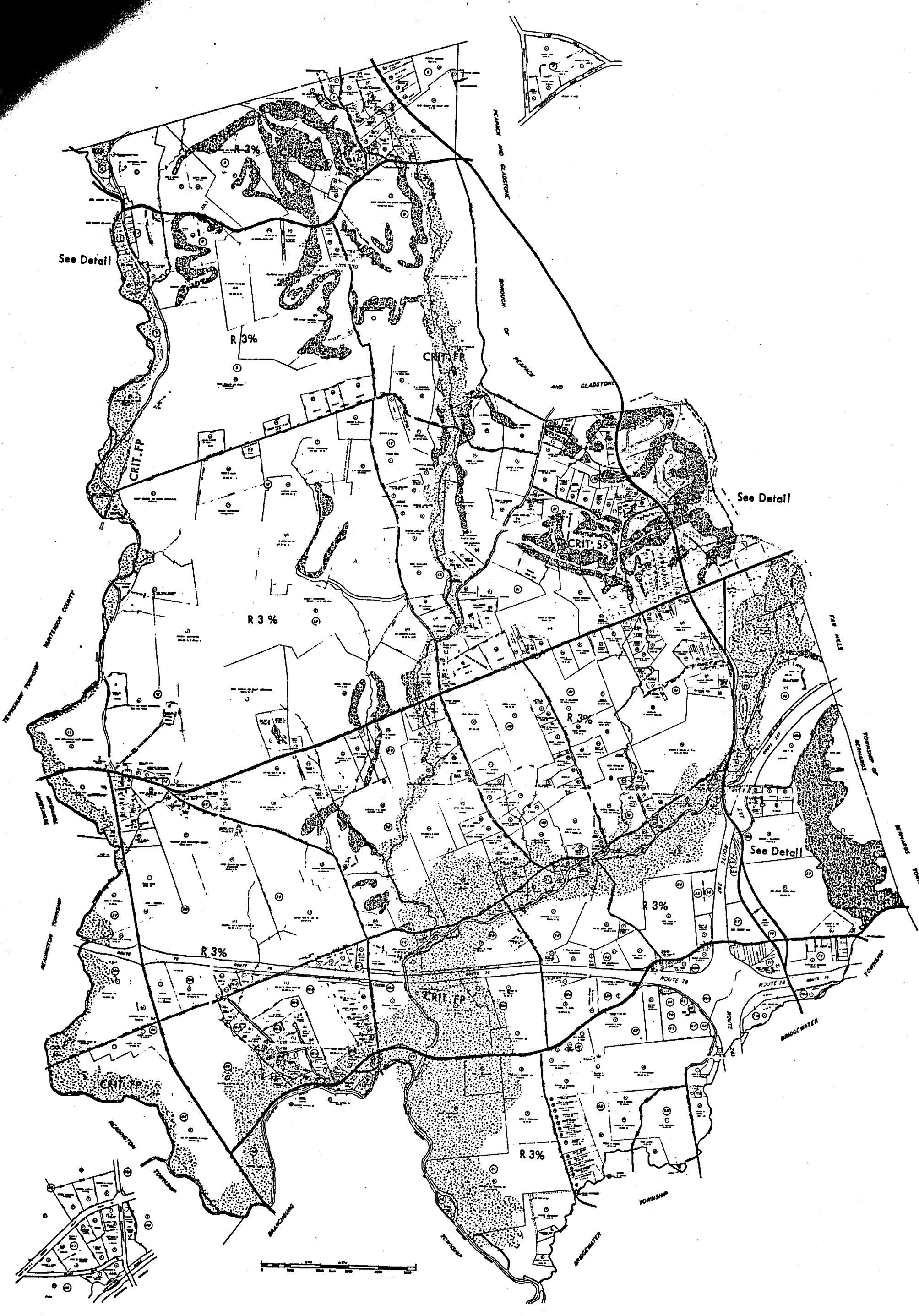
Among the important elements of a Village Neighborhood are the ability of recreation and shopping. Recreational and basic shopping facilities provide an immediate supplement to shelter located within walking distance of related dwelling units, and they reduce and limit the effort and resources associated with the use of automobiles.

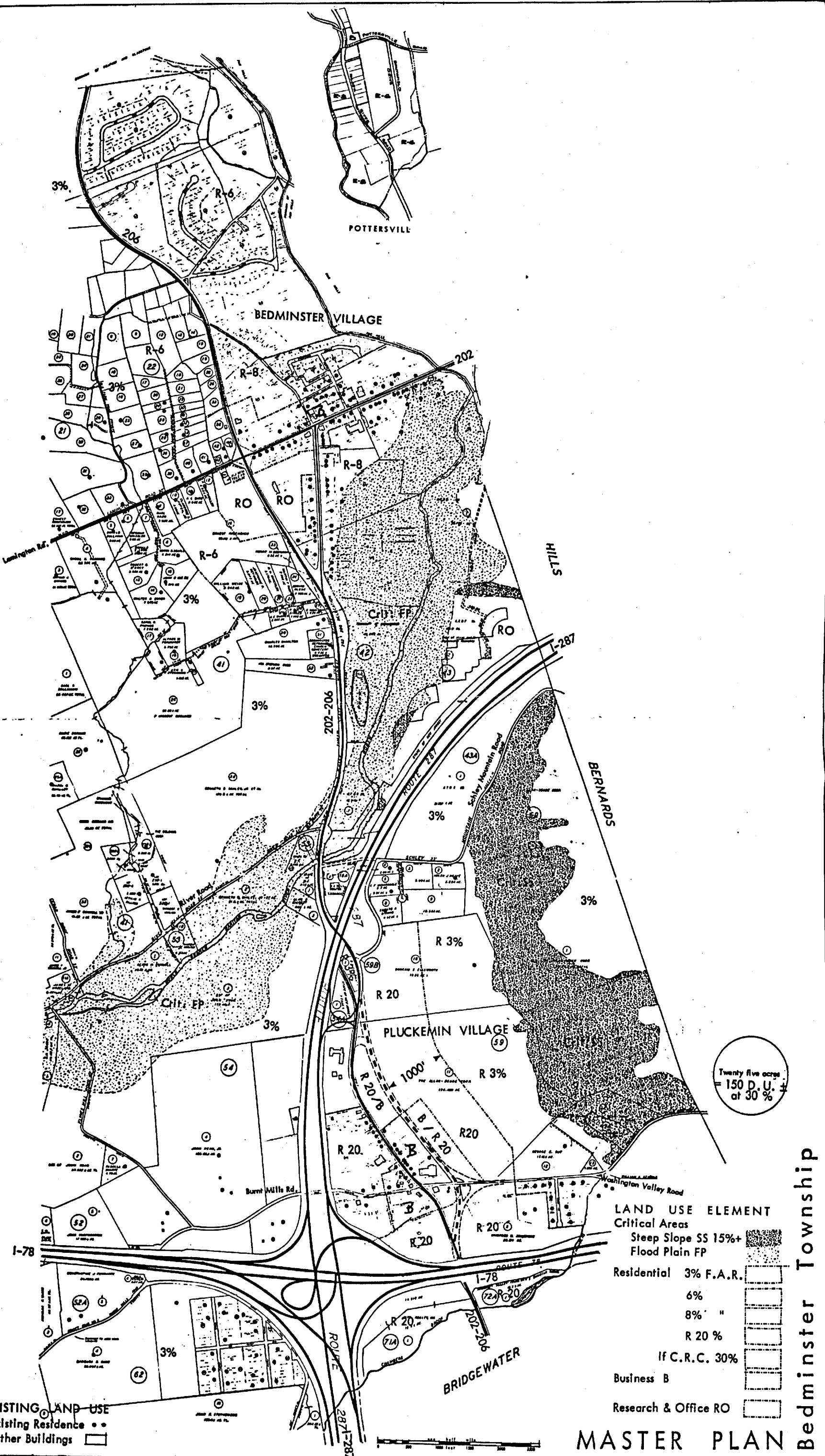
These principles of small scale neighborhood services, integral recreational facilities, and careful control of automobile traffic, suggest the development of independent neighborhood groupings, i.e. Village Neighborhoods.

Pluckemin Village Details:

A Village Neighborhood will permit a balance of one, two, three and bedroom dwelling units in planned groupings at densities consistent with existing Somerset County Master Plan, as well as larger single family houses on separate lots of approximately 1/2 acre each. Such a Village Neighborhood provides balanced selection of dwelling units for all age groups and for economic groups in the population.

Consistent with the principles noted above, and in order to provide opportunity for less costly housing, a maximum of two special "Compact Residential Clusters" in which increased density is permitted should be available within the area designed for Village Neighborhood in Pluckemin.





EXISTING LAND USE
 Existing Residence ●●
 Other Buildings □

LAND USE ELEMENT

Critical Areas	
Steep Slope SS 15%+	[Stippled pattern]
Flood Plain FP	[Dotted pattern]
Residential 3% F.A.R.	[Pattern]
6%	[Pattern]
8% "	[Pattern]
R 20 %	[Pattern]
If C.R.C. 30%	[Pattern]
Business B	[Pattern]
Research & Office RO	[Pattern]

MASTER PLAN

Bedminster Township

Bedminster Township Zoning Ordinance

pitched roofs to the mean level between the eaves and the highest point of the roof, measured from the curb or street centerline level if the building is not more than 10 ft. distant from the front lot line and from the average ground level along the front wall of the building in all other cases. Mechanical equipment and elevator or other penthouses, spires, bellies, cupolas, domes, chimneys, skylights, water towers, radio and television antennae less than 60 feet above grade and like appurtenances are not included.

BUILDING, LINE. A horizontal line across a lot parallel to any lot line and intersecting any point on the building or building roof. (See "Setback Line" for distinction).

BUILDING, MAIN OR PRINCIPAL. — A building in which is conducted the main or principal use of the lot on which the building is located.

CELLAR. — Any space in which the ceiling or underside of beams is less than 4 ft. above the surrounding grade. Not counted as a story in residential buildings, nor included as Gross Floor Area, but included as gross floor area in non-residential buildings.

CHURCH. — Lands and buildings devoted to and used exclusively for religious worship or asylum and entitled to exemption from taxation pursuant to the provisions of N.J.S.A.55:4-3.6.

CLUB, OPEN AIR. — A private organization principally for the enjoyment of quiet sports in open space, such as golf, tennis, swimming, riding, hiking and fishing. Accessory facilities may be included if clearly subordinate to the open air use such as covered tennis courts fewer in number than open courts, year-round pools, locker and incidental eating and social facilities.

CLUB, SOCIAL. — A private organization for social purposes in which the principal use is in enclosed buildings and no outdoor sports are involved.

COMMERCIAL AMUSEMENTS. — Any use designated for public amusement and private profit including but not limited to such uses as driving ranges, miniature golf courses, archery ranges, Ferris wheels, shooting galleries, swimming pools, roller rinks, bowling alleys, and golf courses or tennis courts rented for profit.

COMMERCIAL VEHICLES. — Trucks, buses, delivery vehicles, station wagons with advertising matter on the sides or any other commercially used vehicles except as passenger car with no advertising matter exposed to view; any vehicle carrying a commercial license plate.

COMMON OPEN SPACE. — Either a functioning playground or recreation area, or a preservation of natural slopes, flood plains, or water courses, any of which is readily accessible to all people in the development, or agriculture.

COMMON OWNERSHIP. — Ownership of two or more contiguous parcels of real property by one person or by two or more persons owning such property jointly or as tenants by the entirety or as tenants in common.

COMPACT RESIDENTIAL CLUSTERS. — An assembly of dwelling units having the following characteristics:

- 50 to 150 dwelling units,
- each unit having a Minimum Net Habitable Floor Area as specified in Section 10.3 and a maximum not exceeding this minimum by more than 15%.
- a maximum Floor Area Ratio of 18% excluding garages and parking or 25% including parking spaces at one per bedroom, computed on the Gross Residential Site Area;
- integral usable open space of 5 acres for 150 dwelling units or proportionately less.
- compliance with all other provisions of this Ordinance.

CONDITIONAL USE. — A use permitted only after review pursuant to the provisions of Article 13 of this Ordinance.

CRITICAL AREA. — Any area with a slope in excess of a 15% grade; any area lying in a floodway, flood fringe area, or flood plain as designated by the State Department of Environmental Protection or the Township Environmental Commission. Precise boundaries may be subject to individual engineering survey satisfactory to the township engineer and the Board of Adjustment.

CROP RAISING. — Agronomy in general not including vegetable or flower gardens for home consumption.

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.

DISTRICT. — Synonymous with the term "zone"; part of the territory of the Township to which certain uniform regulations of this ordinance apply.

DENSITY PLANNING, DENSITY ZONING. — An arrangement of land uses in which the principle control is based on a pattern of different potential densities of population, expressed as a percent Floor Area Ratio (F.A.R.).

DEVELOPMENT PLAN. — Any proposal to alter grades or existing landscape growth on vacant land (except solely for agricultural purposes) or any proposal for structures of any type (except individually-designed free-standing houses to be built and occupied by the owner).

DOMESTIC ANIMALS. — Small tame animals normally kept or maintained in or about a dwelling as a pet, such as dogs, cats and other similar household pets.

DUMP. — A lot or part thereof used for disposal by abandonment, dumping, burial, burning or any other means and for whatever purpose, of garbage, offal, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof or standardized products.

DUPLEX. — See "Twin House".

DWELLING UNIT. — (D.U.) A group of interrelated rooms (1) intended or designed for non-transient residential use by one family, (2) separated from other dwelling units by lockable doors, (3) having access to the outside without crossing another dwelling, and (4) having living and sleeping facilities, cooking facilities, fixed or portable, and complete sanitary facilities. An unattached free-standing house is also a dwelling unit. Other types of Dwelling Units are noted below.

EDUCATIONAL INSTITUTION. — Any public or private educational institution normally subject to regulations prescribed by the State of New Jersey Department of Education. This definition shall be deemed to include all activities secondary or subordinate to the main activity of any such institution, which activities are part of the normal operation of such institution as set forth in its charter.

FAMILY. — Any number of individuals related by blood or marriage and their full-time servants who have no other employment, boarders, and guests, all of whom reside together as a single housekeeping unit. More than five persons exclusive of domestic servants, not related by blood, marriage, adoption, or approved foster care arrangements, but living on the same premises shall not be deemed to be a "family".

FARM. — A tract of land of 10 acres or more used for agriculture, the raising of crops or animal husbandry for consumption other than on the premises.

FARMING. — Agriculture, including the raising and harvesting of crops or trees and the feeding, breeding and managing of livestock as a major source of income conducted upon a lot in single ownership of not less than 10 acres in area. The existence of a vegetable garden for home consumption or the presence of not to exceed 3 animals as pets is not construed as "farming".

FAST FOOD SHOP. — An enterprise for the rapid sale of limited items of prepared food across a counter in disposable containers either for consumption on the premises, in parked cars or elsewhere, and usually having the following additional characteristics: no food service at tables; a propensity to litter by careless discard of plastic containers; excessive traffic flow in driveways occasioned by large volume of short-term use.

FENCE. — A vertical enclosure, solid or partially open, to prevent straying from within or intrusion from without. A fence over 7 ft. high is also considered a "structure" for

LOT, BUILDING. A piece or parcel of land abutting on a street, the area of which in addition to the parts thereof occupied or which may hereafter be occupied by a principal building and its accessory buildings, is sufficient to provide the yard spaces required by this Ordinance and which conforms to minimum area requirements of this Ordinance. In the event that more than one plot or lot as set forth on any map filed in the Somerset County Clerk's Office, or lot as set forth on the present or future tax maps of the Township, is used in part or in full with one or more other such plots or lots for the creation of a building and its accessories, including yards required by this Ordinance, the aggregate of all such plots or lots shall for the purpose of this Ordinance be deemed to be one lot.

LOT, CORNER. A lot having frontage on two or more streets intersecting at an angle of less than 135°.

LOT, FRONTAGE. The distance between points where side lines meet street lines, e.g., the chord of a circle in a cul-de-sac.

LOT LINE, FRONT. The street line of a lot. For a corner lot, the front lot line shall be considered to be the shortest street line. A lot which extends through a block from street to street shall be considered to have two front lot lines and no rear lot line.

LOT SIZE. Lot size by diameter of the circle which can be inscribed within the lot lines.

MANUFACTURED OR MODULAR HOUSING. Any residential structure incorporating components assembled off-site, provided such structure is permanently attached to a foundation.

MOBILE HOME. A residential structure completely manufactured off-site, moved on site as an assembled unit, so constructed that it can at a future time be transported as a unit to another site.

MODEL, AUTO COURT, AUTO OR MOTOR CABINS. — One or more structures designed for the renting of sleeping rooms to transients, and so laid out that there is direct and immediate access from a parked automobile to the rooms, or to passage to the control desk or lobby.

MOTOR FUEL FILLING STATION. — A building or lot or part thereof having pumps and storage tanks and appurtenant facilities for the retail sale or dispensing of gasoline or other motor fuels, oils, and accessories for the use of motor vehicles and for the rendering of accessory services such as lubrication, washing and minor repairs within the building.

MULTIPLE DWELLING. — A building or portion thereof containing two or more dwelling units.

NON CONFORMING BUILDING. A building or structure or portion thereof lawfully existing as of the date of the adoption of this Ordinance which was designed, erected or structurally altered so that it does not conform to the regulations of the district in which it is located.

NON CONFORMING LOT. A lot or a parcel which does not have a minimum width or contain the minimum area for the zone in which it is located, or the use to which it is being put.

NON CONFORMING USE. A use which lawfully occupies a building or land as of the date of the adoption of this ordinance and which does not conform with the use regulations of the district in which it is located.

NON POINT POLLUTION. Defused sources of pollution which have no single outlet or source, but which, by action of the elements cause pollution to land or water, such as, but not limited to, excessive fertilization of farmland, rubber, asbestos and petroleum products, runoff from parking lots and highways, household dust from dense development, discarded litter, and the like.

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 or privacy or property, 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 electrical equipment, or the generation of an excessive or concentrated movement of people or things, or any other characteristic detrimental to the value or use of an adjacent property, such as:

- noise, including that from unscreened air conditions.
- Dust.
- Smoke.
- Odor.
- Glare.
- Flashes.
- Vibration.
- Shock Waves.
- Heat.
- Electronic or atomic radiation.
- Objectionable effluent or storm water run-off.
- Noise of congregation of people, particularly at night.
- Passenger traffic.
- Transportation of thing by truck, rail or other means.
- Invasion of non-abutting street frontage by parking.
- The obscuring or masking of adjacent or nearby property by projecting signs, marquees, or canopies.
- Any adverse effect on value or desirability of nearby property caused by such matters as incongruous appearance, exposed storage of inoperable automobiles, junk, materials, and neglect or dilapidation of land or buildings, exposed parking of commercial vehicles on residential lots or areas.
- Unusual risks of fire or explosion, such as manufacture and/or storage of wood, fuel, or explosives.
- Similar matters covered by other ordinances.

OFF-STREET PARKING SPACE. An area, not on a street and at least 10 x 20 ft., accessible from the street, both suitable and intended for the parking of a passenger motor vehicle.

OFFICE, BUSINESS AND PROFESSIONAL. An operating activity unit engaged in service for a profit where the activities generated are offered as customer service directly to the general public as, for example, the offices of a physician, attorney, engineer or other professional person, or the business office of a real estate agent, insurance agent or the like.

OFFICES, CORPORATE AND ADMINISTRATIVE. An establishment which essentially

OFF-STREET LOADING SPACE. Any off-street space on the same lot as the structure served available for the loading or unloading of goods; not less than 15 ft. wide, 55 ft. long, and 14 ft. high and having direct usable access to a street or alley, except that where one such loading space has been provided, any additional loading space lying alongside, contiguous to, and not separated from such first loading space need not be wider than 12 ft. The off-street loading space shall be located on the property so as to permit any vehicle to be parked in the loading space with no portion of the vehicle extending into the public street.

OFF-STREET PARKING SPACE. An area, not on a street and at least 10 x 20 ft., accessible from the street, both suitable and intended for the parking of a passenger motor vehicle.

OFFICE, BUSINESS AND PROFESSIONAL. An operating activity unit engaged in service for a profit where the activities generated are offered as customer service directly to the general public as, for example, the offices of a physician, attorney, engineer or other professional person, or the business office of a real estate agent, insurance agent or the like.

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Bedminster Twp.

BEDMINSTER TOWNSHIP ZONING ORDINANCE TABLE OF CONTENTS

- ARTICLE 1 — TITLE
- ARTICLE 2 — PURPOSES
- ARTICLE 3 — CLASSES & BOUNDARIES OF DISTRICTS
- ARTICLE 4 — REGULATIONS CONTROLLING RESIDENCE DISTRICTS
- ARTICLE 5 — REGULATIONS CONTROLLING BUSINESS DISTRICTS
- ARTICLE 6 — REGULATIONS CONTROLLING R-O DISTRICTS
- ARTICLE 7 — HISTORIC VILLAGE OF PLUCKEMIN
- ARTICLE 8 — REGULATIONS CONTROLLING CRITICAL AREAS
- ARTICLE 9 — PROHIBITED STRUCTURES IN ALL DISTRICTS
- ARTICLE 10 — REGULATIONS CONTROLLING DENSITY, SET-BACKS, HEIGHT AND FRONTAGE
- ARTICLE 11 — VILLAGE NEIGHBORHOODS, OPEN SPACE CLUSTERS, AND ACT RESIDENTIAL CLUSTERS
- ARTICLE 12 — STANDARDS FOR THE ESTABLISHMENT OF OPEN SPACE ORIENTATION
- ARTICLE 13 — STANDARDS FOR CONDITIONAL USES
- ARTICLE 14 — GENERAL REGULATIONS
- ARTICLE 15 — SIGNS
- ARTICLE 16 — OFF-STREET PARKING AND LOADING
- ARTICLE 17 — NON-CONFORMING USES AND STRUCTURES
- ARTICLE 18 — TRANSITION STRIPS
- ARTICLE 19 — ADMINISTRATION AND ENFORCEMENT
- ARTICLE 20 — DEFINITIONS
- ARTICLE 21 — VIOLATIONS AND PENALTIES
- ARTICLE 22 — VALIDITY
- ARTICLE 23 — REPEALS
- ARTICLE 24 — CONSTRUCTION
- ARTICLE 25 — EFFECTIVE DATE

ORDINANCE LIMITING AND REGULATING BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND THE NATURE AND EXTENT OF THE USE OF THE SAME, LIMITING AND REGULATING THE DENSITY OF POPULATION IN CONFORMITY WITH THE QUALITY OF SOILS, THE UNDERLYING FORMATIONS AND WATER TABLES, AND FOR SAID PURPOSES DIVIDING THE TOWNSHIP INTO SEVERAL DISTRICTS AND REGULATING THEREIN THE AREAS OF YARDS AND OTHER OPEN SPACES AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

AS ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BEDMINSTER IN THE COUNTY OF SOMERSET AND STATE OF NEW JERSEY AS FOLLOWS:

ARTICLE 1 — TITLE

SHORT TITLE: This Ordinance shall be known as and referred to as "The Bedminster Zoning Ordinance."

ARTICLE 2 — PURPOSES

- The purposes of this Ordinance are:
- 1. To guide the appropriate use or development of all lands in the Township in a manner which will promote the public health, safety, morals and general welfare.
 - 2. To secure safety from fire, flood, panic and other natural and man-made disasters.
 - 3. To provide adequate light, air and open space; to promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhood, communities; to preserve the environment; and to prevent overcrowding and sprawl.
 - 4. To provide sufficient space in appropriate locations for a variety of agricultural, mental, recreational and commercial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all township residents.
 - 5. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which will result in congestion or blight.
 - 6. To promote the conservation of open space and valuable natural resources and to prevent degradation of the environment through improper use of land; to promote a favorable visual environment through creative development techniques and good civic design and arrangements.

ARTICLE 3 — CLASSES AND BOUNDARIES OF DISTRICTS

For the purposes of this Ordinance, the Township of Bedminster is hereby divided into seven classes of Zones or Districts, as follows:

- Residence R-3 District
- Residence R-5 District
- Residence R-8 District
- Residence R-20 District
- Business District (B)
- Office District (RO)
- Critical Areas

The locations and boundaries are hereby established as shown on the Zoning Map of the Township of Bedminster, County of Somerset, State of New Jersey, 1977, which accompanies this Ordinance and is hereby declared to be a part hereof.

Zone boundaries are to be construed, except where obviously shown otherwise, as either following or being measured with reference to center lines of streets or highways, lot property lines or centerlines of streams. Where a boundary line does not follow a line, its position is indicated by means of figures expressing distances in feet from the nearest street or highway right-of-way line.

ARTICLE 4 — REGULATIONS CONTROLLING RESIDENCE DISTRICTS

ARTICLE 4.1 STATEMENT OF PURPOSE

Owners of land and buildings within the Township who wish to improve residential conditions or develop their land residentially should consider the following:

- 1. Since few tracts are the same size, shape and area, and since no two have the same racial characteristics, the layout and treatment of all construction and site development shall be subject to the review and approval of the Planning Board within the dimensional provisions established on the Schedule, Diagrams, and Zoning Map, Standards and other provisions of this Ordinance and the Subdivision Regulations.
- 2. With respect to buildings, no discriminations are made in this Ordinance between building types, required parking spaces, or auxiliary or agricultural buildings within the overall density control of the Floor Area Ratio. Other controls include front yard setbacks, separate structures from traffic, side yard setbacks to add neighborhood privacy, height restrictions to protect the skyline, a minimum sky exposure to furnish light to the windows, habitable rooms, and minimum room and unit sizes to protect the permanent usability of buildings. These dimensional provisions are set forth on the Schedules and Diagrams contained in this Ordinance.
- 3. With respect to water supply, stream pollution and flood control, livestock and poultry have much in common. In principle there is no difference in the run-off from a roof which movement it serves an elderly widow, a family, or horse or car.
- 4. With respect to open space, the need for functional recreation space as a component of each neighborhood, and the need for protection of flood plains, steep slopes, and aquifers is recognized by the encouragement of clustering of structures on the slopes of large tracts most suitable for building, and leaving open those portions of such tracts which would be most difficult to develop.

ARTICLE 4.2 BUSINESS AND PROFESSIONAL OFFICES

6.2.1 Business and Professional Offices.

ARTICLE 4.3 ACCESSORY USES AND STRUCTURES PERMITTED

6.3.1 Signs.

ARTICLE 4.4 OFF-STREET PARKING AND LOADING FACILITIES

6.4.1 Off-street parking and loading facilities.

ARTICLE 7 — HISTORIC VILLAGE OF PLUCKEMIN

ARTICLE 7.1 STATEMENT OF PURPOSE

Because of the special historic significance of the Village of Pluckemin which, because of the architecture of buildings therein and their setting combine to create a sense of the past which it is desirable to preserve, new construction or the exterior alteration of any structure shall support and be consistent with the historical character and architecture of the area.

ARTICLE 7.2 FOR THE PURPOSE OF THIS ORDINANCE THE HISTORIC SECTION OF THE VILLAGE OF PLUCKEMIN IS BOUNDED ON THE SOUTH BY INTERSTATE HIGHWAY ROUTE 78, ON THE NORTH AND WEST BY INTERSTATE HIGHWAY ROUTE 287 AND ON THE EAST BY A LINE 500 FEET EAST OF NEW JERSEY ROUTE 202-206.

This area is related historically to Artillery Park located on the slope of the Watchung Mountains northeast of the Village proper, and which is also to be designated, once further archeological and historical research has been completed, as part of the Historic Village of Pluckemin.

7.3 Within the area described in section 7.2, no building or structure shall hereafter be erected, re-constructed, restored, demolished or altered on the exterior and no building permit shall be issued therefore until the owner has filed with the Building Inspector a certificate of appropriateness issued by the Planning Board as to exterior architectural features which are subject to public view from a public street, way or place. No privately owned construction shall be permitted within the boundaries of Artillery Park in any case.

7.4 In reviewing plans, the Planning Board shall give consideration to:

- 7.4.1 The historical and architectural value and significance of the structure and its relationship to the historic value of the surrounding area.
- 7.4.2 The general compatibility of exterior design, arrangement, texture and materials proposed to be used with neighboring structures and the rural atmosphere of the Township.
- 7.4.3 Whether any proposed new structure would be excessively dissimilar or inappropriate in relation to any other structure existing, or for which a permit has been issued, or to any other structure included in the same permit application, in respect to its scale or the size and shape of the building, the height of the building, the height of the roof or other significant design features, such as material, or quality of architectural design.
- 7.4.4 Any other factors, including aesthetic, which the Planning Board deems pertinent.
- 7.5 In dealing with building plans, the Planning Board shall pass only on exterior features of a structure, but can inform itself of the interior uses proposed. The Planning Board shall require that any alterations or repairs to structures be made in the spirit of the architectural style and that any additions will be made in such a manner as not to detract from a building's original appearance.
- 7.6 The Planning Board shall exert every reasonable effort to insure that new construction within the Village of Pluckemin will comply with the spirit and intent of preserving and augmenting the historical values and village character of Pluckemin. New construction shall be of an architectural style which will be compatible with the historic buildings in the Village, recognizing that new building materials, new technology and different life styles exist today as compared to the period when the historic buildings were constructed.
- 7.7 Demolition or removal of structures deemed historic may be postponed for a period of six months (after public hearing granted to applicant if requested) while the Planning Board consults civic groups and public agencies to ascertain how the Township may preserve the building and/or premises. The Planning Board is empowered to work out with the owner feasible plans for preservation of structures where moving or demolition thereof would be a great loss to the public and to the Township.
- 7.8 In case of disapproval, the Planning Board shall state its reasons therefore in writing. The Board may make recommendations to the applicant with respect to appropriateness of design, arrangements, texture, material, color and the like of the building or structure involved.
- 7.9 Upon approval of a plan, the Planning Board shall cause a certificate of appropriateness, dated and signed by the chairman to be issued to the applicant or affixed to the plan.
- 7.10 The Planning Board shall take action on any application within 45 days after receipt of all necessary information.

ARTICLE 8 — REGULATIONS CONTROLLING CRITICAL AREA DISTRICT

ARTICLE 8.1 STATEMENT OF PURPOSE

Development in Critical Areas, those areas delineated by the Department of Environmental Protection as flood plain areas and those areas having slopes 15% or greater, increase the risk of flooding and erosion both on and off-site. Therefore, development in these areas must be minimized and carefully regulated to protect the public safety and welfare.

ARTICLE 8.2 PRINCIPAL USES AND STRUCTURES PERMITTED

- 8.2.1 Agricultural Uses.
- 8.2.2 Sod Farms.
- 8.2.3 Floriculture, horticulture, silviculture and forestry supervised by the State;
- 8.2.4 Any other uses found eligible by the Farmland Assessment Act of 1964 or succeeding legislation;
- 8.2.5 Golf course, previous tennis courts and other open air sports not affecting flood storage or water absorption;
- 8.2.6 Pervious parking of vehicles;
- 8.2.7 Any public uses approved by the Department of Environmental Protection.
- 8.2.8 Parks and playgrounds.
- 8.2.9 In flood plains outside of the flood way structures shall be so designed that all occupied floor elevations are one foot above projected elevations of 100 year floods.

ARTICLE 8.3 PROHIBITED STRUCTURES IN CRITICAL AREAS DISTRICT

8.3.1 In Flood plains, any use prohibited by the Land Disturbance and Flood Control Ordinance. No portion of a tract of land located in a Critical Area shall be used in calculating the Floor Area Ratio for any portion of a tract of land located in any other district.

ARTICLE 9 — PROHIBITED STRUCTURES AND USES IN ALL DISTRICTS

- 9.1 Any building or structure, whether principal or accessory or part thereof and any land use not listed as permitted in any district is prohibited.
- 9.2 Specifically, but not by way of limitation, no building or structure shall be erected or modified, nor shall any lot, land, or structure be used for any of the following purposes:
 - 9.2.1 Any building or use having any "nuisance factors" as defined, unless specifically permitted in a certain district.
 - 9.2.2 Commercial auction markets, other than one-time-only operations for raising of funds for eleemosynary institutions or for disposing of real or personal property.
 - 9.2.3 Automobile wrecking facilities or junk yards.
 - 9.2.4 Drive-in theatres.
 - 9.2.5 Dumps and sanitary land fills, unless operated by the Township of Bedminster.
 - 9.2.6 Incinerators, unless operated by the Township of Bedminster.
 - 9.2.7 Motor vehicle sales or rentals.
 - 9.2.8 The display or storage of merchandise, supplies, or materials, except within a building.
 - 9.2.9 Trailer parks and trailers with operable wheels used as a residence.
 - 9.2.10 Exposed storage of unlicensed or inoperable motor vehicles; screened outside storage of unlicensed or inoperable motor vehicles (wrecks) in excess of thirty days.
 - 9.2.11 Combined residential and other use of a building, except that home occupations shall be permitted in residential buildings.
 - 9.2.12 Slaughterhouses.

- 11.6.3 Privacy within structures having more than one dwelling unit shall be protected by the following provisions concerning units of 3 bedrooms and larger only:
 - 11.6.3.1 Every unit must have direct access to the ground without sharing a hallway, stairway, elevator, or fire escape with another unit.
 - 11.6.3.2 No unit or portion thereof may be placed above another unit or portion thereof.
 - 11.6.3.3 Lateral sound protection between units shall be provided by 8" masonry walls, double studded partitions with framing, or other construction having equivalent value as a sound transmission barrier.
- 11.6.4 One parking space, indoor or outdoor, 10' x 20', shall be provided for each bedroom, and included as 200 sq. ft. each in floor area ratio computations. Only one half of these shall be paved at the outset. The remaining half shall be properly located, graded, and seeded so as to be available for future need; otherwise they shall be continued as open space.
- 11.6.5 No building shall be higher than 35 feet.
- 11.6.6 All collective parking lots shall be concealed from view by permanent opaque structures such as masonry garden walls, earth berms, chain link fence with vines or other landscaping, or other screening at least 7 feet high or of such greater height necessary so that cars parked therein will not be seen from nearby public streets and walks.
- 11.6.7 Landscaping shall be provided satisfactory to the Planning Board and its proper maintenance, including replacement of materials, shall be guaranteed.
- 11.6.8 Connections must be made to sewer and water supply systems, satisfactory to the Township Engineer, Board of Health, Environmental Commission and Planning Board devised with minimal sanitary pollution discharge into streams or on adjacent property.
- 11.6.9 All utilities must be underground.
- 11.6.10 In the case of a development which proposes construction over a period of years, the Planning Board shall approve the number of units to be constructed per year, and shall be satisfied as to the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents and owners of the proposed development in respect to the total completion of the development.
- 11.7 The Common Open Space set aside in any Open Space Cluster or Village Neighborhood or Compact Residential Cluster hereafter approved by the Planning Board shall be, in the discretion of the Township Committee, either (a) dedicated to the Township of Bedminster in fee simple in perpetuity or (b) held, in perpetuity by a neighborhood association established as hereinafter set forth for the purpose of maintaining such property for conservation and/or recreational purposes.

ARTICLE 12 — STANDARDS FOR THE ESTABLISHMENT OF OPEN SPACE ORGANIZATION

12.1 As recommended by the Planning Board and approved by the Township Committee, the Common Open Space may be (i) dedicated to the municipality in fee simple in perpetuity; or (ii) held in perpetuity by a neighborhood association, subject to a neighborhood or public open space easement free of any structures or other artificial facilities in or upon such Common Open Space, provided, however, that there may be reserved to the owner of such Common Open Space the right to construct necessary and appropriate structures and facilities for use as an active recreational facility for the benefit of the owners of the lots in such tract; provided further that:

12.1.1 The developer establishes an organization for the ownership and maintenance of any residual open space for the benefit of residents of the development. Such organization shall not be dissolved, and shall not dispose of any open space, by sale or otherwise, except to an organization which is conceived and established to own and maintain the open space for the benefit of such development, and which thereafter shall not be dissolved, or dispose of any of its open space except by dedicating the same to the municipality wherein the land is located. The developer shall be responsible for the maintenance of any such open space until such time as the organization established for its ownership and maintenance shall be formed and functioning and shall be required to furnish a performance guarantee in an amount to be fixed by the Township Engineer for such maintenance for a period of 2 years after the date of acceptance of all public streets in the development.

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

12.1.3 The cost of such maintenance by the municipality shall be assessed pro rata against the properties within the development that have a right of enjoyment of the open space in accordance with assessed value at the time of imposition of the lien, and shall become a lien and tax on said properties and be added to and be a part of the taxes to be levied and assessed thereon, and enforced and collected with interest by the same officers and in the same manner as other taxes. The certificate of incorporation of the Neighborhood Association shall provide that the municipality, at the time of entering upon the said open space for the purpose of maintenance, may file a notice of such lien in the office of the County Clerk upon the properties affected by such lien within the development and the same shall be discharged by the municipality upon payment as with other liens. All documents pertaining to any neighborhood association or Common Open Space shall be subject to review of the Township Attorney, who may require that the appropriate portions thereof be recorded as covenants running with the land.

12.1.4 These conditions and requirements for open space management shall be referred to in any contract of sale, deed or lease, and shall be specifically disclosed to any prospective purchaser.

ARTICLE 13 — STANDARDS FOR CONDITIONAL USES

13.1 PURPOSE: It is the purpose in this article to provide specific regulations applicable to conditional uses provided for in this ordinance.

ARTICLE 13.2 REQUIREMENTS FOR CHURCHES, PARISH HOUSES AND SUNDAY SCHOOL BUILDINGS

13.2.1 A church, parish house or Sunday school building shall be located on a lot...

- which it is placed. It shall not exceed six square feet and shall be located behind the front setback line. Not more than one such sign shall be permitted for each street upon which the property for sale or rent abuts.
- 15.7 A business or other sign may be lighted or internally illuminated but only during such times as the business or other use to which such sign refers is open to the public. Such lighting shall not exceed 20 watts per square foot of sign area.
- 15.8 Signs must be removed if not kept in good condition and repair.
- 15.9 Business signs, sign boards, advertising signs and bill boards other than those specifically allowed herein, shall not otherwise be permitted.
- 15.10 The area of all signs upon any one lot, including window and temporary signs, may not exceed one square foot for every two linear feet of the building frontage and no letter, device or character may exceed 30 inches in any dimension.
- 15.11 General Prohibitions. The following types of signs are prohibited everywhere:
 - 15.11.1 Advertising signs commonly known as billboards, or those promoting the sale of goods or services not available on the premises.
 - 15.11.2 Signs painted on the exterior walls of buildings.
 - 15.11.3 Silhouetted or three-dimensional signs; i.e., signs lacking a background and having letters, figures, or devices silhouetted against the sky or other open space not a part of the sign, and/or signs in which objects or representational devices are present in the round, or other than in a vertical plane.
 - 15.11.4 Signs in which the colors red and green are used either in direct illumination or in high reflection by the use of special preparations such as fluorescent paints or gloss in such manner as to resemble traffic signs.
 - 15.11.5 Flashing, intermittent, moving, or fluttering flag or pennant signs.
 - 15.11.6 Signs producing "glare" or using bare bulbs or tubing such as fluorescent or neon.
 - 15.11.7 Any sign visible from the public right-of-way using an arrow or the word "Stop" in such a manner as to resemble traffic signs.
 - 15.11.8 Any free-standing sign or any sign projecting from a building, within a triangular area bounded by the intersection of two right-of-way lines and a line connecting points 30 feet from such intersection along the right-of-way lines, whether existing or shown on the Official Map, or in sight clearance triangles specified in other regulations.
 - 15.11.9 Roof signs or other signs extending above or attached to the parapet or eaves of a building or within 10 feet of the building.

ARTICLE 16 — OFF-STREET PARKING AND LOADING SPACES

Off-street parking and loading spaces shall be provided for various uses in all districts in accordance with the following table:

Land or Building Use:	One space for each:
House or dwelling unit in all districts	bedroom
Assembly hall, auditorium, church	2½ fixed seats or 25 sq. ft. of building floor area, whichever is greater.
Business, Corporate Administrative and Professional Offices	200 sq. ft. of building floor area
Restaurants	3 seats
Retail store, other than supermarkets	200 sq. ft. of building floor area.
Supermarkets	100 sq. ft. of building floor area.
Research laboratory	300 sq. ft. of building floor area.
Mixed uses	Total parking space shall equal the sum of the required parking spaces for the separate uses computed separately.

ARTICLE 16.2 LOADING SPACES

In any zone, every building or part thereof hereafter erected or altered, which is arranged, intended or designed to be used or is in fact used for retail stores, one off-street loading space shall be provided for each 10,000 sq. ft. of gross floor area or fraction thereof over 5,000 sq. ft. Spaces shall be 14 ft. high, 15 ft. wide and 55 ft. long, and shall be so arranged that the vehicle does not project into the public right-of-way.

ARTICLE 16.2.1 SIZE AND DESIGN

- 16.2.1.1 Size of parking spaces shall be 10 ft. x 20 ft. minimum.
- 16.2.1.2 All parking and loading spaces and driveways except for those serving individual townhouses or apartments shall be so arranged that cars and trucks may be turned around on the lot so that it is not necessary to back into any street. Suitable drainage, paving, landscaping, lighting and shielding from view from the public right-of-way and from any property used for residential purposes regardless of district shall be provided for all lots with more than 4 spaces in accordance with the provisions of the Site Plan Review Ordinance. In order to minimize run-off, all parking lots shall have pervious but dust-free surfaces and only half shall be surfaced at the outset unless the applicant convinces the Planning Board that more are necessary. The balance shall be properly located and graded, and seeded and maintained as open lawn until later proven to be necessary.

ARTICLE 16.2.3 LOCATION

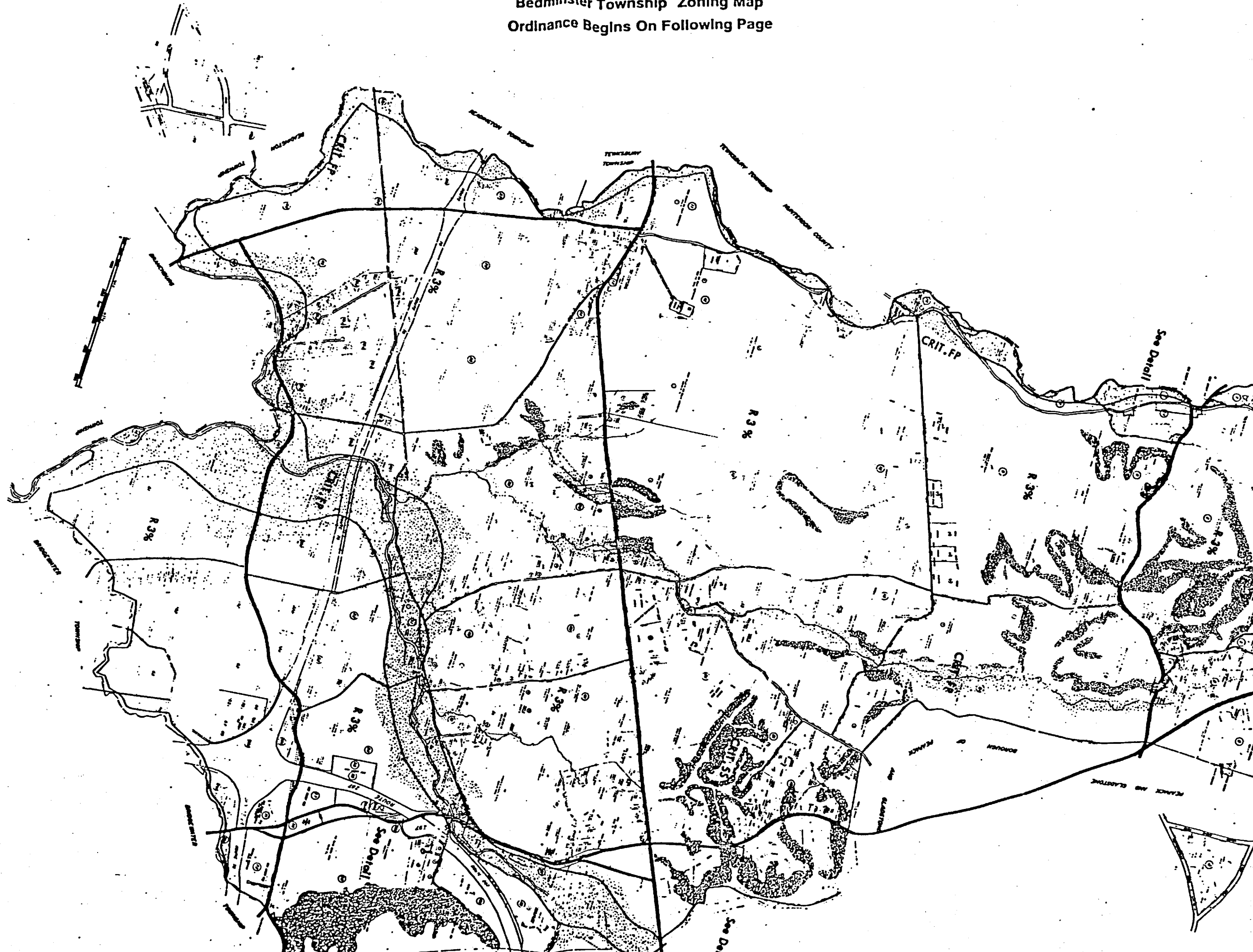
Parking spaces shall be subject to the same setback requirements as buildings.

ARTICLE 17 — NONCONFORMING USES AND NONCONFORMING STRUCTURES

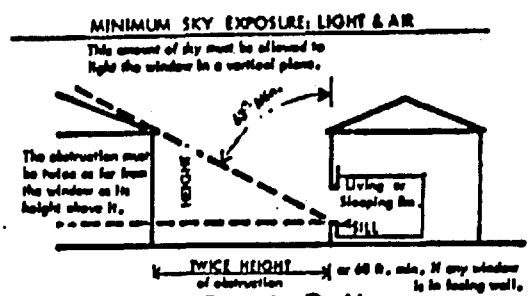
17.1 Any lawful nonconforming use which existed at the time of the passage of this Ordinance may be continued and any existing structure devoted to a nonconforming use may be structurally altered subject to the following regulations:

- 17.1.1 A nonconforming use shall not be enlarged unless the use is changed to a conforming use; provided, however, that where a building meets the use requirements of this Ordinance but is non-conforming because of height, area or yard requirements, said use may be enlarged provided the height, area or yard regulations are not further violated. (Illustrative example: If a front yard is made non-conforming by a street widening, this does not preclude a conforming addition to the rear within the rear set back line.)
- 17.1.2 A nonconforming use, once changed to a conforming use, shall not thereafter be changed back to a nonconforming use.
- 17.1.3 A nonconforming use in existence at the time of the passage of this Ordinance shall not be permitted to be changed to another nonconforming use.
- 17.2 Nothing in this Ordinance shall prevent the restoration of a nonconforming building partially destroyed by fire, explosion act of God, or act of public enemy, provided that any nonconforming building that is partially destroyed in the manner aforesaid may be reconstructed and thereafter used only in such manner as not to further violate the reasons for nonconformity. Any building that is nonconforming because of use, that is totally destroyed in the manner aforesaid, may be rebuilt only as a conforming use. Any building that is nonconforming because of height, area or yard requirements that is totally destroyed, may be rebuilt only if the height, area or yard requirements of this Ordinance are met. In the event that it is physically impossible to meet the height and area or yard requirements of this Ordinance, said building may be rebuilt provided the nonconforming height and area or yard requirements are not further violated. Any nonconforming use that is partially destroyed must be the subject of an application for a building permit to rebuild the nonconforming use within 12 months from the time of destruction. If the application to rebuild the nonconforming use is filed after the last mentioned 12 month period, a building permit will be issued for a conforming use only. Nothing in this Ordinance shall prevent the restoration of a wall or other structural element declared unsafe by the Building Inspector.
- 17.3 Nothing in this Ordinance shall be interpreted as authorization for or approval of the continuance of the use of a structure or premises in violation of zoning regulations heretofore in effect.

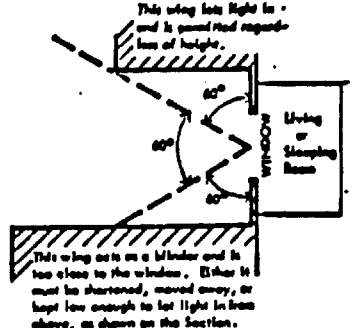
Bedminster Township Zoning Map
Ordinance Begins On Following Page



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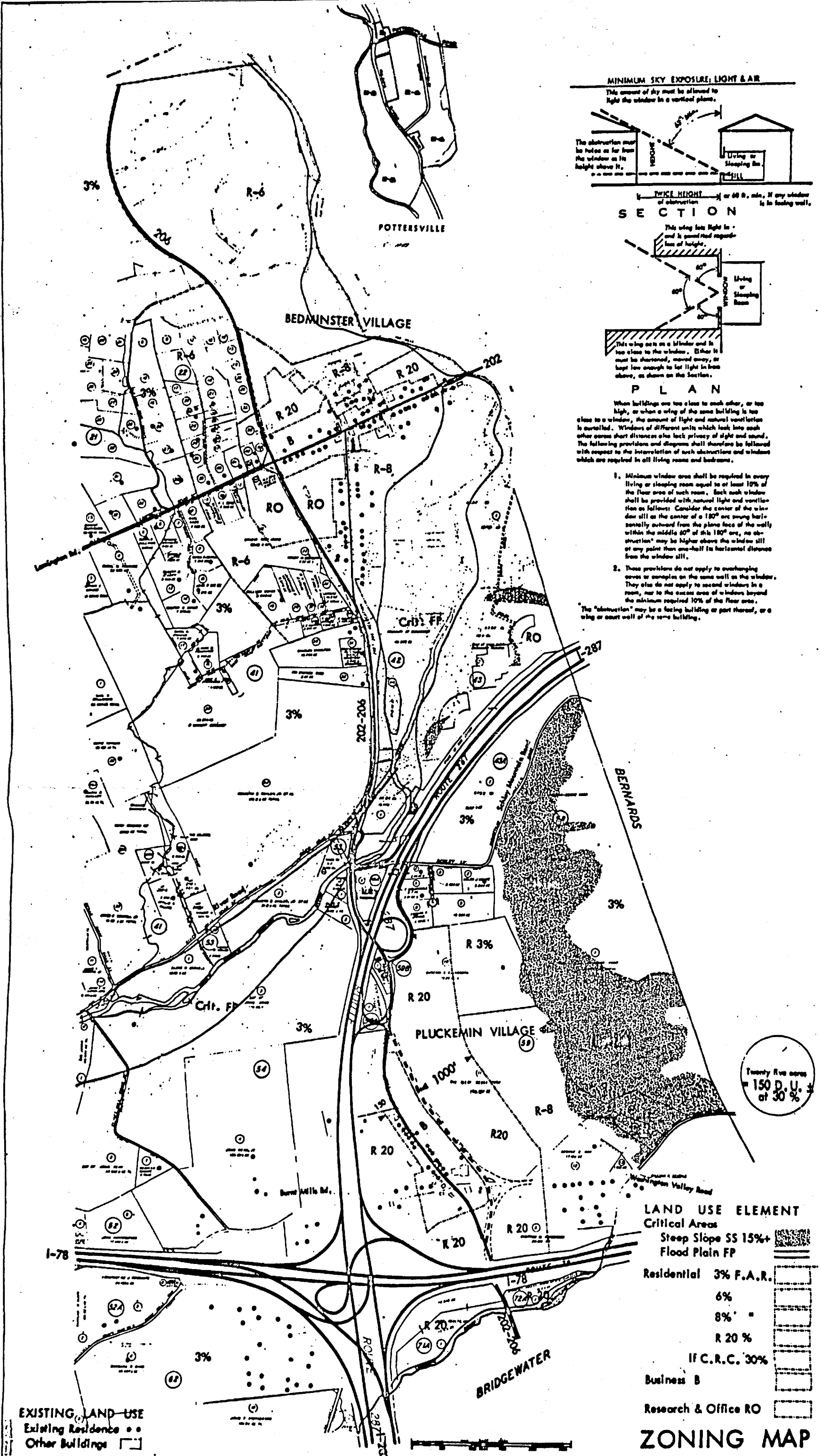
SECTION



PLAN

When buildings are too close to each other, or too high, or when a wing of the same building is too close to a window, the amount of light and natural ventilation is curtailed. Windows of different units which look into each other across short distances also lack privacy of sight and sound. The following provisions and diagrams shall therefore be followed with respect to the interrelation of such obstructions and windows which are required in all living rooms and bedrooms.

1. Minimum window area shall be required in every living or sleeping room equal to or at least 10% of the floor area of such room. Each such window shall be provided with natural light and ventilation as follows: Consider the center of the window sill as the center of a 180° arc extending horizontally outward from the plane face of the wall within the middle 60° of this 180° arc, no obstruction may be higher above the window sill at any point than one-half its horizontal distance from the window sill.
 2. These provisions do not apply to overhanging eaves or canopies on the same wall as the window. They also do not apply to second windows in a room, near to the outer area of windows beyond the minimum required 10% of the floor area.
- The "obstruction" may be a facing building or part thereof, or a wing or court wall of the same building.



Twenty five acres
 = 150 D.U.
 at 30%

LAND USE ELEMENT

Critical Areas	
Steep Slope SS 15%+	[Symbol]
Flood Plain FP	[Symbol]
Residential 3% F.A.R.	[Symbol]
6%	[Symbol]
8%	[Symbol]
R 20 %	[Symbol]
IF C.R.C. 30%	[Symbol]
Business B	[Symbol]
Research & Office RO	[Symbol]

ZONING MAP

Bedminster Township

EXISTING LAND USE
 Existing Residence ●●
 Other Buildings [Symbol]

These "Compact Residential Clusters" should have such additional requirements as:

1. A higher Floor Area Ratio
2. To permit economies of construction, a minimum size of 50 dwelling units and a maximum of 150 dwelling units.
3. To promote the production of less costly housing units, no dwelling unit can exceed the "minimum" Net Habitable Floor Area" (as specified in the Zoning Ordinance, based on American Public Health Association (A.P.H.A.) standards) by more than 15%;
4. To insure quality of the housing supply, the State Uniform Construction Code and Bedminster Board of Health Code shall apply;
5. To avoid excessive density concentrations, Compact Residential Clusters must be geographically separated by a distance of one-half mile between centers;
6. To be within walking distance of stores, services, potential transportation and supporting facilities, Compact Residential Clusters must lie in Pluckemin within an area bounded on the East by a line 1,000 feet east of 206, and on the West by I-287.
7. Requests for approval of Compact Residential Clusters are to be considered according to the order received subject to the evaluation and approval of the Planning Board, the Environmental Commission and the Board of Health.

The principles stated above, applied within the area designated, would make possible the development of a number of sites as Compact Residential Clusters. A Master Plan is not a static guide; but rather, an on-going blueprint for future development. In fact, the Municipal Land Use Law mandates that municipalities review their Master Plans at a minimum every six years. Thus, should it be found that this land use technique is effective, as manifest by the production and consumption of the units permitted, additional Compact Residential Clusters can be provided for in the future, located elsewhere within the Bedminster-Pluckemin corridor.

IV. CIRCULATION PLAN

Objective:

To discourage through traffic except on interstate highways; to facilitate intra-Township local traffic; to coordinate the Township's street pattern with surrounding highway construction, present and proposed; and to avoid traffic patterns which would (1) be energy inefficient (excessive stops, idling and turns), and (2) generate undesirable noise and air pollution.

With respect to through traffic, Interstate 78 on the south provides an East-West corridor to all points, and Interstate 287 in the southeast corner provides circular flow northeast and southeast. State Route 206, provides flow to the north and south. It also serves as the spine for local traffic.

On the west, the impact on Bedminster of traffic trying to get to the two major arteries (I-287 and 206) is lessened by the slip-on, slip-off at I-78 and Rattlesnake Bridge Road near the western boundary of the Township.

In anticipation of possible increases in the land use in townships to the west, Lamington Road should be protected for use as a local artery.

Heavier traffic can be anticipated by added development to the south and east of Bedminster in Bernards and Bridgewater Township. This traffic must go through Pluckemin in order to reach the interstate highway system access point north of the Village. This added traffic from outside the Township would be superimposed on existing traffic as well as that traffic added locally by an enlarged Village Neighborhood. The State may choose to widen or dualize 202-206; however, this cannot be done along the present alignment without removal of all trees and front yards from virtually every improved property in the Village. Such action would destroy the character of the Village and adversely affect property values. To prevent such an eventuality, and to enhance the quality of the village, it is proposed to move the alignment of Rt. 202-206 eastward onto vacant land east of Knox Avenue. The realigned right-of-way should be at least 100 feet wide. The bypass should be designed as a freeway, with no driveways or commercial development on either side. Between the I-78 and underpass to the South and the I-287 underpasses to the North, access should be permitted only at two points controlled by lights: at the intersection of Washington Valley Road, and at or near the I-287 cloverleaf. To protect both the existing and future commercial development of the Village to the west of the new alignment and prospective residential areas to the east, the route should be screened by landscaped earth berms on both sides. The present alignment of 202-206 should be declassified and return to the status of a village street to serve residential and local retail business use in the village. A regional shopping center is not needed and has no place in Pluckemin.

The Township road network is presently satisfactory because of the small number of driveways to large land holdings that open on these roads. Their capacity and free flow would be severely damaged, however, and they would not serve any property satisfactorily, if a multiplicity of driveways or other abutting vehicular use were allowed in the future. As in other areas, the speed limit would have to be reduced from 50 mph to 25 mph. In addition to the increase in danger, this would make all adjacent properties twice as remote from the destinations of occupants in terms of time and depreciate property value. Accordingly, measures shall be taken to encourage future development in accordance with the following circulation principles, among others, at the time property is subdivided:

- A. Only a limited number of access points should be allowed to each property;
- B. Reverse frontage of individual lots will be required and no new driveway to an individual small lot may open onto a major road;
- C. Minor roads must have deadend intersections with major roads to prevent continuous traffic from one minor street to another across a major road.

V. UTILITY SERVICE PLAN

Objectives:

To maintain Bedminster as a rural township with minimal municipal services throughout, except those areas lying to the East of the I-287/202-206 corridor which presently have water supply; to minimize the impact of outfall of sewage into the North Branch of the Raritan and to prevent any increase in non point pollution sources or flooding; to require on-site storm water and sewerage disposal to the maximum extent possible.

- A. Water for the sparse Rural Settlement areas of Bedminster will be supplied by private wells, except for the limited area in Pottersville which is supplied by the Elizabethtown Water Company. The Village Neighborhood areas, including Bedminster Village and Pluckemin, will be supplied by the Gravity Division of the Commonwealth Water Company as needed.
- B. Storm water drainage into the North Branch of the Raritan, the Lamington River and Chambers Brook will be regulated by detention basins and other treatment controls in all new developments.
- C. No structures will be permitted in flood plains as mapped.
- D. Solid waste will be collected by private contractors and disposed of in locations designated by the County. Resource recovery will continue to be encouraged.
- E. The present sewerage treatment plant capacity in Bedminster is limited and will be absorbed by the normal development within the Bedminster village area. Therefore, any major development must include provision for tertiary treatment plants with disposal on-site by spray irrigation or other methods acceptable to the Planning Board, Board of Health, and Environmental Commission in such manner that it will not impact that assimilative capacity of the waterways within the Township. When the regional 303/208 studies are completed, Bedminster will determine its relationship to whatever regional facility may be proposed. No additional treatment plants should be permitted until such regional plans are finalized.

VI. COMMUNITY FACILITIES PLAN

Objectives:

To forecast the long-range need for expanded and additional community buildings; to study the feasibility of grouping such buildings; and to suggest appropriate locations for such facilities.

Township facilities now exist on a site not susceptible to expansion. The local library has acquired a building near the corner of Rt. 206 and Lamington Road. All future community facilities, other than schools, should be concentrated as a Civic Center. These include a building for municipal administration, court and police, a public works garage, and a community building for recreation.

Room for further expansion of the present school in Bedminster Village is available at the present site. A new school site of about 15 acres will be necessary if the Pluckemin Village Neighborhood becomes fully developed. Because of the anticipated sparseness of population in the Rural Settlement area west of Bedminster and Pluckemin Villages, additional school sites in the middle and western parts of the Township are not necessary.

VII. RECREATION PLAN

Objectives:

To provide facilities for outdoor recreational activities within walking or bicycle distance of all dwelling facilities.

Throughout the township walking and bicycling easements will be sought in all conservation areas. In the Rural Settlement area, cluster development will be encouraged whenever large property owners seek to develop their lands in order that common usable open space may be protected. In Village Neighborhood areas, new residential developments will be required to provide a flat, usable tract of at least five acres for each 150 dwelling units as sites for playgrounds and such sports as softball and tennis. On the portion of the triangular municipal tract between Rt. 202 and the North Branch of the Raritan not presently occupied by buildings, future school facilities if required, must be developed in conjunction with existing elementary school facilities. This could involve full sized baseball diamonds, a full-sized soccer field, a football field and room for bleachers, tennis facilities, provision for the possibility of other sports such as archery and skeet, and possible swimming and ice skating facilities.

In addition to these active sports, provision should be made throughout the Township for other rural sports, such as walking, picnicking and fishing. Particularly for these latter sports, as well as skating, use of the flood plain of the North Branch of the Raritan River, and other similar areas, should be contemplated.

The steep slopes of the Watchung Mountains should be reserved for forestry and nature walks.

In all privately planned subdivisions, the Planning Board should encourage creation of neighborhood permanent open spaces adjacent to residential development. This might include facilities for private golf and tennis clubs, bicycle paths, possible facilities for horseback riding and hunting, and the creation of ponds and lakes along water courses.

VIII. ENVIRONMENTAL PROTECTION PLAN

Objectives:

To establish and protect critical areas of the Township from ecological damage; to prevent the export either of polluted water or polluted air to neighboring townships; to protect against flooding; to protect the health, welfare and safety of Township residents.

This entails continued careful protection of the ecosystem balance, protection of streams and flood plains, the maintenance of wooded and vegetative cover, the prevention of erosion of open rolling countryside and steeper slopes.

Bedminster Township lies in the headwaters area of the Raritan watershed. The west and southwest boundary of the Township is the Lamington River. The North Branch of the Raritan River forms part of the eastern boundary and flows in a southerly direction between Bedminster Village and Pluckemin. The southeasterly boundary of the Township is Chambers Brook.

The basic reason for flood-plain protection is public safety. This is affected directly when any building is located in the floodway or flood-hazard area, and indirectly by the assets of vegetation and woodlands which protect stream environments and help prevent flooding. No building or disturbance of land should be allowed in a flood plain to avoid aggravating potential flood menace or stream flow problems above or below the site. The creation of ponds and lakes should be encouraged to prevent erosion. The Township should continue to encourage no-till croplands, reforestation where feasible, and regulate closely any top soil removal.

The steep slopes in excess of 15% grade have been designated for permanent open space and should be left wild or devoted to timber stand improvement to prevent erosion.

Open land in critical areas has great social and ecological value but limited economic value. It is not yet practical to finance the purchase of all such areas for public ownership. In fairness to private owners, two approaches to such land areas should be taken.

First, in flood plains, the permitting of all uses which do not pollute the surface or ground water nor increase the run-off from the land, nor increase the potential flood hazard above or below the land, nor impede its ability to store flood waters. These uses include but are not limited to agronomy with strict contour plowing or no-till practices, animal husbandry (if high land is available on the same parcel for any essential buildings); recreation such as golf courses, playfields, tennis courts, swimming and hunting, nurseries, and tree farming (i.e., horticulture, floriculture, and silviculture). On steep slopes, 15% gradient or above, erosion becomes more dangerous and expensive to control. Wild forestry, or tree farming under the supervision of the State are the only feasible uses.

Second, the possible inclusion of minimal credit in the gross Floor Area Ratio calculations for the usable (non-critical) land on the same parcel or on one immediately adjacent to the critical parcel. This is justified because the increased number of residences on the non-critical land will enjoy and benefit from the light, air and view resulting from the immediately adjacent and visible open space.

The so-called "transfer of development rights" to other parcels not adjacent is not an approved procedure in the Township since those parcels would not have the immediate benefit of the open space left elsewhere, and because an artificial and random increase of density on such parcels would be incompatible with other neighboring parcels not having such increased development rights.

In addition to respect for environmental matters, special respect must be accorded historical sites within the Township, especially the Revolutionary War Artillery Park on the steep slope of the Watchung Mountains.

The Natural Resources Inventory of Bedminster Township is incorporated in this Master Plan by reference.

This Master Plan of Bedminster is compatible with the Master Plans of surrounding municipalities, with the Somerset County Master Plan of land use and the Regional Development Guide of the Tri-State Regional Planning Commission, as well as the revised New Jersey State Development Guide Plan of the Department of Community Affairs.

More specifically, adjacent Land Use districts in the municipalities surrounding Bedminster is as follows:

Branchburg:	Low Density Residential R-1 Res. Min. 3 Ac.
Readington:	Low Density Residential Min. 1-3/4 to 3Ac.
Tewksbury:	Low Density Rural Residential Min. 5 and 3 Ac. Historic at Pottersville
Chester:	Park Low Density Residential Min. 5 Ac. except 2 Ac. 1000' E. of 206
Peapack-Gladstone:	Rural Settlement 3 Ac.
Far Hills:	Rural Residential Min. 10 Ac.
Bernards Township:	Sparse Residential Min. 3 Ac.
Bridgewater:	Parks and Open Space along Chambers Brook Light Industry or Least Cost Housing east of 287 Low Density housing (IAC.) west of 287.