

LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF RIVERSIDE

BURLINGTON COUNTY, NEW JERSEY



“Progress – A Town In The Making”

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**THE TOWNSHIP OF RIVERSIDE
CHAPTER 255
LAND DEVELOPMENT ORDINANCE**

PREFACE¹

Riverside is an established, historic town sitting along the Rancocas Creek in Burlington County, New Jersey. It began life in 1851 as an idea by developer Samuel Bechtold who laid out his dream as “Progress,” a resort town and retreat for residents of Philadelphia who arrived by boat to escape the heat of summer.

Riverside was incorporated as a township by Act of the New Jersey Legislature on February 20, 1895. The Township borders Delanco and Delran.

The name of the town was changed to Riverside on November 15, 1867. The newly constructed railroad line to the shore took most of the luster off the town but Riverside flourished. Centrally located near the railroad and the wharf on the Rancocas, Riverside became the market place for area farmers and resulted in the super wide main street and the community’s first major industry, the Francis H. Leggett Canning Factory with headquarters in New York City.

Leggett quickly became the town’s largest employer but a fire on April 20, 1893 destroyed both the Haas shoe factory and the large Leggett building on Lafayette Street. When Mr. Leggett arrived from New York to survey the damage he announced he would not rebuild and within days the ground was sold and the busiest industry in town was gone.

Fortunately, men such as Theophilus Zurbrugg, Christian Dick and William Taubel developed new industry in Riverside. All three men had the honor of being Riverside’s largest employers during the first quarter of the 20th Century.

Christian Dick opened the first seamless stocking factory in the United States and his foreman, William Taubel were the leaders as the town became known for its hosiery mills. At one point, Taubel employed more than 700 people in Riverside and owned 33 mills around the United States.

Zurbrugg invented a way to make pocket watches lighter and better looking. At one time, his company produced more watch cases than any company in the world. He also brought women into the work force to take advantage of their superior skills in engraving.

In addition, Mr. Zurbrugg opened the Riverside Metal Works Company, an adjunct to his watchcase business, and funded the opening of a hospital. Mr. Zurbrugg also constructed the “below market” rate homes for his workers. While he and his businesses are gone, his legacy lives on and today is the central historical image of Riverside – the Watchcase building and clock tower standing at 1 Pavillion Avenue, across from the Riverline Train Station in the center of town.

¹ The Preface was written and edited by Robert J. (“Bob”) Kenney, Jr., in whose memory this version of the Township of Riverside Land Use Ordinance is dedicated. Mr. Kenney cared deeply for the Township of Riverside and worked tirelessly throughout his lifetime for the betterment of the Town. At the time of his passing in 2015, this revision to the Land Use Ordinance was almost complete and could not have happened without his wise counsel and generous assistance.

Riverside today is a stable community with over 8,000 residents located within 1-1/2 square miles. The Township's older neighborhoods, especially those in the R-3 and R-4 zones, were densely built with housing and shopping in close proximity to the factories where the majority of the population worked during the nineteenth to mid-twentieth centuries. These sections continue to have a mix of residential and business uses. Later sections constructed in the community, especially the Avenues (i.e., R-1 zone), were developed with lower density housing typical of suburban development patterns. These neighborhoods are primarily residential in contrast to the Township's older mixed use neighborhoods.

Riverside's suburban form has remained basically intact since its neighborhoods were developed and development patterns today are largely consistent with those described in the Township's Land Use Plan. However, renewal of formerly industrial areas has changed the scale and function of certain parts of the Township. Riverside presently has two redevelopment areas, including the former Philadelphia Watchcase Company and lands surrounding it (the SD-2 zone, known as the "Golden Triangle, as well as the former Zurbrugg Memorial Hospital location (SD-3 zone), the Tauble Mills area (SD-4 zone).

Riverside's Zoning Code has been revised over the years to reflect the changing character of the Community. The purpose of the zoning code as envisioned by New Jersey's Municipal Land Use Law has been to "guide the appropriate use or development of all lands . . . in a manner that will promote public health, safety, morals and general welfare" (MLUL, Chapter 291, N.J.S.A. 40:55D). In 2014, the Township of Riverside undertook a comprehensive examination of its code and revised the document to make it more user-friendly, easier to understand and addresses modern zoning issues.

INTRODUCTION

The Zoning Code

The Township of Riverside's Zoning Code includes the following elements:

1. Zoning Text

The zoning code consists of twenty-four (24) articles, which enumerate the Township's zoning regulations. The articles are divided into five (5) parts as follows:

Part 1: General Provisions

Part 2: Zoning Regulations

Part 3: Land Development Review Process

Part 4: Design Standards

Part 5: Administration

2. Bulk and Area Schedules

Bulk and area requirements are included in a chart in each section of this zoning code. However, Appendix A of the code provides a composite of the bulk and area schedules for each of the Township's zoning districts. These schedules provide a snapshot of basic regulations for each district and allow for easy comparison of regulations across districts.

3. Application Checklists

Appendices B through E provide checklists that enumerate required items that must be included in minor subdivision/site plan, preliminary major subdivision/site plan, final subdivision/site plan, and variance applications.

4. Zoning Map

The Zoning Map shows the location and boundaries of the Township's zoning districts.

5. Redevelopment Areas

The Township of Riverside has three designated redevelopment areas, comprised of four separate zones: SD-1 (North Pavilion Avenue) SD-2 (Golden Triangle), SD-3 (Zurbrugg Hospital) and SD-4 (Taubel Mills). These areas are more fully defined in each zone.

PART 1: GENERAL PROVISIONS

ARTICLE I

Scope, Title and Purpose

§ 255-1. Scope.

This chapter regulates and limits the uses of land and the uses and locations of buildings and structures; regulates and restricts the height and bulk of buildings and structures and determines the area of yards and other open spaces; regulates and restricts the density of population; divides the Township of Riverside into districts for such purposes; adopts a map of the Township showing boundaries and the classification of such districts; establishes rules, regulations and standards governing the subdivision and development of land within the Township; establishes a Joint Land Use Planning Board and prescribes penalties for the violation of its provisions.

§ 255-2. Short Title.

The short form by which this chapter may be known shall be the "Land Use Ordinance," otherwise known as the "Zoning and Land Development Ordinance of the Township of Riverside."

§ 255-3. Authority.

This chapter is adopted pursuant to N.J.S.A. 40A:55D-1 et seq., commonly known as the Municipal Land Use Law, which confers the power to regulate the use of lands within its jurisdiction upon New Jersey municipalities. The ordinance is also based on the duly recognized police powers of a municipality and is an exercise of that authority.

§ 255-4. Purpose.

This Zoning Code is adopted in order to promote and protect the public health, safety, morals and general welfare, and in the furtherance of the following related and more specific objectives:

- A. Encourage action 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.
- B. Secure safety from fire, flood, panic and other natural and man-made disasters.
- C. Provide adequate light, air, open space and traffic design.
- D. Promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods and the entire municipality as well as the preservation of the environment and prevent the overcrowding of land and buildings.
- E. Provide sufficient space in appropriate locations for a variety of residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements.

F. Promote a desirable visual environment through creative development techniques and good civic design and arrangements.

G. Promote the conservation of historic sites, open space, energy resources and to prevent the degradation of the environment, including but not limited to the air, water and visual environment, through improper use of land.

H. Establish orderly and uniform procedures relating to land use and development regulation.

I. Promote utilization of renewable energy sources.

j. Conserve the value of property.

§ 255-5. Conformity With Township Master Plan.

This Land Development Ordinance is substantially consistent with the Land Use and Housing Elements of the Riverside Township Master Plan and the Riverside Township 2025 Land Use Plan Element, as adopted August 12, 2013. The statement of objectives, principles, assumptions, policies and standards contained in both the Township Master Plan and the 2025 Land Use Plan Element are adopted by reference and shall be considered the basis of this chapter. All future amendments to this Chapter shall be made only after a review of the Land Use and Housing Elements of the Township Master Plan and in conformity with its statement of objectives, principles, assumptions, policies, and standards.

§ 255-6. Interpretation of Standards.

The provisions of this chapter shall be held to be minimum requirements. Where this chapter imposes a greater restriction than is imposed and required by other provisions of law, or by other rules, regulations or resolutions, the provisions of this chapter shall control. Where other laws, rules, regulations or resolutions require greater restrictions than are imposed by this chapter, the provisions of such other laws, rules and regulations shall control.

§ 255-7. Prohibited uses.

All uses not expressly permitted in this chapter are prohibited.

§ 255-8. Compliance.

All applicable requirements shall be met at the first time of erection, enlargement, alteration, moving or change in use of a structure, and shall apply to the entire structure or structures, whether or not the entire structure or structures were involved in the erection, enlargement, alteration, moving or change in use. Moreover, no building or structure shall be erected, moved, altered, added to or enlarged unless in conformity with this chapter, and no building, structure or land shall be used for any purpose or in any manner other than as specified in this chapter. Nothing in this chapter shall be deemed to require a change in plans, construction or intended use of any buildings, structure or land on which actual construction or the application for a permit or preliminary plans were lawfully submitted to any governmental agency having applicable

jurisdiction, and such actions were begun and diligently pursued before the adoption of this chapter.

§ 255-9. Action to enjoin or remedy violations.

In case any building or structure is erected, constructed, reconstructed, altered, moved or converted, or any building structure or land is used in violation of, or contrary to, the provisions of this chapter, or any building, structure or land is used in violation of, or contrary to, any approved site plan or subdivision, including any conditions made thereto, the Township may institute any action to enjoin or any other appropriate action or proceeding to prevent such erection, construction, reconstruction, alteration, conversion or use. However, nothing in this chapter shall be construed to restrict the right of any party to obtain a review by any court of competent jurisdiction according to law.

§ 255-10. Violations and penalties.

A. Violations. Failure to secure the required zoning permit or building permit previous to the erection, construction, alteration or addition to a building shall be a violation of this chapter.

B. Removal: Structures erected without a permit that do not conform with this chapter shall be removed.

C. Notice of Violation. When written notice of a violation of any provision of this chapter has been served by the Zoning Officer on the owner, owner's agent, occupant, contractor or builder, such violation shall be discontinued and/or removed immediately.

D. The following rules shall apply in determining responsibility for violations and penalties:

(1) The owner, general agent, contractor or occupant, or any combination thereof, of a building, premises, or part thereof, where such a violation has been committed exists shall be guilty of such an offense.

(2) Any agent, contractor, architect, engineer, builder, corporation or other person who commits, takes part or assists in such violation shall be guilty of such offense.

E. Each day that a violation continues after notification that it exists shall constitute a separate offense.

F. The imposition of penalties herein shall not preclude the Township, or any other person, from instituting an action to prevent an unlawful construction, reconstruction, alteration, repair, conversion or use, or to restrain, correct or abate a violation, or to prevent the illegal occupancy of a building, land or premises.

G. Fines and Penalties. Any person, firm or corporation violating any provisions of this chapter shall for each violation upon conviction thereof, be subject to one (1) or more of the following; a fine not exceeding two thousand dollars (\$2,000); a term of imprisonment not

exceeding ninety (90) days; or a period of community service not exceeding ninety (90) days. Each day that a violation is permitted to exist shall constitute a separate offense.

§ 255-11. Repealer.

All ordinances inconsistent with or in conflict therewith are hereby repealed.

§ 255-12. Severability.

If any section, subsection or paragraph of this chapter shall be declared to be unconstitutional, invalid, or inoperative in whole or in part by a court of competent jurisdiction, such section, subsection or paragraph shall to the extent that is not unconstitutional, invalid or inoperative remain in full force and effect, and no such determination shall be deemed to invalidate the remaining sections, subsections or paragraphs of this chapter. To this end, the provisions of each section, subsection, paragraph of this chapter are hereby declared to be severable.

§ 255-13. Effective Date.

This ordinance shall take effect twenty (20) days subsequent to passage and publication according to law.

ARTICLE II

Word Usage and Definitions

§ 255-14. Word Usage

A. For the purpose of the land use and development provisions, certain phrases and words are defined as herein set forth. In addition, the following rules of interpretation shall apply:

- (1) Words used in the present tense include the future.
- (2) Words used in the singular number include the plural number and vice versa.
- (3) The word "used" shall include "arranged," "designed," "constructed," "altered," "converted," "rented," "leased" or "intended to be used."
- (4) The word "lot" includes the word "plot" and "premises."
- (5) The word "building" includes the words "structure," "dwelling" or "residence."
- (6) The word "shall" is mandatory and not discretionary.

B. Whenever a term is used in this chapter which is defined in N.J.S.A. 40:55D-1 et seq., such term is intended to have the meaning as defined in N.J.S.A. 40:55D-1 et seq., unless specifically defined to the contrary in this chapter. Any word or term not defined herein shall be used with a meaning as defined in Webster's Third New International Dictionary of the English Language, unabridged, or latest edition.

§ 255-15. Definitions.

ABUTTING- Joining at the side, whether or not a street intervenes.

ACCESSORY BUILDING, STRUCTURE OR USE - A building, structure or use which is customarily associated with, is subordinate to and serves a purpose customarily incidental to the principal building, structure or use and which is located on the same lot. Examples include, but are not limited to, garages, carports, kennels, sheds and nonportable swimming pools. Any accessory building attached to the principal building shall be considered part of the principal building.

ADDITION – A combination of materials that form an extension to a structure or an increase in floor area or height of a building structure.

ADJOINING- Touching or bounding at a point or line.

ADMINISTRATIVE OFFICER - Unless a different municipal official is designated by this chapter to administer certain of the responsibilities and authorities specified for the administrative officer in N.J.S.A. 40:55D-1 et seq., the secretary of the Riverside Joint Land Use Planning Board shall be the Administrative Officer, who shall be responsible for the receipt of applications and other requests to the Board; in issues relating to a determination of completeness of an application under N.J.S.A. 40:55D-10.3, the Board Engineer shall make the determination of completeness.

AGE RESTRICTED DEVELOPMENT - Any development, which may be in any housing form, including detached and attached dwelling units, apartments, and flats, offering private and semiprivate rooms, that restricts the minimum age of all residents to be fifty-five (55) years for one resident of each of eighty percent (80%) of the units, provided that significant facilities and services for the elderly are provided. Such age restricted development shall be deed restricted controlling for minimum age requirement.

AGRICULTURE - The growing and harvesting of crops or the raising and breeding of livestock with or without accessory buildings incidental to agricultural uses, but not processing operations.

ALLEY- A public thoroughfare having a right-of-way width of 20 feet or less.

ALTERATION -Any work done on a site which changes the appearance of the site including, but not limited to, the following:

A. All incidental changes or replacement in the non-structural parts of a building or other structure.

B. Minor changes or replacement in the structural parts of a building or other structure limited to the following examples and other of similar character or extent:

1. Alteration of interior partitions to improve livability in nonconforming residential buildings provided that no additional dwelling units are created thereby.

2. Alteration of interior partitions in all other types of buildings or other structures.

3. Making windows or doors in exterior walls.

C. Strengthening the load-bearing capacity in not more than ten percent (10%) of the total floor area to permit the accommodation of a specialized unit of machinery or equipment.

APARTMENT- A single room, suite or set of rooms occupied as a dwelling.

APPLICANT - The landowner or the agent, optionee, contract purchaser or other person authorized to act for and acting for the landowner, submitting an application or other request for review under this chapter.

APPLICATION FOR DEVELOPMENT- The application or appeal forms, and all accompanying documents, required by this chapter for approval of a subdivision plat, site plan, conditional use, zoning variance or direction for issuance of a permit pursuant to N.J.S.A. 40A:55D-34 or N.J.S.A. 40:55D-36.

APPROVING AUTHORITY- The Riverside Joint Land Use Planning Board unless a different agency is designated by ordinance when acting pursuant to the authority of N.J.S.A. 40:55D-1 et seq.

APPURTENANT STRUCTURE - A device or structure attached to the exterior or erected on the roof of a building designed to support service equipment or used in connection therewith.

ASSISTED LIVING -A coordinated array of supportive personal and health services, available twenty-four (24) hours per day, to residents who have been assessed to need these services, including residents who require formal long-term care. Assisted living promotes resident self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity, and homelike surroundings.

ASSISTED LIVING RESIDENCE -A facility which is licensed by the New Jersey State Department of Health and Senior Services, in accordance with N.J.A.C. 8:36, to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed, to four or more adult persons unrelated to the proprietor. Apartment units offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance. Assisted living residence shall also include "continuing care retirement community," "nursing facility," "residential health care facility," and "statewide restricted admissions facility" as described and regulated in N.J.A.C. 8:33H-1 et seq.

AUTOMOBILE SALES BUILDING-A building used for the sale of, hire or remuneration from automotive and other vehicles and equipment. This shall be interpreted to include automobile accessory salesrooms but not the sale of junked vehicles and equipment.

AUTOMOBILE SERVICE STATION- Land and building providing for the sale of fuel, lubricants and automobile accessories and/or for maintenance and minor repairs for motor vehicles, excluding body repairs and the storage of inoperable and wrecked vehicles.

AUTOMOBILE WASH- Any building or premises or portions thereof used for washing and cleaning automobiles or other motor vehicles.

AUTOMOTIVE AND/OR TRAILER SALES AREA- An open area, other than a public or private street or way, used for the display or sale of new and used vehicles, trailers, trucks or equipment and where no work is done except that which is minor and incidental, not including body and fender work.

AUTOMOTIVE REPAIR SERVICE AND GARAGE- Any premises or establishments used for the repair or servicing of vehicles, but not including body repairs and automotive wrecking.

AWNING – A roof-like cover that is temporary or portable in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements and is periodically retracted into or toward the face of the building.

BASEMENT- That portion of a building which is partly or completely below grade.

BED AND BREAKFAST – See “Tourist/Guest House.”

BEDROOM - A room planned, designated and/or used for sleeping.

BLOCK - The length of a street between two street intersections.

BLOCK FRONTAGE- The distance along any street line between the nearest streets intersecting it.

BUFFERS - The land area within a property or site, used to visibly separate one use from another which may contain vegetation or fencing to shield or block noise, lights or other nuisances. Buffers shall be designed as provided for in this chapter.

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

A. A detached building is one with no party wall or walls, which is surrounded by yards or an open area on the same lot.

B. A semidetached building is one of two buildings with a single party wall common to both.

C. An attached building is one with two or more party walls or one party wall in the case of a building at the end of a group of attached buildings.

BUILDING AREA- The area of the largest horizontal section of a building measured to the outer edge of the walls.

BUILDING COVERAGE- The area occupied by all of the buildings on a lot measured on a horizontal plane around the periphery of the foundation and included in the area under the roof of any structure supported by columns but not having any walls, as measured around the outside of the outermost extremities of the roof above the columns.

BUILDING ENVELOPE- That portion of the lot area located inside the setback and offset lines, available to be used for placement of a building.

BUILDING FOOTPRINT – The entire area of ground covered by a permissible structure. Attached garages, decks and porches are part of the building footprint.

BUILDING HEIGHT- The vertical distance measured to the highest point, exclusive of chimneys and similar features, from the mean elevation of the finished grade at the foundation along the side(s) of the building facing a street, or to the street line if the street line is within 10 feet distance from the foundation. Chimneys, spires, towers, mechanical penthouses, tanks and similar projections of the buildings not intended for human occupancy shall not be included in calculating the height. If there are two (2) or more separate roofs on a single, building, the height of such building shall be calculated from the highest roof. In all cases where this chapter provides for height limitations by reference to a specified height and a specified number of stories, the intent is to limit height to the specified maximum footage and the specified number of stories within such footage.

BUILDING LINE - The line established by law, beyond which a building shall not extend, except as specifically provided by law.

BUILDING SITE - The area occupied by a building or structure, including the yards and courts required for light and ventilation, and such areas that are prescribed for access to the street.

BUSINESS USE- See "Commercial Use."

CANOPY - A roof-like cover that is permanent in nature that projects from the wall of a building for the purpose of shielding a doorway or window from the elements, or a freestanding, roof-like cover that is permanent in nature that shields vehicles, patrons and employees from the elements.

CAPITAL IMPROVEMENT- The addition of a permanent structural improvement or the restoration of some aspect of a property that will either enhance the property's overall value or increases its useful life.

CAPITAL IMPROVEMENT, MUNICIPAL – The addition and/or acquisition of assets (i.e., land, buildings, etc.), and/or the fixing of defects or design flaws in existing municipal owned property,

replacing component parts integral to the property, and/or other improvements to the efficiency, useful life, quality, capacity or material strength of municipal owned property.

CARPORT- A one-level structure, open on three sides and with a roof, for the storage or parking of automobiles.

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

CENTER LINE OF STREET OR ROAD-A line midway between and parallel to the street or road property lines, or as otherwise defined by the Township Ordinances.

CERTIFICATE OF USE AND OCCUPANCY - The certificate issued by the Construction Official which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the building in its several parts, together with any special stipulations or conditions of the building permit.

CHANGE OF USE - A change of use is any change in the use, purpose, or level of activity within any building or land, or portion thereof, that merits a change in application of the requirements of this zoning code.

CHURCH - A building in which persons regularly assemble for religious worship of the same faith and which is publicly designated as a church, but shall not include a parsonage, thrift or clothing store, or soup kitchen/homeless shelter. Accessory uses of a church, customarily incidental and subordinate to the principal use of a building as a church, includes day care facilities, kindergartens, family exercise or sport facilities, cemeteries, mausoleums, and columbariums.

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

CLUBHOUSE - A building to house a club or social organization not conducted for profit and which is not adjunct to or operated by or in connection with a public tavern, cafe or other public place.

COMMERCIAL USE - A use that involves the sale of goods or services carried out for profit.

COMPLETE APPLICATION - An application form, completed as specified by this chapter and the rules and regulations for all accompanying documents required by the Joint Land Use Planning Board pursuant to this chapter for approval of the application for development, including, where applicable, but not limited to, a site plan, provided that the Board may require such additional information not specified in such chapter, or any revisions in the accompanying documents, as are

reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application for development have been met. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the Board. An application shall be certified as complete immediately upon the meeting of all requirements specified in the chapter and in the rules and regulations of the Board and shall be deemed complete as of the day it is so certified by the Land Use Board's engineer for the commencement of the time period for action by the Board.

CONDITIONAL USE - A use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in the zoning provisions of this chapter, and upon the issuance of an authorization thereof by the Planning Board.

CONDOMINIUM - See "dwelling."

CORNER LOTS - See-"lot, corner."

COVERAGE, BUILDING - The square footage or other area measurement by which all buildings occupy a lot as measured in a horizontal plane around the periphery of the foundation and including the area under any roof extending more than two feet beyond the foundation.

COVERAGE, LOT - The square footage of all areas of a lot that are covered by impervious surfaces, including buildings, parking areas, driveways, walkways and any other area of concrete, asphalt or similar material that does not allow natural runoff to percolate into the ground.

DAY CARE/CHILD CARE CENTER- Any facility outside of the caregiver's home that is maintained for the care, development or supervision of six or more children or elderly persons who attend the facility for less than 24 hours a day.

DECK - A raised platform structure without a permanent roof that is attached to the dwelling unit.

DEMOLITION - The razing of any structure or the obliteration of any natural feature.

DENSITY - A number expressing dwelling units per gross land area.

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

DEVELOPMENT - The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure; or any other use of land or extension of use of land, for which permission may be required.

DISH ANTENNA – Also called a ‘satellite’ dish antenna, is a dish-shaped, usually concave parabolic reflector, used to transmit or receive radio and TV signals, as from orbiting satellites.

DOWNTOWN BUSINESS DISTRICT- The Township of Riverside’s business district located within the Township’s historic downtown having certain distinctive characteristics with regard to the design and controlled use of the thoroughfares and sidewalks upon which the commercial property and places of business are situated.

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

DRAINAGE AND UTILITY RIGHT-OF-WAY - The lands required for the installation and maintenance of stormwater and sanitary sewers, water pipes or drainage ditches and other utilities, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage damage in accordance with N.J.S.A. 58:16A-l et seq.

DRIVE-THROUGH ESTABLISHMENT- Any establishment, building or structure where service is provided to the customer from an automobile service window with access provided by a drive through lane incorporated into the site design.

DWELLING UNIT - A room, or series of connected rooms, designed for permanent residency containing living, cooking, sleeping and sanitary facilities for one housekeeping unit. The dwelling unit shall be self-contained and shall not require passage through another dwelling unit or other indirect route(s) to get to any other portion of the dwelling unit, nor shall there be shared facilities with another housekeeping unit.

DWELLINGS

A. APARTMENT BUILDING/MULTIFAMILY DWELLING STRUCTURE- A residential dwelling structure that contains three or more dwelling units.

B. BOARDINGHOUSE- Any building, or portion thereof, containing one or more units of dwelling space arranged or intended for single-room occupancy, exclusive of any unit occupied by an owner or operator, and wherein personal or financial services are provided to the residents, and as otherwise defined in N.J.S.A. 55:13B-1 et seq. "Financial services" means any assistance permitted or required by the commissioner to be furnished by an owner or operator to a resident in the management of personal financial matters, including, but not limited to, the cashing of checks, holding of personal funds for safekeeping in any manner or assistance in the purchase of goods or services with a resident's personal funds.

C. CONDOMINIUM - The form of ownership of real property under a master deed providing for ownership by one or more owners of units of improvements together with an undivided interest in common elements appurtenant to each such unit.

D. ROW HOUSE DWELLING UNIT- A single-family dwelling attached to two or more single family dwellings by common vertical walls.

E. SINGLE-FAMILY DETACHED DWELLING UNIT- A free standing single-family dwelling that does not share a common vertical wall with any other dwelling unit on an adjoining zoning lot and where all sides of the structure are surrounded by yards or open areas within the zoning lot on which the unit is located.

F. SINGLE-FAMILY SEMI-DETACHED DWELLING UNIT- A single-family dwelling attached to one other single-family dwelling by a common vertical wall, and each dwelling located on a separate lot.

G. TOWNHOUSE DWELLING - A dwelling unit located in a building that has not less than three (3) or more than eight (8) one-family dwelling units attached in a row as a single building on a common lot or adjoining lots, each dwelling being separated from the adjoining unit by a common party wall, thus, creating distinct and non-communicating dwelling units with their own front and rear access to the outside and without any dwelling unit located over another dwelling unit. Such separate townhouse dwelling units are intended for owner occupancy.

H. TWO-FAMILY DWELLING STRUCTURE- A structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced ceiling and floor, except for a common stairwell exterior to both dwelling units.

EASEMENT - A use or burden imposed on real estate by deed or other legal means to permit the use of land by the municipality, the public, a corporation or particular persons for specific uses.

FAMILY- A person living alone or any one of the following groups living together:

A. Any number of people related by blood, marriage, civil union, adoption, guardianship, or other duly authorized custodial relationship; and

B. One unrelated person per bedroom plus one additional unrelated person, not to exceed four persons. For persons who are unrelated and for purposes of this definition, a studio or efficiency dwelling unit shall be considered a one-bedroom dwelling unit. Therefore a studio, efficiency, or one-bedroom unit may have a maximum of two occupants, a two bedroom unit may have a maximum of three occupants, and a three-bedroom unit may have a maximum four occupants.

C. The term "family" shall not refer to:

i. A community residence for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults as defined and regulated by the State of New Jersey.

ii. Any society, club, fraternity, sorority, association, lodge or like organization.

iii. Any group of individuals whose association is temporary (less than 60 days) or seasonal in nature.

iv. Any group of individuals who are in a group living arrangement as a result of criminal offenses.

FAMILY DAY CARE HOME- The private residence of a family day care provider that is registered as a family day care home pursuant to the "Family Day Care Provider Registration Act," P.L. 1987, c.27 (C.30:5B-16 et seq.).

FENCE- Any artificially constructed barrier of wood, plastic or metal or any combination thereof or any other manufactured material or combination of materials, erected for the enclosure of land and/or dividing one piece of land from another. Fences shall meet the requirements as set forth in § 255-153.

FINAL APPROVAL - The official action of the Joint Land Use Planning Board taken on a preliminarily approved plat, after all requirements, conditions, engineering plans, etc., have been completed and the required improvements have been installed or performance guaranties properly posted for their completion. A plat that receives such "final approval" must have been prepared by a licensed land surveyor in compliance with all provisions of Chapter 291 of the Laws of 1975 (N.J.S.A. 40:55D-1 et seq.) and is the map which must be filed with the County Clerk within 95 days after the signing of the plan in order to make the approval binding. For good cause, the Joint Land Use Planning Board may extend the period for recording the map not to exceed an additional 190 day period from the date of signing the plat.

FLOODPLAIN - The relatively flat area adjoining a water channel which has been or may be covered by floodwaters of the channel, including the following components:

A. FLOOD FRINGE AREA- That portion of the flood hazard area outside of the floodway.

B. FLOOD HAZARD AREA- Land in the floodplain subject to a one-percent or greater chance of flood in any given year.

C. FLOODWAY- The river or other watercourse and the adjacent land area that must be reserved in order to discharge the design flood without cumulatively increasing the water surface elevation more than one foot.

D. FLOOD PLAIN DESIGNATION – The official Riverside Township Flood Plain Map, dated 1979, available in the Township Clerk’s Office, and which may be amended from time-to-time, designating blocks and lots which have been or may be covered by floodwaters.

FLOOR AREA, GROSS (GFA) - The plan projection of all roofed areas on a lot multiplied by the number of full stories under each roof section measured from the exterior face of exterior walls or from the center line of a wall separating buildings. Attics and basements which satisfy applicable construction definitions of habitable space are included in the GFA for residential uses.

FLOOR AREA, NET HABITABLE (NHFA) - The total of all floor areas of a building dedicated to the inhabitation by a resident and/or residents, including finished and heated areas fully enclosed by the inside surfaces of walls, windows, doors and partitions and having a headroom of at least 7 feet, floor space of at least 70 square feet per sleeping space, and including working, living, eating, cooking, sleeping, stair, hall, service and storage areas, but excluding garages, carports, parking spaces, half-stories, unfinished attics and basements and common hallways and entrances.

FLOOR AREA RATIO (FAR) -The ratio of the gross floor area of a structure to the area of its zoning lot or tract.

GARAGE - A building, structure or any portion thereof used for parking, storing motor Vehicles and/or storage.

A. PRIVATE CUSTOMER AND EMPLOYEE GARAGE - A garage that is accessory to a non-retail commercial or manufacturing establishment, building, or use and is primarily for the parking and storage of vehicles operated by customers, visitors, and employees of such building and that is not available to the general public.

B. PRIVATE RESIDENTIAL GARAGE - A structure that is accessory to a residential building and that is used for the parking, storage of vehicles and/or storage owned and operated by the residents thereof and that is not a separate commercial enterprise available to the general public.

C. PUBLIC GARAGE -A structure, or portion thereof, other than a private customer and employees garage or private residential garage, used primarily for the parking and storage of vehicles and available to the general public.

D. GARAGE, SERVICE/REPAIR - A garage conducted as a business in which provision is made for the care, or repair of motor vehicles. A repair garage shall include auto body and fender work and engine dismantling, and is not limited to minor repairs or engine tune-ups.

GROSS LOT AREA- The gross area within the lot lines of a parcel of land, including any environmentally sensitive areas such as wetlands, and excluding any public rights-of-way.

HEALTHCARE FACILITY - hospitals, clinics, health maintenance organizations (HMO's) and other public or private institutions, offices or facilities principally engaged in providing services for

health maintenance, counseling, diagnosis or treatment of human disease, pain, injury, deformity or physical condition. Excluded from this definition are nursing homes, animal research facilities, drug or alcoholic rehabilitation centers, and the joint offices of physicians numbering five physicians or fewer.

HEAVY INDUSTRY - In general, an industry which is capital- and/or labor-intensive, such as automobile, industrial machinery, steel, rubber, mining or petroleum.

HISTORIC SITE - Any building, structure, area or property that is significant in the history, architecture, archaeology or culture of this state, its communities or the nation, and has been so designated by local, State or National authorities.

HOME OCCUPATION USE- An occupation carried out in a dwelling unit by the resident thereof; Provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof and which is consistent with this Chapter.

HOMEOWNERS' ASSOCIATION- An incorporated or unincorporated entity responsible for operating under a recorded land agreement through which:

- A. Each lot or dwelling unit owner shall be a member;
- B. The owner of each lot or dwelling unit is subject to a charge for a proportionate share of the association's expenses for activities and maintenance, including maintenance costs levied against the association by Riverside Township;
- C. Each owner and tenant has certain rights and ownership in the common property.

HOTEL - A commercial establishment providing temporary lodging accommodations containing 10 or more rooms with at least 75% of all rooms accessed by passing through the main lobby of the building, and which may contain additional services such as restaurants, meeting rooms and recreation facilities.

HUMAN SERVICE FACILITY – A facility licensed by the State of New Jersey for operation as a skilled nursing facility

IMPERVIOUS SURFACE - Any material that prevents percolation of natural stormwater runoff into the ground.

IMPERVIOUS SURFACE AREA - The sum of the area of coverage or footprint of all buildings, structures, paved areas, patios and other improved surfaces on a lot preventing natural runoff from percolating into the ground, measured in square feet. Areas paved with gravel, crushed stone and other pervious materials as well as open wood decks with spacing between floorboards shall not be considered impervious. Calculation of total impervious surface area on a site shall be based upon gross lot area, not the net developable area on a site.

LIGHT INDUSTRY- In general, the production of goods and services for direct consumption by the consumer, and otherwise, industrial uses in conformance with the applicable performance standards of this chapter. Products made by an light industry tend to be targeted toward end consumers rather than other businesses. Consumer electronics and clothing manufacturing are examples of light industry.

LOADING SPACE -An off-street parking space or berth on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading.

LOT/ZONING LOT - Any parcel of land separated from other parcels or options as by a subdivision plat or recorded deed, survey map or by metes and bounds, except that for purposes of this chapter, contiguous undersized lots under one ownership shall be considered one lot, and further that no portion of an existing public street shall be included in calculating a lot boundary or lot area.

LOT AREA - The area contained within the lot lines of a lot, not including any portion of the right-of-way.

LOT, CORNER - A lot abutting two or more intersecting streets where the interior angle of the intersection does not exceed 135°. Each corner lot shall have two front yards and two side yards.

LOT, INTERIOR - A lot other than a corner lot.

LOT COVERAGE - See "Coverage, Lot."

LOT DEPTH -The shortest horizontal distance between the front lot line and a line drawn parallel to the front lot line through the midpoint of the rear lot line.

LOT FRONTAGE - The horizontal distance between the side lot lines measured along the street line. The minimum lot frontage shall be the same as the lot width. In the case of a corner lot, either street frontage which meets the required frontage for that zone may be considered the lot frontage.

LOT LINE- A line of record, as shown or described on a plat or deed, bounding a lot that divides one lot from another or from a public or private street or any other public space.

LOT LINE, FRONT- The lot line separating a lot from a right-of-way.

LOT LINE, REAR- The lot line opposite and most distant from the front lot line, running parallel to the FRONT LOT LINE.

LOT LINE, SIDE - Any lot line other than a front or rear lot line.

LOT, THROUGH -A lot whose side lot lines do not abut a street, has frontage on two (2) streets

or one (1) street and an alley.

LOT WIDTH - The straight and horizontal distance between the side lot lines at setback points on each side lot line measured an equal distance from the right-of-way. The minimum lot width shall be measured at the minimum required building setback line. When side lot lines are not parallel, the minimum lot width at the setback line shall not be less than 75% of the minimum lot frontage for the zoning district in which the lot is located.

MAINTENANCE GUARANTEE- Any security, other than cash, which may be accepted by the Township of Riverside for the maintenance of any improvements required by this chapter.

MASTER PLAN - A long-term planning document establishing the framework and key elements for the development of the Township of Riverside and reflects a clear vision of the Township's goals and aspirations being duly adopted by the Joint Land Use Planning Board as set forth in N.J.S.A. 40:55D-28.

MAJOR SITE PLAN - A site plan that does not meet the definition of a minor site plan.

MAJOR SUBDIVISION- Any subdivision not classified as a "minor subdivision."

MARQUEE - A roof-like structure that is permanent that projects from a wall of a building for the purpose of shielding a doorway or entrance from the elements.

MINOR SITE PLAN means a development plan of one or more lots, not exempted from site plan review elsewhere in this Chapter, that involves:

A. The construction of any permitted accessory use(s); or,

B. The expansion of, or addition to, an existing structure or use that does not account for more than 5% additional building coverage, does not exceed more than 1,500 square feet of enclosed and roofed area, and does not involve any grading, clearing or disturbance of an area of more than 5,000 square feet, provided that such development plan does not involve planned development, the installation of any road improvements, or the extension of any off-tract improvement.

MINOR SUBDIVISION means a subdivision of land for the creation of not more than three lots (two new lots and the remaining parcel) that does not involve:

A. Planned development;

B. The installation of any road improvements or the extension of any township facilities;

C. The extension of any off-tract improvement;

D. The further division of an original tract of land for which previous minor subdivision(s) have been approved by the township during the current calendar year and the preceding four calendar years and where the combination of the proposed and previously approved minor subdivision(s) would result in the creation of more than three lots (two new lots and the remaining parcel); and which

E. Does not adversely affect the future development of the remainder of the parcel or adjoining property;

MIXED OCCUPANCY - Occupancy of a building or land for more than one (1) use.

MOTEL - A commercial establishment providing transient lodging accommodations containing 10 or more rooms with at least 75% of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

MOTOR VEHICLE SERVICE STATION- An area of land, including any structures thereon, used for the retail sale of gasoline, oil or other fuel for the propulsion of motor vehicles and incidental services, including facilities for lubrication, hand washing and the furnishing of minor motor vehicle accessories and repairs, but excluding an automobile car wash or repair garage.

MULTISTORY BUILDING - A building consisting of more than two stories, not including a basement.

NIGHTCLUB - An establishment dispensing liquor and meals in which music, dancing, or entertainment is conducted, excluding adult entertainment.

NONCONFORMING LOT- A lot, the area, dimension or location of which was lawful prior to the adoption, revision or amendment of the zoning provisions of this chapter but fails to conform to the requirements of the district in which it is located by reason of such adoption, revision or amendment.

NONCONFORMING BUILDING OR STRUCTURE- A building or structure, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment to this chapter but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this chapter.

NONCONFORMING SIGN -Any sign lawfully existing on the effective date of this chapter, or amendment thereto that renders such sign nonconforming because it does not conform to all the standards and regulations of this chapter.

NONCONFORMING USE - A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by means of such adoption, revision or amendments.

NURSING FACILITY - A public or private institution or facility principally engaged in providing full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

NURSING HOME – See Nursing Facility.

OBSCENE MATERIALS - The definition of obscene materials set forth in P.L. 1978, c. 95, as amended by P.L. 1982, c.211, § 1 (effective December 23, 1982, as N.J.S.A. 2C:34-2), as the same shall be from time to time amended or supplemented, as well as in accordance with and not more strictly than judicial interpretations thereof pursuant to the Constitutions of the United States and of the State of New Jersey finally concluded in courts of jurisdiction sufficient to render decisions on constitutional questions of general application.

OFF-SITE - Located outside the lot lines of the property in question but within the property of which the lot is a part, which is the subject of a development application, or on a contiguous portion of the street right-of-way or drainage or utility easement.

OFF-TRACT- Not located on the property which is the subject of a development application, or a contiguous portion of a street right-of-way or drainage or utility easement.

ON-SITE - Located on the lot that is the subject of an application for development.

OPEN SPACE -Any parcel or area of land or water essentially undeveloped or unimproved and set aside, designated or reserved for public or private use or enjoyment; provided that such areas are improved with only those buildings, structures, streets and off-street parking and other improvements that are designed to be incidental to the natural or landscaped area.

PARKING LOT- Any outdoor area or space conducted as a business, or rented or ancillary to any institution, business or residential use, where more than three motor vehicles may be parked or stored, excluding used car lots.

PARKING SPACE - An area either within a structure or in the open for the parking of motor vehicles. The area of a "parking space" is intended to be of sufficient area to accommodate the exterior extremities of the vehicle, whether, in addition thereto, wheel blocks are installed within this area to prevent the bumper from overhanging one end of the parking space. The width and length of each space shall be measured perpendicular to each other and shall be as required by the provisions of this chapter, regardless of the angle of the "parking space" to the access aisle or driveway.

PATIO - An area that is level and surfaced with pavement including, but not limited to, stone, gravel, bricks, concrete, bituminous concrete, pavers, etc., and is directly adjacent to a principal building. Patios may be constructed at grade or above grade in a terraced fashion with or without walls.

PERFORMANCE GUARANTEE – A performance bond, letter of credit, acceptable escrow

agreement or other similar guarantee or surety agreement approved in substance and in form by the Township Solicitor and the governing body, including cash in an amount not to exceed 10% of the total performance guarantee. The amount of the performance guarantee shall not exceed 120% of the cost of installation of improvements deemed necessary or appropriate for the development, including any required off-site and off-tract improvements.

PERFORMANCE STANDARD - STANDARDS OF PERFORMANCE - Standards adopted by ordinance regulating noise level, glare, earthborne or sonic vibrations, heat, electronic or atomic radiation, noxious odors, toxic materials, explosive and flammable matters, smoke and airborne particles, waste discharge, screening of unsightly objects or conditions and such other similar matters as may be reasonably required by the municipality or required by applicable federal or state laws or municipal ordinances.

PERMITTED USE - Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district as set forth in this chapter.

PERVIOUS SURFACE AREA - The sum of the gross lot area, which allows natural runoff to percolate into the ground, measured in square feet. Areas paved with gravel, crushed stone, or other pervious materials shall be considered pervious.

PLACE OF WORSHIP - A church, synagogue, temple, mosque, or other facility that is used for prayer and worship.

PLANNED REAL ESTATE DEVELOPMENT - Any real property, whether contiguous or not, which consists of, or will consist of, separately owned areas, irrespective of form, be it lots, parcels, units or interests, and which are offered or disposed of pursuant to a common promotional plan, and providing for common or shared elements or interests in real property. This definition shall include, but not be limited to, "planned unit development" and "planned unit residential development" as defined in the Municipal Land Use Law, P.L. 1975, c. 291 (N.J.S.A. 40:55D-6).

PLAT- A map or maps of a subdivision or site plan.

POND – Generally, used for holding fish as part of a landscape and are no larger than 23 to 25 feet long by 12 to 13 feet wide and 3 to 4 feet deep (7300 gallons), contain no more than 20 fish and if deeper than 2 inches of water, the pond must be covered by pond netting to prevent a hazard or the property where the pond is located must be surrounded by a four foot fence. Any lighting must be subdued.

POOLS

Hot Tub - Any artificially constructed watertight structure of approved materials having a maximum depth of 48 inches used in conjunction with high velocity water recirculation systems. Mineral or non-mineral water is used and is not emptied after each use. Water temperature is hot, cold or ambient.

Swimming/Private - Any artificially constructed watertight structure of approved materials, above or in-ground, whether permanently installed, portable, collapsible or otherwise, having either an inside structural depth in excess of 18 inches measured from the bottom of the enclosure, or in excess of 24 inches above the surface, or having a surface area in excess of 120 square feet, or a capacity in excess of 1,400 gallons, constructed or maintained on any lot, as an accessory use, by any person for the use of themselves, or any member of their household, and guests. The term includes all buildings, structures, equipment and appurtenances thereto, subject to all requirements of this chapter.

Swimming/Public - Any artificially constructed watertight structure of approved materials which is intended to be used for swimming or bathing and is operated by a concessionaire, owner, lessee, operator, or licensee, regardless of whether a fee is charged for use. Nothing in this definition shall be construed as applying to any pool, constructed at a one (1) or two (2) family dwelling, and maintained by an individual for the sole use of the household and house guests.

Wading - Any artificially constructed watertight structure of approved materials that has a maximum depth of twenty-four (24) inches.

PORCH - A roofed open structure projecting from the front, side or rear wall of a building and having no enclosed features or glass, wood or other material more than thirty (30) inches above the floor thereof, except the necessary columns to support the roof.

PRELIMINARY APPROVAL- The official action taken on a preliminary plat, which determines whether or not the map submitted is in proper form and meets the established standards adopted for design layout and development of the subdivision or site plans.

PRINCIPAL BUILDING OR STRUCTURE- A building or structure which is the primary use of the lot on which it is located.

PRINCIPAL USE- The primary or predominant use of any lot or parcel.

PROFESSIONAL OFFICE -The office of a physician, dentist, psychologist, lawyer, engineer accountant, architect, land surveyor or other persons providing professional services.

PROHIBITED USE - A use that is not permitted in a zoning district.

PROJECT SITE - The portion of any lot, parcel, tract or combination thereof that encompasses all phases of a proposed development.

PUBLIC DRAINAGEWAY -The land reserved or dedicated for the installation of stormwater sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of waters to safeguard the public against flood damage, sedimentation and erosion.

PUBLIC FACILITY USE- The use of land or buildings by the governing body of the Township or any officially created authority or agency thereof.

PUBLIC UTILITIES MAP - A map designed to show all utility easements, sanitary sewers, storm drains, open drainage channels, water and gas mains, telephone and electric service trunk lines and railroads and which conforms to the specifications as outlined in this chapter.

QUASI-PUBLIC USE- A use owned or operated by a nonprofit, religious, or charitable institution and providing educational, cultural, recreational, religious, or similar types of programs.

QUORUM-A majority of the full-authorized membership of the Joint Land Use Planning Board.

RECREATION AREAS AND FACILITIES- Public-owned lands used for leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields, or leisure-time activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, and table games.

RECREATIONAL VEHICLES - Boats, campers, trailers and related vehicles used for recreational purposes, other than automobiles.

RECYCLING CENTER- Any space, whether inside or outside a building, used for:

A. Any Class A or Class B recycling facility regulated by the State of New Jersey and/or the County of Burlington.

B. The recycling, storage, keeping, processing or abandonment of:

(1) Scrap materials.

(2) Construction or demolition debris.

(3) Bottles, cans or other recyclable materials.

REDEVELOPMENT AREA- An area that the Township has determined is "in need of redevelopment" as defined by state statute (N.J.S.A. 40A:12A-7).

REDEVELOPMENT PLAN- A plan for revitalization of a designated area of the Township that outlines the boundaries of the area and provides a land use plan and a proposal for redevelopment, including land acquisition and redeveloper's obligation(s). Land use regulations and the land use plan outlined in a Redevelopment Plan supersede the regulations of the underlying zoning district within which the redevelopment area is located, unless otherwise incorporated within the Township Zoning Code as a "Special District."

REHABILITATION - An undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of

existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area.

REHABILITATION AREA - or "area in need of rehabilitation" is an area determined by the Township of Riverside to be in need of rehabilitation, pursuant to section 14 of P.L. 1992, c.79 (C.40A:12A-14).

REHABILITATION CENTER – Any facility established for the purpose of treating and/or counseling persons suffering from addictions to alcohol and/or drugs.

REHABILITATION FACILITY – MEDICAL - Any facility established for the purpose of the physical restoration of a sick or disabled person by therapeutic measures and reeducation to participation in the activities of a normal life within the limitations of the person's physical disability. This definition for purposes of this Chapter does not include rehabilitation for drug and/or alcohol addictions.

RELIGIOUS INSTITUTION - Places of assembly owned or maintained by an organized religious organization for the purpose of regular gatherings for worship services including churches, mosques, synagogues, temples, shrines, meetinghouses and pagodas. Schools, daycare facilities, food pantries, soup kitchens, homeless shelters or other uses designed to serve social welfare needs are excluded as primary uses.

REPAIR - Any work done which is not an alteration to an existing structure or the construction of a new building or structure.

RESTAURANT - Any establishment, however designated, at which food is sold primarily for consumption on the premises and within a building. An outdoor eating area supplemental and ancillary to the indoor eating and cooking facility may be permitted, provided the outdoor eating area receives site plan approval. Cafes, coffeehouses and "cyber" cafes, which provide internet access, are restaurants. However, a snack bar or refreshment stand at a public or community swimming pool, playground, playing field or park operated solely by the agency or group operating the recreational facility and for the convenience of patrons of the facility shall not be deemed a restaurant.

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

RETAIL SALES - A business selling tangible commodities, such as department stores, variety stores, apparel and accessory sales, furniture, appliance and antique stores where all sales are under one roof.

RIGHT-OF-WAY- Publicly dedicated land, including alley, street, curb and sidewalk.

SCHOOL - A public or private nonprofit organization providing regular instruction for a normal

school year, but not a school or college giving special or limited instruction, such as business, art, beauty, music, dancing or nursery school.

SCHOOL, PROPRIETARY - A person or corporation engaged in the instruction of children or adults for personal profit and not as an integral part of the public school system, of a college or similar institution of higher learning or of an established religious or charitable organization; a business use.

SERVICE STATION – See Motor Vehicle Service Station

SETBACK (see also "Yard") - A line drawn parallel with a street line or lot line that indicates the minimum distance allowed between a building and the front, rear and side lot lines on a zoning lot.

SEXUALLY ORIENTED BUSINESS - A commercial establishment, as described in the provisions of N.J.S.A. 2C:33-12.2 and 34-6, which:

A. As one of its principal business purposes offers for sale, rental, or display any of the following: books, magazines, periodicals or other printed material, or photographs, films, motion pictures, video cassettes, slides or other visual representations which depict or describe a "specified sexual activity" or "specified anatomical area;" or still or motion picture machines, projectors or other image-producing devices which show images to one person per machine at any one time, and whether the images so displayed are characterized by the depiction of a "specified sexual activity" or "specified anatomical area;" or instruments, devices, or paraphernalia which are designed for use in connection with a "specified sexual activity;" or

B. Regularly features live performances characterized by the exposure of a "specified anatomical area" or by a "specified sexual activity," or which regularly shows films, motion pictures, video cassettes, slides, or other photographic representations which depict or describe a "specified sexual activity" or "specified anatomical area." "Sexual Activity" includes, but is not limited to: Human masturbation, sexual intercourse or any touching of the genitals, pubic areas or buttocks of the human male or female or the breasts of the female, whether among or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

SHED – a simple roofed structure, typically made of wood or metal, used as a storage space.

SIGHT TRIANGLE EASEMENT- A triangular shaped portion of land established at street intersections and driveway intersections in which nothing is permitted to be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection or driveway.

SIGNS: See definitions contained in § 255-157.

SITE PLAN - A development plan of one or more lots on which is shown:

- A. The existing and proposed conditions of the lot, including, but not limited to, topography, vegetation, drainage, floodplains, marshes and waterways.
- B. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices.
- C. Any other information that may be reasonably required in order to make a determination concerning the adequacy of the plan in accordance with the requirements of this chapter.

SITE PLAN, EXEMPT- Individual lot applications for detached one- or two-dwelling unit buildings in conformance with district regulations, and additions under 1,000 square feet to existing buildings of a permitted use in a given district which complies with applicable district regulations.

SITE PLAN, MAJOR - All site plans not defined as minor or exempt plans. See also "Major Site Plan."

SITE PLAN, MINOR – See "Minor Site Plan."

SITE PLAN REVIEW- The examination of the specific development plan for a lot or tract of land. Whenever the term "site plan approval" is used in this chapter, it shall be understood to mean a requirement that the site plan be reviewed and approved by the Riverside Township Joint Land Use Planning Board.

STORY - That portion of a building included between the surface of any floor and the surface of the next floor above it or, if there is not a floor above it, then the surface between the floor and the ceiling next above it and including those basements used for primary use. For the purpose of this chapter, the interior of the roof shall not be considered a ceiling.

STORY, HALF- A story under a gabled, hipped or gambrel roof, the wall plates of which on at least two (2) opposite walls are not more than two (2) feet or less than one (1) foot above the finished floor of such story.

STREET- Any road (other than a private road), highway, street, avenue, boulevard, parkway, alley, viaduct, drive or other way:

- A. Which is an existing state, county or municipal roadway;
- B. Which is shown upon a plat heretofore approved pursuant to law;
- C. Which is approved by official action as provided by this chapter;

D. Which is shown on a plat duly filed and recorded in the office of the county recording officer and includes the land between the street lines, whether improved or unimproved, pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street lines;

E. A thoroughfare publicly or privately owned, open to general public use and having a right-of-way width greater than 20 feet.

STREET LINE- The edge of the existing or future street right-of-way, whichever may result in the widest right-of-way, as shown on the adopted Township Master Plan or Official Map, forming the dividing line between the street and a lot.

STRUCTURE - Anything constructed, assembled or erected which requires location on the ground or attachment to something having such location on or in the ground, including buildings, fences, masonry walls, tennis courts, tanks, signs, advertising devices, man-made ponds and in-ground swimming pools.

SUBDIVISION

A. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development.

B. The following shall not be considered subdivisions within the meaning of this chapter if no new streets are created:

(1) Divisions of property by testamentary or intestate provisions provided that the division is in conformity with the applicable ordinance requirements.

(2) Divisions of property upon court order, including, but not limited to, judgments of foreclosure.

(3) Consolidation of existing lots by deed or other recorded instrument.

(4) The conveyance of one or more adjoining lots, tracts or parcels of land, owned by the same person or persons and found and certified by the administrative officer to conform to all requirements of the municipal development regulations and which are shown and designated as separate lots, tracts or parcels on the Tax Map of the Township of Riverside.

C. The term "subdivision" shall also include the term "resubdivision."

SUBDIVISION, MAJOR - Any division of land not classified as a minor subdivision.

SUBDIVISION, MINOR – See “Minor Subdivision.”

SUBDIVISION REVIEW- The examination of the specific plat for a lot or tract for subdivision of

land. Whenever the term "subdivision approval" is used within this chapter, it shall be understood to mean a requirement that the subdivision plat be reviewed and approved by the Riverside Joint Land Use Planning Board in conjunction with a use variance.

THEATER - A building or part of a building devoted to the showing of motion pictures or for dramatic, dance, musical, or other live performances, excluding "sexually oriented businesses."

TOPOGRAPHIC MAP - A map that shows contours, existing buildings and other structures, watercourses, wooded areas and locations of test pits or borings and conforms to the specifications as outlined in this chapter.

TOURIST/GUEST HOUSE - A building occupied by a resident family and arranged or used for additional temporary lodging, with or without meals, for compensation, and containing up to 10 guest rooms.

TRACT - An area, parcel, site, piece of land, or property that is the subject of a development application.

TRAFFIC IMPACT ANALYSIS- A comprehensive and professional study which analyzes existing and future traffic volumes and levels of service for off-tract intersections and roadways which may be impacted by a proposed development, and includes recommendations for traffic improvement strategies.

TRAILER or TRAILER CABIN - A vehicle, with or without its own motive power, equipped or used for living purposes and mounted on wheels, or designed to be so mounted and transported.

UTILITY -The services provided to a use, including but not limited to sewage collection, water supply, gas, electric and telephone.

VARIANCE- A departure from the terms of this chapter authorized by the Joint Land Use Planning Board in accordance with N.J.S.A. 40:55D-40b, 40:55D-70c and 40:55D-70d.

A. VARIANCE, BULK ("C" VARIANCE)- A deviation from zoning district standards pertaining to yard setbacks, height (below a ten percent excess of permitted height), building massing, or other bulk provisions and parking restrictions.

B. VARIANCE, USE ("D VARIANCE)- A deviation from zoning district standards pertaining to permitted uses, conditionally permitted uses, floor area ratio, permitted density, or height (in excess of ten percent above permitted height) provisions .

YARD (see also "Setback")- An open space that lies between the principal building or buildings and the nearest lot line.

A. FRONT YARD- The space between the building line or front main wall of a building, excluding steps and open porches not exceeding eight feet and overhanging eaves, cornices and similar fixtures, and the front property line.

B. REAR YARD- An open space on the same lot with a building between the rear wall of the building and the rear line of the lot, and unoccupied except for accessory buildings, decks and open porches which, in the aggregate, shall not occupy more than 50% of the rear yard area.

C. SIDE YARD- An open, unobstructed space on the same lot with a building between the building and the side line of the lot, and extending through from the front or the rear yard, into which space there is no extension of building parts, other than eaves with an overhang of not more than one foot, rainwater leaders, window sills and other such fixtures, open steps for a distance not exceeding four feet and bay windows not more than 12 feet wide, at one floor level only, and for a distance not exceeding two feet.

WAIVERS - Permission to depart from the literal requirements of the site plan and subdivision standards of this chapter.

ZONING DISTRICT/ZONE- A specifically delineated area or district within the Township in which uniform regulations and requirements govern the use, placement, spacing and size of land and buildings.

ZONING MAP- An official Township map that is a part of the Township's Land Development Ordinances that delineates the boundaries of zoning districts.

ZONING OFFICER- The officer designated by the Township of Riverside Committee to administer the zoning ordinance and issue zoning permits.

ZONING PERMIT-A document signed by the Zoning Officer, which is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building; and which acknowledges that such use, structure or building complies with the zoning provisions of this chapter.

ARTICLE III

Joint Land Use Planning Board

§ 255-16. Establishment

The Township of Riverside adopts a Joint Land Use Planning Board (hereafter "Planning Board") whose duties include those of both a traditional Zoning Board of Adjustment and a Planning Board, as defined by the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-25c.

A. The Riverside Township Joint Land Use Planning Board (or "Planning Board") shall exercise all of the powers of a Planning Board set forth in the provisions of N.J.S.A. 40:55D-25.

B. The Riverside Township Joint Land Use Planning Board shall exercise all the powers of a Zoning Board of Adjustment set forth in the provisions of N.J.S.A. 40:55D-70.

§ 255-17. Composition

Membership.

A. Regular Membership. The Riverside Planning Board shall consist of nine (9) members divided into the following classes:

1. Class I: the Mayor of the Township or the Mayor's appointee;
2. Class II: one of the officials of the Township other than a member of the governing body, to be appointed by the Mayor, in accordance with N.J.S.A. 40:55D-23;
3. Class III: a member of the Township Committee to be appointed by it;
4. Class IV: Other citizens of the Township to be appointed by the Mayor. The Class IV board members shall hold no other municipal office except as provided in N.J.S.A. 40:55D-23.

B. Zoning Board Members. The Class I and Class III members shall not participate in the consideration of applications for development which involve relief pursuant to subsection d. of the N.J.S.A. 40:55D-70.

C. Terms of Office. The term of the member composing Class I shall correspond to his official tenure. The terms of the members composing Classes II and III shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first. The terms of all Class IV members first appointed under this chapter shall be so determined that, to the greatest practicable extent, the expiration of such terms shall be distributed evenly over the first four years after their appointment, provided that the initial Class IV term of no member shall exceed four years. Thereafter, the Class IV term of each such member shall be four years. If a vacancy in any class shall occur otherwise than by expiration of the Joint Land Use Planning Board term, it shall be filled by appointment, as above provided, for the unexpired term.

D. Voting Eligibility. When any hearing before a Joint Land Use Planning Board meeting shall carry over two or more meetings, a member of the Board who was absent for one or more meetings shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his absence from one or more of the meetings; provided, however, that such Board member has available to him/her a transcript or recording of the meeting from which s/he was absent and certifies, in writing, or upon the record to the Board that s/he has read such transcript or listened to such recording.

E. Alternate Members.

1. Designation. The Township Committee shall appoint not more than two alternate members to the Joint Land Use Planning Board. The two alternate members of the Joint Land Use Planning Board shall be designated as "Alternate Number 1" and "Alternate Number 2", respectively, and each alternate shall retain said designation during the term for which they are appointed.

2. Appointment of Alternate to Serve on Case. During the absence or disqualification of any regular member, the Chairperson shall appoint an alternate member to serve in the place of said regular member; provided, however, that where the alternate member is designated to serve in place of the regular member who is disqualified from participating in the hearing of a particular case, the alternate member shall be designated to serve only with respect to such case. An alternate member who has been designated to sit in place of a regular member and who has participated in any hearing or matter coming before the board shall continue to act in the place of such regular member until the final disposition of said matter by the Joint Land Use Planning Board. The Chairperson shall appoint alternate members in the order of their designation.

3. Alternate Not to Serve at Adjourned or Continued Hearing Unless Present at Prior Hearings. When a regular member has been present and has participated in the first hearing on any matter, no alternate member shall be designated to serve during the absence of such regular member during any adjourned or continued hearing or hearing on the same matter unless said alternate member was present at such first hearing or any prior adjourned or continued hearing on such matter.

4. Rights and Privileges. An alternate member who has been designated to serve in the place of an absent or disqualified regular member shall, during the period of his service, enjoy all the rights and privileges and shall be subject to all of the duties and disabilities pertaining to regular members, if, but only if, the alternate certifies that they have read a transcript or listened to a recording of prior meetings; provided however, that no alternate member shall be eligible to serve as Chairperson or Vice-Chairperson of the Board.

5. Participation in Discussions: Voting. Alternate members may participate in discussions of the proceedings, but may not vote except in the absence or disqualification of a regular member, nor shall any vote be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate Number 1 shall vote.

6. Terms of Alternate Members. The terms of the alternate members shall be for two (2) years, except that the terms of the alternate members shall be such that the term of

not more than one (1) alternate shall expire in any one (1) year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two (2) years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority.

F. Removal of Member.

1. Board Recommendation. Whenever a member of the Joint Land Use Planning Board shall absent themselves from meetings of the Board, without just cause, for a period deemed detrimental to the conduct of Board business, the Board may recommend to the Township Committee, in writing, that such member be removed in accordance with the provisions of N.J.S.A. 40:55D-69.

2. Automatic Vacancy. In accordance with the provisions of N.J.S.A. 40A: 9-12.1 (g) any Board member who, without being excused by a majority of the authorized members of the Board, fails to attend and participate at meetings of the Board for a period of three consecutive regular meetings shall be considered to be no longer a member of the Board and a vacancy on the Board shall be deemed to exist, provided that the Board shall notify the governing body in writing of such determination and further provided that the Board may refuse to excuse only with respect to those failures to attend and participate which are not due to legitimate illness or other valid reasons.

3. Conflict of Interest. No regular or alternate member of the Planning Board shall be permitted to act on any matter in which s/he has, either directly or indirectly, any personal or financial interest. Any member, other than a Class I member, after a public hearing if s/he requests it, may be removed by the Township Committee for cause.

§ 255-18. Powers and Duties Generally

A. The Joint Land Use Planning Board shall have the following powers and duties:

1. Prepare, adopt, maintain, and amend the Township Master Plan, pursuant to N.J.S.A. 40:55D-28.

2. Administer the land subdivision, site plan, and zoning provisions of the Township of Riverside Land Development Ordinance and hear and decide applications made pursuant thereto.

3. Prepare, maintain, and administer the Township official map adopted by the Township Committee, pursuant to N.J.S.A. 40:55D-32.

4. Prepare a capital improvement program, if authorized by the Township Committee, pursuant to N.J.S.A. 40:55 D-29.

5. Direct issuance of building permits for a structure in the bed of a mapped street, public drainageway, flood control basin or public area, pursuant to N.J.S.A. 40:550-34 or for a structure not related to a street, pursuant to N.J.S.A. 40:55D-36.

6. Participate in the preparation and review of programs or plans required by State or Federal law or regulation.

7. Assemble data on a continuing basis as part of a continuous planning process.

8. Perform such advisory duties as are assigned to it by ordinance or resolution of the Township Committee for the aid and assistance of the Township Committee or other agencies or officers.

§ 255-19. Zoning Board of Adjustment Powers Exercised by the Planning Board

A. The Riverside Planning Board shall exercise the following powers when acting as the Zoning Board of Adjustment.

1. Hear and decide appeals pursuant to N.J.S.A. 40:55D-72 where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative officer based on, or made in, the enforcement of the zoning provisions of this Chapter.

2. Hear and decide requests for interpretation of the zoning map, zoning provisions of this chapter, official map, or for decisions upon other special questions upon which the Board is authorized to pass under this Land Development Ordinance.

3. Hear and decide requests for variances from lot area, lot dimensional, setback, and yard requirements, pursuant to N.J.S.A. 40:55D-70c.

a. Hardship. Grant a variance from the strict application of any regulation of the zoning provisions of this chapter that would result in peculiar and exceptional practical difficulties, or exceptional and undue hardship upon the developer of a specific piece of property for the following reasons:

(1) exceptional narrowness, shallowness or shape of the property;

(2) exceptional topographic conditions or physical features uniquely affecting the property, or

(3) an extraordinary and exceptional situation uniquely affecting the property or structures lawfully existing thereon.

b. Other Bulk Variance. Grant a variance to allow departure from the zoning provisions of this chapter for a specific piece of property, excluding the variance from those departures enumerated in subsection 4 of this section, when the purposes of the Municipal Land Use Law would be advanced by a deviation from the specified zoning provisions of this chapter and when the benefits of the deviation would substantially outweigh any detriment.

4. Hear and decide requests to grant a variance to allow departure from the zoning provisions of this Chapter in particular cases and for special reasons pursuant to N.J.S.A. 40:55D-70d. Variances granted under this subsection shall be granted only by affirmative vote of at least five (5) members. No variance or other relief may be granted under the terms of this section unless such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning provisions of this chapter. The variances that may be granted under this subsection include the following:

- a. A use or principal structure in a district restricted against such use or principal structure.
- b. An expansion of a non-conforming use.
- c. Deviation from a specification or standard pertaining solely to a conditional use including deviations from the standards or specifications of the Township Redevelopment Plan.
- d. An increase in the permitted floor area ratio.
- e. An increase in the permitted density, except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision.
- f. A height of a principal structure which exceeds by ten (10) feet or ten percent (10%), whichever is greater, the maximum height permitted in the district for a principal structure.

B. Annual Report. The Joint Land Use Planning Board, acting as the Zoning Board of Adjustment shall, at least once a year, review its decisions on applications and appeals for variances and prepare and adopt by resolution a report of its findings on the zoning provisions of this Chapter which were the subject of variance requests. The report shall contain recommendations of the Joint Land Use Planning Board relative to amendments or revisions to the zoning provisions of this Chapter, if any. The report shall be sent to the Township Committee for its consideration.

§ 255-20. Organization

A. Chairperson. The Chairperson shall decide all points of order and matters of procedure governing the meeting unless otherwise directed by a majority of the Board in session at the time. The Chairperson shall have all the powers and perform all the duties normally appertaining to his/her office. The Chairperson or his/her designee shall swear all witnesses giving testimony before the Board.

B. Vice-Chairperson. The Vice-Chairperson shall preside at all Joint Land Use Planning Board meetings and hearings in the absence of the Chairperson.

C. Secretary.

1. The Secretary shall conduct all official correspondence, compile the required records, maintain and keep in order the necessary files and indices, and generally perform the secretarial work of the Board.

2. The Secretary shall attend all meetings of the Board, and shall have the care and custody of all records, documents, maps, plans and papers of the Board. When the votes are taken, the Secretary shall take roll in alphabetical order by last name, except that the Chairperson shall be called last.

3. The Secretary shall make a record of, and keep on file, the minutes of the proceedings at each meeting or hearing held by the Board and shall enter therein with the other proceedings, such resolutions and orders as are adopted and a copy of the minutes of that meeting. The Secretary shall issue notices of meeting and shall perform such other duties as usually appertain to the office.

4. The Secretary shall file a brief notice of the Board's decision on each development application pursuant to N.J.S.A. 40:55D-10i and provide a full copy of the notice and the adopted resolution to the applicant.

D. Personnel, Experts and Staff.

1. The Joint Land Use Planning Board may also employ, or contract for, and fix the compensation of such experts and other staff and services as may be necessary to carry out its powers and duties and to conduct professional reviews of land development applications.-The Board shall not authorize expenditures which exceed, exclusive of gifts or grants, the amount appropriated by the governing body for its use.

2. All applicants shall pay into an escrow fund at the time the application is filed, sufficient funds to pay for professional services required for review of the application. The

fees and charges of all professional services related to a land development application shall be paid from the applicant's escrow account.

3. The Board shall specifically have the power to appoint the following positions:

a. Board Attorney. In accordance with the requirements of Jaw, the Planning Board shall have the power, right and responsibility to employ an attorney to advise the Board as to its legal rights. The Board Attorney shall be answerable and responsible to the Planning Board and shall take action independent of any action taken by the Township Solicitor in accordance with the principles of law. The Board Attorney shall be appointed for a term of one (1) year, commencing on January 1 of the year of appointment and terminating on December 31 of the year of appointment.

(1) Qualifications. The person appointed Board Attorney shall be an attorney licensed to practice law in the State of New Jersey and possess other qualification, ability and experience which the Board shall deem necessary to perform the duties of his office.

(2) Compensation. The Board Attorney shall receive reasonable fees and charges for legal services.

(3) Duties. The Board Attorney shall be the advisor on legal matters to the Joint Land Use Planning Board. In this connection, the Board Attorney shall be present during public hearings on land development applications, advise the Board on legal and procedural matters, and prepare the resolutions memorializing the actions of the Board.

b. Board Engineer.

(1) Qualifications. The person appointed Board Engineer shall be a licensed professional engineer within the State of New Jersey and possess other qualification, ability and experience which the Board shall deem necessary to perform the duties of his office.

(2) Compensation. The Board Engineer shall receive reasonable fees and charges for engineering services.

(3) Duties. The Board Engineer shall be the advisor on engineering matters to the Planning Board. In this connection, the Board Engineer shall review all plans and documents received by the Planning Board for its action and make specific recommendations concerning said matters.

c. Board Planner

(1) Qualifications. The person appointed Board Planner shall be a licensed professional planner within the State of New Jersey and possess other qualification, ability and experience which the Board shall deem necessary to perform the duties of his office.

(2) Compensation. The Board Planner shall receive reasonable fees and charges for planning services.

(3) Duties. The Board Planner shall be the advisor on planning matters to the Planning Board. In this connection, the Board Planner shall review all plans and documents received by the Planning Board for its action and make specific recommendations concerning said matters.

d. Other professionals. The Board shall obtain the services of other recognized experts as is necessary to review particular elements of land development applications. The cost of these specialized professional services shall also be borne by the applicant and charged to the relevant escrow account for the land development application.

e. Development Review Committee

1. Establishment. The Development Review Committee (the 'DRC') of the Riverside Township Joint Land Use Planning Board is hereby established. The DRC shall consist of three (3) regular members of the Board as appointed annually by the Chairperson of the Riverside Joint Land Use Planning Board and the professionals employed by the Joint Land Use Planning Board to review development applications.

2. Purpose. The purpose of the Development Review Committee shall be to provide applicants with an informal review of any proposed development project prior to formal application being made to the Joint Land Use Planning Board. The DRC may make recommendations to the applicant as to how best to proceed in a formal application of any proposed development, such recommendations being non-binding on the Joint Land Use Planning Board.

3. Procedure. Applicants are encouraged to schedule a review of any major site plan or other proposed development that may be unique to the Township of Riverside, by contacting the Secretary of the Joint Land Use Planning Board. For additional procedures, see § 255-108.

f. Technical Review Committee.

1. The Technical Review Committee (the 'TRC') of the Riverside Township Joint Land Use Planning Board is hereby established. The TRC shall consist of three (3) regular members of the Board as appointed annually by the Chairperson.

2. Purpose. The purpose of the Technical Review Committee shall be to review adverse decisions of the Township of Riverside Zoning Officer and make recommendations to the full Joint Land Use Planning Board.

3. Procedure. Within 20-days following the denial of any zoning permit, an applicant may appeal the decision of the Zoning Officer to the full Joint Land Use Planning Board. Prior to the Joint Land Use Planning Board considering the appeal, the Technical Review Committee shall review the decision of the Zoning Officer and make a recommendation to the full Joint Land Use Planning Board on the disposition of the appeal. The Recommendation of the TRC shall be reported at the next regular meeting of the Riverside Joint Land Use Planning Board.

§ 255-21. Promulgation of Rules and Regulations.

The Riverside Planning Board shall adopt such rules and regulations as may be necessary to carry into effect the provisions and purposes of this chapter. In the issuance of subpoenas, administration of oaths, and the taking of testimony, the provisions of the County and Municipal Investigations Law of 1953 (N.J.S.A. 2A: 67A-1 et seq.) shall apply.

§ 255-22. Conflicts of Interest

No regular or alternate member of the Riverside Planning Board shall act on any application or matter pending before the Board in which s/he is in a position to derive personal benefit from actions or decisions made in their official capacity.

Whenever any such member shall disqualify himself/herself from acting on a particular matter, s/he shall not continue to sit with the Board on the hearing of such particular matter, nor participate in any discussion by the Board or any decision relating thereto.

§ 255-23. Meetings

A. Annual Reorganization Meeting. The annual reorganization meeting of the Board shall be held at a designated time in January of each year, at which time the Board shall elect from among its members, a Chairperson and a Vice-Chairperson. The Board shall also appoint a Secretary and Board Professionals, all of whom shall serve for a one-year term until they are re-appointed or their successors are appointed at the next annual reorganization meeting. The Secretary may or may not be a member of the Joint Land Use Planning Board.

B. Regular Meeting Dates. The regular meetings of the Joint Land Use Planning Board shall be held at the Municipal building of the Township of Riverside, New Jersey at a time and day designated by the Joint Land Use Planning Board at the annual reorganization meeting. The Joint Land Use Planning Board shall be scheduled to meet at least once each month. The Secretary shall annually furnish a copy of the regular meeting dates for the year to the news media designated by the Township Committee in accordance with the Open Public Meetings Act, N.J.S.A. 10: 4-6 et. seq.

If it becomes necessary to change the date of a regularly scheduled meeting, the Joint Land Use Planning Board shall by resolution provide for an alternate date, causing proper notice to be published in a newspaper of general circulation within the Township.

C. Special Meetings. Meetings may be called by the Chairperson or in his/her absence by the Vice-Chairperson, at any time or upon the written request of two members, provided notice thereof is mailed or given to each member of the Board at least two days prior thereto, and to the public as required by the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq.

D. Meetings Open to Public. All meetings shall be open to the public except such executive sessions as authorized by N.J.S.A. 40:55D-9b and N.J.S.A. 10:4-6 et. seq.

E. Records.

1. Minutes of every regular or special meeting shall be kept and shall include the names and addresses of the persons appearing and addressing the Board, and the names of any attorney appearing, the action taken by the Board, the findings, if any, made by it and the reasons therefor. The minutes, following adoption by vote of the Joint Land Use Planning Board, shall thereafter be made available for public inspection during normal business hours at the Township office. Any interested party who wishes a copy of the minutes of any meeting shall be charged a reasonable fee, pursuant to § 150 of the Codes of Riverside, for the reproduction of the minutes.

2. A verbatim recording shall be made of every hearing on an application for development submitted to the Joint Land Use Planning Board. The recording of the proceedings shall be made either by stenographer, mechanical or electronic means. The Township shall furnish a transcript, or duplicate recording in lieu thereof, on request to any interested party at his/her expense, provided that the charge for a transcript shall not exceed the maximum permitted by N.J.S.A. 2B:7-4. Each transcript shall be certified, in writing, by the transcriber to be accurate.

F. Conduct of Meeting. The Chairperson or, in his/her absence, the Vice Chairperson, or in his/her absence, a member of the Planning Board selected at the meeting to be the Acting Chairperson, shall act as the Board's presiding officer at all meetings. In this connection, the Chairperson may administer oaths and compel the attendance of witnesses or authorize the Board Attorney to perform these responsibilities. The Chairperson shall ensure that the minutes of the meeting show the vote of each member on all action items or show that the member is absent or fails to vote on that action item. The Board shall keep records of its examinations and other official action, all of which shall be immediately filed in the office of the Planning Board and constitute a public record. Specifically, action by the Board in the conduct of its meetings and the holding of hearings shall conform with the procedural requirements of N.J.S.A. 40:55D-1 et seq.

§ 255-24. Notice of Hearings

A. Notice Required. The Riverside Planning Board shall not conduct a public hearing or consider a land development application for which notice is required until it is demonstrated that the notice requirements have been fulfilled.

B. List of Owners Supplied by Tax Assessor. The Tax Assessor of the municipality (or other authorized official) shall furnish the applicant with a certified list of the property owners entitled to notice pursuant to the provisions of N.J.S.A. 40:55D-12(c). The Applicant shall pay the applicable fee, pursuant to Chapter 150 of the Code of the Township of Riverside, for preparation of the list. A copy of the official certification and list shall be annexed to applicant's proof of service.

C. Public notice of a hearing shall be given for the following applications:

(1) An appeal to the Joint Land Use Planning Board under § 255-25 from the decision of the zoning officer or administrative officer.

(2) An extension of approvals for five or more years under N.J.S.A. 40:550-49 and N.J.S.A. 40:55D-52.

(3) Modification or elimination of a significant condition or conditions in a memorializing resolution in any situation wherein the application for development for which the memorializing resolution is proposed for adoption required public notice.

(4) Any request for a variance.

(5) Any request for conditional use approval.

(6) Any request for preliminary and final approval of a subdivision or site plan.

(7) Any request for certification of a nonconforming use.

(8) Any request for relief N.J.S.A. 40:55D-60 or N.J.S.A. 40:55D-76 as part of an application for development otherwise excepted herein from public notice.

(9) Any request by a public entity seeking to erect an outdoor advertising sign on land owned or controlled by a public entity as required pursuant to N.J.S.A. 40:55D-31.

D. Contents. The notice of public hearings on land development applications shall state the date, time and place of the hearing, the nature of the matters to be considered, an identification of the property proposed for development by street address, if any, or by reference to lot and block numbers as shown on the current tax duplicate in the township Tax Assessor's

office and the location and times at which any maps and documents for which approval is sought are available for public inspection.

E. Persons Served. Notice of hearing shall be given to all persons and officials entitled thereto by the requirements of N.J.S.A. 40:55D-12.

F. How Given. Notice shall be given at least 10 days prior to the date of the hearing in the following manner:

(1) Publication in the official newspaper of the Township, if there be one, or in a newspaper of general circulation in the Township. Applicants should consult with the Secretary of the Joint Land Use Planning Board for the name of the official paper.

(2) Notification by personal service or certified mail to the following. An affidavit of proof of the giving of the required notice shall be filed by the applicant with the Board at or prior to the hearing. It is not required that a return receipt be obtained. Notice is deemed complete upon mailing (N.J.S.A. 40:55D-14):

(a) To all owners of real property, as shown on the current tax duplicate, located in the state and within 200 feet in all directions of the property which is the subject of the hearing.

(b) In the case of any unit owner whose unit has a unit above or below it, or to the horizontal property regime, in the case of any co-owner whose apartment has an apartment above or below it, notice shall be given by:

(i) serving a copy thereof on the property owner as shown on the said current tax duplicate or (ii) mailing a copy thereof by certified mail to the property owner at his address as shown on the said current tax duplicate.

[1] Notice to a partnership owner may be made by service upon any partner.

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

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

(b) To the Clerk of any adjoining municipality or municipalities when the property involved is located within 200 feet of such adjoining municipality or municipalities.

(c) To the Burlington County Planning Board when the application for development involves property adjacent to an existing county road or proposed road as shown on the County Official Map or County Master Plan, adjoining other county land or situated within 200 feet of a municipal boundary.

(d) To the Commissioner of Transportation of the State of New Jersey when the property abuts a state highway.

(e) To the State Planning Commission when the hearing involves an application for the development of property which exceeds 150 acres or 500 dwelling units, in which case the notice shall include a copy of any maps or documents required to be filed with the Township.

If an application is continued to a subsequent hearing on a date certain, an announcement of such continuation and the date thereof shall be made at the time of continuation and re-notification by personal service or certified mail shall not be required.

§ 255-25. Appeals to the Riverside Planning Board

A. Appeals to the Joint Land Use Planning Board, which require the Board to invoke its powers as a Zoning Board of Adjustment, may be taken by any interested party affected by any decision of an administrative officer of the Township based on or made in the enforcement of this chapter. Such appeal shall be taken within twenty (20) days by filing a notice of appeal with the officer from whom the appeal is taken specifying the grounds of such appeal. The officer from whom the appeal is taken shall immediately transmit to the Joint Land Use Planning Board all the papers constituting the record upon which the action appealed was taken.

B. Prior to the Joint Land Use Planning Board undertaking a review of any appeal of a decision by the Township Zoning Officer, the Technical Review Committee shall first review the appeal and make a recommendation to the Joint Land Use Planning Board.

C. Modification on Appeal. In exercising its powers as a Zoning Board of Adjustment, the Joint Land Use Planning Board may reverse or affirm, wholly or in part, or may modify the action, order, requirement, decision, interpretation or determination appealed from and to that end have all the powers of the administrative officer from whom the appeal is taken.

D. Stay of Proceedings. An appeal to the Joint Land Use Planning Board, which requires the Board to invoke its powers as a zoning board of adjustment, shall stay all proceedings in furtherance of the action in respect to which the decision appealed from was made unless the officer from whose action the appeal is taken certifies to the Planning Board, after the notice of appeal shall have been filed with him/her, that by reason of facts stated in the certificate a stay

would, in his/her opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by an order of the Superior Court upon notice to the officer from whom the appeal is taken and on due cause shown.

E. Time for Decision. The Planning Board acting in the capacity as a zoning board of adjustment shall render its decision not later than one hundred twenty (120) days after the date an appeal is taken from the decision of an administrative officer or after the submission of a complete application for development to the Board pursuant to the provisions of N.J.S.A. 40:55D-72.b, or within such further time as may be consented to by the applicant. Failure of the Board to render a decision within such period shall constitute a decision favorable to the applicant. In the event the developer submits separate consecutive applications, pursuant to this chapter, the aforesaid time period shall apply to the application for approval of the variance. The period for granting or denying any subsequent approval shall be as otherwise provided in this chapter.

F. Except as otherwise provided by the general ordinances of the Township of Riverside, each application made for a variance or appeal shall be accompanied by the fee specified in Chapter 150 of the General Ordinance of the Township of Riverside payable to the Township of Riverside.

G. Expiration of Variance. Any variance from the terms of this chapter hereafter granted by the Joint Land Use Planning Board, functioning in the capacity as a zoning board of adjustment, permitting the erection or alteration of any structure or structures or permitting a specified use of any premises shall expire by the limitation within one (1) year from the date of entry of the judgment or determination of the Joint Land Use Planning Board, or in the case where a variance was granted in conjunction with the approval of a development application for a minor subdivision or site plan, preliminary major subdivision or site plan or a final subdivision or site plan, the expiration period for the variance shall run concurrently with the expiration period for the respective development application, unless the applicable construction permits have been obtained or the permitted uses have actually been commenced by that date; except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the Joint Land Use Planning Board to a court of competent jurisdiction until the termination in any manner of such appeal or proceeding. Nothing in this section shall limit the time period extension permitted by The New Jersey Permit Extension Act, N.J.S.A. 40:55D-136.1 et seq.

§ 255-26. Notice of Decisions.

Any decision of the Joint Land Use Planning Board when acting upon an application for development shall be given by notice in the following manner:

A. Copy to applicant, interested parties. A copy of the decision shall be mailed by the Secretary of the Joint Land Use Planning Board within 10 days of the date of decision to the applicant or appellant, or, if represented, then to his/her attorney, without separate charge. A copy of the decision shall also be mailed within 10 days to any interested party who has requested it and who has paid the designated fee.

B. Newspaper notice. A brief notice of every final decision shall be published in the official newspaper of the municipality, if there be one, or in a newspaper of general circulation in the Township of Riverside. Such publication shall be arranged by the applicant unless a particular municipal officer is so designated by ordinance; provided that nothing contained herein shall be construed as preventing the applicant from arranging such publication if s/he so desires. The municipal agency may make a reasonable charge for its publication. The notice shall be sent to an official newspaper for publication within 10 days of the date of any such decision.

C. The period of time in which an appeal to a court of competent jurisdiction may be made shall run from the first publication, whether arranged by the municipality or the applicant.

§ 255-27. Minimum Requirements.

The rules, regulations and standards contained in this chapter shall be considered the minimum requirements for the protection of the public health, safety and welfare of the citizens of the Township of Riverside. Any action taken by the Township under the terms of this chapter shall give primary consideration to the abovementioned matters and to the welfare of the entire Township. Moreover, if an applicant can clearly demonstrate that, because of peculiar conditions pertaining to his/her land, the literal enforcement of one or more of the regulations within or referred to herein is impracticable or will exact undue hardship, the Joint Land Use Planning Board may permit such exceptions as may be reasonable and within the general purpose and intent of the rules, regulations and standards established by this chapter.

§255-28. Appeal of Planning Board Decision

All appeals of decisions made by the Joint Land Use Planning Board shall be taken directly to the Superior Court of New Jersey and not to the Riverside Township Committee.

ARTICLE IV

MASTERPLAN

§ 255-29. Master Plan Preparation and Contents

A. The Planning Board shall prepare and, after public hearing, adopt or amend a Master Plan or component parts thereof to guide the use of lands within the township in a manner which protects public health and safety and promotes the general welfare.

B. The Master Plan shall generally comprise a report or statement and land use and development proposals, with maps, diagrams and text, presenting, where appropriate, the following elements.

1. A statement of objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the township are based.

2. A land use plan element taking into account the other Master Plan elements and natural conditions, including but not necessarily limited to topography, soil conditions, water supply, drainage, floodplain areas, marshes and woodlands; showing the existing and proposed location, extent and intensity of development or land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or a combination of purposes; and including a statement of the standards of population density and development intensity recommended for the township.

3. A housing plan element pursuant to Section 10 of P.L. 1985, c. 222 (N.J.S.A. 52:27D-310), including but not limited to, residential standards and proposals for the construction and improvement of housing.

4. A circulation plan element showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about and through the Township.

5. A utility service plan element analyzing the need for and showing the future general location of water supply and distribution facilities, drainage and flood control facilities, sewerage and waste treatment, solid waste disposal and provision for other related utilities.

6. A community facilities plan element showing the location and type of educational or cultural facilities, historic sites, libraries, hospitals, firehouses, police stations and other related facilities, including their relation to the surrounding areas.

7. A recreation plan element showing a comprehensive system of areas and public sites for recreation.

8. A conservation plan element providing for the preservation, conservation and utilization of natural resources, including, to the extent appropriate, open space, water, forests, soil marshes, wetlands, harbors, rivers and other waters, fisheries, wildlife and other natural resources.

9. An economic plan element considering all aspects of economic development and sustained economic vitality, including:

a. A comparison of the types of employment expected to be provided by the economic development to be promoted with the characteristics of the labor pool resident in the municipality and nearby areas.

b. An analysis of the stability and diversity of the economic development to be promoted.

10. A historic preservation plan element:

a. Indicating the location, significance, proposed utilization and means for preservation of historic sites and historic districts.

b. Identifying the standards used to assess worthiness for historic site or district designation.

c. Analyzing the impact of each component and element of the Master Plan on the preservation of historic sites and districts.

11. Appendices or separate reports containing the technical foundation for the Master Plan and its constituent elements.

12. A recycling plan element which incorporates the state recycling plan goals, including provisions for the collection, disposition and recycling of recyclable material within any development proposal for the construction of fifty (50) or more units of single-family residential housing or twenty-five (25) or more units of multifamily residential housing and any commercial or industrial development proposal for the utilization of one thousand (1,000) square feet or more of land.

C. The Master Plan and its plan elements may be divided into subplans and subplan elements projected according to periods of time or staging sequences.

D. The Master Plan shall include a specific policy statement indicating the relationship of the proposed development of the township as developed in the Master Plan to the Master Plans of contiguous municipalities, the Master Plan of Burlington County and the State Development and Redevelopment Plan adopted pursuant to the State Planning Act, P.L. 1985, c. 398 (N.J.S.A. 52:18A-196 et seq.), and the district solid waste management plan of Burlington County required pursuant to the provisions of the Solid Waste Management Act, P.L. 1970, c. 39 (N.J.S.A. 13:1E-1 et seq.).

§ 255-30. Periodic Master Plan Reexamination and Report

A. The governing body shall, at least every six years, provide for a general reexamination of the Master Plan and this chapter by the Planning Board, which shall prepare a report on the findings of such reexamination, a copy of which shall be sent to the County Planning Board and the Municipal Clerks of each adjoining municipality. The six-year period shall commence with the adoption or termination of the last reexamination of such plan and regulations.

B. The reexamination report shall state the following:

1. The major problems and objectives relating to land development in the Township at the time of such adoption, last revision or reexamination, if any.

2. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.

3. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for such plan or regulations as last revised, with

particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources and change in state, county and Township policies and objectives.

4. The specific changes recommended for such plan or regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

§ 255-31. Notice of Hearing on Adoption, Revision, or Amendment of Master Plan

A. The Joint Land Use Planning Board shall give public notice of a hearing on adoption, revision or amendment of the Master Plan at least ten (10) days prior to the meeting in the following manner:

1. Publication of such notice in the official newspaper of the Township.

2. Notice by personal service or certified mail to the Clerk of an adjoining municipality of all hearings on adoption, revision or amendment of a Master plan involving property situated within 200 feet of such adjoining municipality;

3. Notice by personal service or certified mail to the County Planning Board that shall include the proposed Master Plan or any revision or amendment thereto;

B. The Joint Land Use Planning Board shall give notice by personal service or certified mail to the County Planning Board of the adoption, revision or amendment of the Master Plan not more than thirty (30) days after the date of such adoption, revision or amendment that shall include a copy of the adopted Master Plan element or revision or amendment thereto.

C. Content. The notice of public hearings on adoption, revision or amendment of the Master Plan shall state the date, time and place of the hearing, the nature of the matters to be considered and the location and times at which any maps and documents for which approval is sought are available for public inspection.

ARTICLE V

Official Map

§ 255-32. Map Adopted; Statutory Authority.

A. The Township Committee may adopt, pursuant to the provisions of Section 23 of P.L. 1975, c. 291 (N.J.S.A. 40:55D-32), a document known as the "Official Map of the Township of Riverside."

B. The Official Map shall be deemed conclusive with respect to the location and width of streets and public drainageways and the location and extent of flood control basins and public areas, whether or not such streets, ways, basins or areas are improved or unimproved or are in actual physical existence. Upon receiving an application for development, the Township may reserve for future use the aforesaid streets, ways, basins and areas in the manner provided by applicable laws of the State of New Jersey and the Code of the Township of Riverside.

C. Issuance of Permits for Buildings or Structures. For purposes of preserving the integrity of the Official Map, no permit shall be issued for any building or structure in the bed of any street or public drainageway, flood control basin or public area as shown on the Official Map or shown on a plat filed pursuant to this chapter before adoption of the Official Map, except as provided herein. Whenever one (1) or more parcels of land, upon which is located the bed of such mapped street or public drainageway, flood control basin or public area reserved pursuant to this Section, cannot yield a reasonable return to the owner unless a building permit is granted, the Joint Land Use Planning Board, acting as the Board of Adjustment may, in a specific case, by an affirmative vote of a majority of the full authorized membership of the Board, direct the issuance of a permit for a building or structure in the bed of such mapped street, public drainageway, flood control basin public area reserved pursuant to this Section, which will, as little as practicable, increase the cost of opening such street or tend to cause a minimum change to the Official Map, and the Board shall impose reasonable requirements as a condition of granting the permit so as to promote the health, morals, safety and general welfare of the public.

D. Building Lot to Abut Street. No lot shall be created by approval of a subdivision application and no permit for the erection of a building or structure shall be issued unless the lot abuts a street giving access to such proposed building or structure. Such street shall have been duly placed on the Official Map or shall be an existing state, county or municipal street or highway or a street shown upon a plat approved by the Joint Land Use Planning Board or a street on a plat duly filed in the office of the County clerk of Burlington County prior to the passage of this chapter or its predecessor or any prior law which required prior approval of plats by the governing body or other authorized body. Before any such permit shall be issued, such street shall have been certified to be suitably improved to the satisfaction of the governing body, or such suitable improvement shall have been assured by means of a performance guaranty in accordance with standards and specifications for road improvements approved by the governing body as adequate with respect to the public health, safety and general welfare of the special circumstances of the particular street.

E. Variances. Where the enforcement of Subsection D hereof would entail practical difficulty or unnecessary hardship or where the circumstances of the case do not require the building or structure to be related to a street, the Joint Land Use Planning Board, sitting as the Board of Adjustment may, upon application or appeal, vary the application of Subsection D hereof and direct the issuance of a permit, subject to conditions that will provide adequate access for fire-fighting, ambulance and other emergency vehicles necessary for the protection of health and safety and that will protect any future street layout shown on the Official Map or a general circulation plan element of the Municipal Master Plan. The Joint Land Use Planning Board sitting as the Zoning Board of Adjustment may not grant relief from street improvement requirements for lots yet to be created as a result of subdivision approval.

PART 2: ZONING

ARTICLE VI Zoning Districts

§ 255-33. Zoning Districts

The Township of Riverside is divided into the following twelve (12) districts²:

1. Residential – 1 (R-1)
2. Residential – 2 (R-2)
3. Residential – 3 (R-3)
4. Residential – 4 (R-4)
5. Flood Hazard Conservation (FH-C)
6. Special Development – 1 (SD-1)
7. Special Development – 2 (SD-2)
8. Special Development – 3 (SD-3)
9. Special Development – 3 (SD-4)
10. Commercial District (CD)
11. General Industrial – 1 (I-1)
12. Commercial Industrial – 2 (I-2)

§255-34. Zoning Map

The boundaries of the zoning districts are set forth on a map entitled “Zone Map, Township of Riverside, NJ,” a reduced size copy of which is contained herein as Appendix D and is made part of this chapter. The Zone Map is on file in the office of the Township Clerk.

§255-35. Interpretation of Boundaries

A. Zoning district boundary lines are intended to follow street center lines, railroad rights-of-way, streams and lot or property lines as they exist on lots of record at the time of the enactment of this chapter, unless otherwise indicated by dimensions on the Zone Map.

B. Where on the Zone Map a district boundary is located approximately along a street or alley line or along a lot line, the center line of such street or alley or such lot line shall be construed to be the boundary.

C. The exact location of any disputed zoning district boundary line shall be determined by the Joint Land Use Planning Board.

² Map that delineates each district contained in Appendix D.

D. The zoning standards, controls and designations apply to every structure, lot and use within each district, and the district lines extend vertically in both directions from the ground level.

Article VII General Regulations

§ 255-36. Compliance with Chapter

No buildings shall hereafter be used, erected, altered, converted, enlarged, added to, moved or reduced, wholly or in part, nor shall any land be designed, used or physically altered for any purpose in any manner except in conformity with this Chapter.

§ 255-37. Existing Buildings

When a lot is formed from part of a lot already occupied by a building, any subdivision shall be effected in such a manner as not to impair any of the requirements of this Chapter with respect to the existing building.

§ 255-38. Combining Open Space

No open space provided around any principal structure for the purpose of complying with front, side or rear yard provisions of this chapter shall be considered as providing the yard provisions for another principal building.

§ 255-39. Principal Uses and Buildings

A. Except where specifically permitted by this Chapter, no more than one principal use shall be permitted per dwelling or building.

B. No more than one principal structure shall be permitted on one lot.

C. When a residential structure is proposed to be built on a vacant parcel of land, or rebuilt following the destruction of the structure, the design of the proposed new structure shall be similar to the design of other residential structures within the one block radius of the location and otherwise conform as to building height, front yard setback, roof shape, wall siding materials, window and door type, size and number and street orientation.

§ 255-40. Prohibited Uses.

A. No building or structure may be erected, altered or used, and no lot or premises may be used, for any use which is likely to create conditions of hazards, smoke, fumes, noise, odor, dust or other noxious or offensive conditions detrimental to the health, safety or general welfare of the District Zone and/or surrounding area. All uses in all Zone Districts shall be subject

to all fire-safety regulations as required by the State of New Jersey, Burlington County and the Township of Riverside.

B. In determining whether a proposed use is noxious, hazardous or offensive, the following standards, while not exhaustive, shall apply. The proposed use, facility or operations shall not:

1. Constitute a public nuisance by reason of dissemination of noxious, toxic or corrosive fumes, smoke, odor, dust or light.
2. Result in noise or vibration exceeding the average intensity of noise or vibration occurring from other causes on which the use is located.
3. Endanger surrounding areas by reason of fire or explosion.
4. Produce objectionable heat or light glare.
5. Result in electrical disturbances in nearby residences or businesses.
6. Contribute to the pollution of waters, including runoff into municipal storm drains and neighboring properties.
7. Create an objectionable traffic condition on the street and/or inordinately create traffic that impedes general traffic flow and/or causes dangerous pedestrian or vehicular patterns.
8. Create any other objectionable condition in an adjoining area which will endanger public health and safety or be detrimental to the proper use of the surrounding area.

C. All uses not expressly permitted in this chapter are prohibited.

D. The following uses are expressly prohibited:

1. Junk yards and junk businesses;
2. Sanitary landfills, garbage dumps, refuse dumps, disposal sites for solid and liquid materials and dumps for hazardous wastes.
3. Manufacturing or warehouses that involve the use of any of the following:
 - a. Acetylene;
 - b. Asphalt or coal tar;
 - c. Creosote;
 - d. Fat rendering, soap, tallow, grease or lard;

- feet;
- e. Gas manufacture or storage in excess of ten thousand (10,000) cubic feet;
 - f. Tanning, curling or storage of raw hides;
 - g. Tar distillation or manufacture;
 - h. Fertilizer manufacture;
 - i. Explosive manufacture or storage;
 - j. Manufacture or warehouse storage of combustible or volatile materials;
 - k. Uses which constitute an unusual fire or explosive hazard;
4. The keeping or maintaining of poultry, pigeons and/or livestock

§ 255-41. Non-Conforming Uses, Buildings and Structures

A. The lawful use of land existing at the time of the adoption of this chapter or of an amendment thereto, although such use does not conform to the provisions hereof, may be continued.

B. The lawful use of a building or structure existing at the time of the adoption of this chapter or of an amendment thereto, although such use does not conform to the provisions hereof, may be continued.

C. Whenever a nonconforming use of a building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use or revert to its former nonconforming use.

D. Whenever a nonconforming use of a building or structure or portion thereof has been abandoned, such nonconforming use shall not thereafter be reestablished, and the future use shall conform to the provisions of this chapter.

E. Whenever a nonconforming building or structure has been totally destroyed, it shall not be rebuilt, and a building or structure conforming to this chapter shall be built, except in the following circumstance: The owner may rebuild on the existing footprint of the destroyed building if the following conditions are met:

1. The new construction is made on the existing building foot print and no upper building level projects beyond the existing building footprint and thus no existing non-conformance is exacerbated;

2. The new construction is no higher than the building it is replacing;
3. The façade materials of the new construction conform in texture and color to the buildings in the surrounding neighborhood; and
4. The Technical Review Committee approves the new construction after an informal review of the plans.

F. Whenever a nonconforming lot, existing at the time of the adoption of this chapter or an amendment thereto, contains a legal or legal nonconforming principle structure, existing at the time of the adoption of this chapter, an amendment thereto or by approval of the Land Use Board, such lot shall not require a variance or waiver from the Land Use Board to erect an addition to the principle structure or an accessory structure provided that said structure does not exceed 500 square feet.

G. Expansion of a non-conforming use is prohibited.

§ 255-42. Conditional Uses

A. Purpose: A conditional use shall not be approved on any site unless such use is specifically permitted as a conditional use in the zone for which it is proposed.

B. Before a construction permit or certificate of occupancy shall be issued for any conditional use, as permitted by this chapter, application shall be made to the Riverside Joint Land Use Planning Board, which may include a site plan review.

C. Guiding Principles: In making its decision on an application for a conditional use, the Joint Land Use Planning Board shall take no action which will be detrimental to the public welfare or which will substantially impair the intent or purpose of this Ordinance. The Joint Land Use Planning Board may attach such terms and conditions to an approval of such applicant if, in its judgment, it will preserve the public welfare or such intent or purpose and shall be guided by the following principles:

1. The proposed use will not be detrimental to the character of the neighborhood.
2. The proposed use does not adversely affect the general plans for the physical development of the Township of Riverside, as set forth in this Ordinance, the Master Plans or any Redevelopment Plans.
3. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.
4. The proposed use will not be adversely affected by the existing use(s).

5. Suitability of the use and/or proposed structure to its environment and location considering the general use of the structure, neighboring land uses, the surrounding open space and treatment of adjacent properties.

6. Adequacy of provisions of off-street parking, loading space(s) and adequacy of neighboring street capacity relating to increased parking, traffic and congestion due to the proposed use.

7. That the use will not be contrary to the general character of the neighborhood or public interest, and will not materially increase fire hazards or other danger, nor be injurious to the health, morals or general welfare of the neighboring properties.

D. The following uses shall be conditionally permitted when all specific requirements for each respective conditional use have been met:

1. Places of Worship

a. For purposes of this Chapter, the term “Places of Worship” shall include any recognized religious institution serving a congregation or membership.

b. Permitted accessory uses include:

(1) Staff residences, limited to one residential structure that conforms to the area and bulk requirements of the zone district;

(2) Off-street parking, consistent with the parking regulations for the zone district;

(3) Religious classes.

c. The proposed use shall comply with the bulk requirements for the zone in which it is located, modified by those set forth below.

d. Sufficient off-street parking shall be provided at the rate of one space for each four seats, plus spaces for permitted accessory uses. These requirements may be reduced upon submission by the applicant of acceptable proofs as to specific need requirements.

e. Bulk and Area Requirements:

(1) Minimum Lot Size: 40,000 square feet

(2) Minimum lot width shall be one hundred (100) feet

(3) Minimum front yard setback shall be thirty-five (35) feet

(4) Minimum side yard setback shall be twenty (20) feet

(5) Minimum rear yard setback shall be twenty-five (25) feet

(6) Maximum building and structure height shall be 2 ½ stories and thirty-five (35) feet, excluding spires and/or bell towers, except the building height, at the discretion of the Joint Land Use Planning Board, may be increased. Allowable height shall be determined based on an analysis of view and watersheds and shadows to be provided by the applicant. Such height shall not exceed 15% of the total floor area of the structure.

(7) Maximum lot coverage shall be eighty (80) %

2. Fraternal Organizations

For the purpose of this Chapter, the term “fraternal organization” shall include a social club, meeting hall or community center, not organized or conducted for profit, and which is not adjunct to or operated by or in conjunction with a public tavern, cafe or other similar business.

a. The proposed use shall comply with the bulk requirements for the zone in which it is proposed to be located.

b. Off-street parking shall be provided at the rate of one space for each 250 square feet of gross floor area. This requirement may be reduced upon submission by the applicant of acceptable proof as to specific need requirements.

c. The proposed fraternal organization shall be permitted to operate within the hours of 6:00 a.m. to 1:00 a.m. Friday and Saturday between the hours of 6:00 a.m. and 2:00 a.m. and Sunday 1:00 p.m. to 12:00 midnight.

3. Construction Offices and Storage Yards

a. Construction offices and Storage Yards shall not be permitted in any residential zone of Riverside.

b. All construction offices and storage yards and areas shall be fully enclosed by a semi-private six- foot high fence and gate.

c. All construction offices and storage yards shall maintain the following buffers:

1. Along side and rear yards, a fifteen (15) foot buffer area which may contain plant material no higher than six (6) feet,

2. Along the street line, a five (5) foot buffer area which may contain plant material with a height no greater than three (3) feet

3. All landscape buffer areas shall be designed and installed pursuant to § 255-152.

d. Maximum lot coverage shall be eighty (80)%

e. The following bulk and area requirements apply:

Lot Area	Lot Width	Lot Depth	Front Yard	Side Yard	Rear Yard	Lot Coverage
40,000 sf	200 sf	200 ft	15 ft	15 ft	15 ft	80%

f. Outdoor storage yards and areas shall be paved with concrete or bituminous concrete which shall drain to an oil separator/grease trap, sediment trap, sediment trap and stormwater management system designed pursuant to New Jersey Department of Environmental Protection stormwater management rules.

g. Minimum off-street parking – One (1) parking space for each employee at peak shift and for all business related vehicles. Under no circumstance may business related vehicles be parked on-street

h. Minimum on-site loading – Applicant shall provide for on-site loading for all business related deliveries and materials.

4. Trailers, Campers and Boats.

No trailer, auto trailer, trailer coach, travel trailer, camper or boat shall be used for dwelling purposes, sleeping quarters or the permanent conduct of any business, profession, occupation. Such equipment may be used for a temporary construction office located on a construction site, provided that the approving authority has specifically authorized the temporary construction office and approved its location as part of its approval of a subdivision or site plan. Prior to use for a temporary construction office, a temporary permit shall be issued by the Construction Official. This section shall not be construed to prohibit the parking or storage of such equipment on private premises only. Such equipment shall not be parked on a public street in a residential zoning district for a period exceeding twenty-four (24) hours without first obtaining a permit.

5. Home Occupations.

a. Any home occupation shall be subordinate and incidental to the principal residential use.

b. Home occupations shall be conducted solely by resident occupants of the property, except that no more than one (1) person not a resident of the building may be employed on the premises at any one (1) time.

c. Home occupations conducting service businesses shall be permitted to conduct retail sales of service related merchandise.

d. Home occupations shall be limited to not more than one (1) per unit and thirty percent (30%) of the total livable floor area of the dwelling unit in which the home occupation is to be situated. In the case of the home occupation being conducted in an accessory structure, the maximum area occupied by the home occupation in such an accessory structure shall be limited to five hundred (500) square feet of the floor area of the accessory structure.

e. The home occupation shall be conducted entirely within either the dwelling or accessory building.

f. Conditionally permitted home occupation uses:

(1) Administrative & Business Support Services:

(a) Employment services;

(b) Facilities support services;

(c) Investigation & security services;

(d) Office administrative & business support services, such as typing, filing, copying and other clerical work, secretarial services, reception and correspondence, bookkeeping, and personnel services;

(e) Property maintenance, janitorial landscaping and similar services; and

(f) Event planning, travel arrangement and reservation services.

(g) Home occupations which do not require parking, storage of sales materials or patrons coming and going from the premises may receive a conditional permit from the zoning officer.

(h) Professional, Scientific and Technical Services

(i) Household Care Services

(j) Culture-Related Services;

(k) Information Services;

(l) Personal Care Services

(j) Scientific Research and Development Services

g. Vehicles: Any vehicles used in conjunction with the home occupation may include no more than one vehicle per family member or employee engaged in the business. All business-related vehicles and personal domestic vehicles shall be parked or garaged on-site on the side or rear of the residence.

h. Nuisance/noise: Home occupations shall not generate light, smoke, glare, noise, and vibrations that are obnoxious and become a nuisance to residential neighbors. All machinery and/or equipment used in the Home Occupation must be stored out-of-sight. No machinery or equipment shall be used that will cause interference with radio, television and satellite reception and other forms of electronic communications in neighboring residences. Additionally, all Home Occupations must comply with Township of Riverside Ordinance 199, Peace and Good Order.

i. Hours during which the non-resident employee works on the premises and patrons visit the premises shall be limited in residential districts to 7 a.m. through 10 p.m. Monday through Friday and 7 a.m. to 11 p.m. on weekends.

j. Shipments and delivery of products

Shipments and delivery of products, merchandise or supplies shall be limited to the hours of 8:00 AM and 6:00 PM and shall regularly occur no more than one time per day, exclusive of USPS (standard mail) deliveries, and occur only in a single-rear axle, medium-duty delivery truck or smaller vehicles used to serve residential areas.

k. Sales of Goods and Services

(1) There shall be no wholesale or retail sale of goods or services except for those produced or delivered on the premises as part of an approved home occupation; and

(2) Product sales associated with private social or charitable events, e.g., Tupperware parties and Girl Scout cookie sales, however, shall be exempted from this section provided they occur no more than four (4) times per year at any given residence.

l. Minimum on-site parking.

(1) The home occupation shall not reduce the parking requirements for the principal residential use, as required by the New Jersey Residential Site Improvement Standards (RSIS).

(2) One (1) parking space for the non-residential employee.

(3) The home occupation shall not create the need to park more than two (2) vehicles at any time for business clients or customers, in addition to those otherwise required. No overnight customer parking shall be permitted.

m. The home occupation shall meet all applicable construction, health and safety codes and shall not involve any illegal activity. Sexually oriented home occupations are expressly prohibited. All structures involved in a home occupation shall be maintained in good repair.

n. The home occupation shall not reduce the area, yard and bulk requirements for the principal residential use.

o. The residential character of the neighborhood and dwelling unit shall not be changed.

p. Not all home occupation types will be considered equal in terms of impacts on neighboring properties, nor will all types of home occupations be permitted in each residential zone or mixed-use zone. There are certain home occupation practices which may destroy the character of the neighborhood. As such, the Joint Land Use Planning Board may exercise its discretionary authority to permit or deny an application for home occupation use after hearing testimony on and reviewing any evidence presented by the applicant on the following practices related to the home occupation and considering the character of the zone in which the home occupation is proposed:

- (1) Client visits to the residence;
- (2) Additional employees outside the residence;
- (3) Business signage of any type;
- (4) More than one extra vehicle for the business;
- (5) Outdoor storage at any time; or
- (6) Any Personal Care Service.

q. Signage, if any, shall comply with § 255-157.

6. Construction Contractors Services:

- a. Building equipment (electric, wiring, plumbing, HVAC, etc.);
- b. Building interior finishing (drywall, insulation, painting, wall covering, flooring, tiling, carpentry, etc.);

- c. Site maintenance & landscaping;
- d. Site preparation; and
- e. Structural & building exteriors (framing, masonry, glass and glazing, roofing, siding, etc.)

7. Culture-Related Services:

If being operated as a Home Occupation, must comply with section 255-42.5:

- a. Art, craft and photography studios; and
- b. Instructional academies (fine, martial and performing arts, language, sports, recreation, driving, etc.).

8. Household Care Services:

If being operated as a Home Occupation, must comply with section 255-42.5:

- a. Home and garden equipment and appliance repair and maintenance;
- b. Catering, i.e., preparing food and meals for offsite consumption.
- c. Pet care (except veterinary) services; and
- d. Upholstery, drapery and furniture design, production and repair.

9. Information Services:

If being operated as a Home Occupation, must comply with section 255-42.5:

- a. Data processing, hosting, and related services;
- b. Internet publishing and broadcasting, web search portals and other internet-related services;
- c. Motion picture, television; video and electronic game production and distribution, but not commercial-scale printing and media reproduction;
- d. Music publishing, sound recording and production and distribution, but not commercial-scale printing and media reproduction;
- e. News syndicates; newspaper, periodical, book, and directory publishing and distribution, but not commercial-scale printing and media reproduction;

f. Radio, television, internet and satellite broadcasting and cable programming, but not including towers or antennae exceeding the zoning district's maximum permitted height; and

g. Software publishing.

10. Personal Care Services:

If being operated as a Home Occupation, must comply with section 255-42.5:

- a. Footwear and leather goods repair and bookbinding;
- b. Hair, nail and skin services, except tattoo parlors and body piercing businesses;
- c. Personal fitness and training, nutrition and weight care services;
- d. Registered family child care services; and
- e. Sewing trade services, including: making custom clothing, fashion and costume wear; altering clothing; and other sewing, embroidery, quilting, tapestry, appliqué, patchwork, spinning and weaving services.

11. Professional, Scientific & Technical Services:

If being operated as a Home Occupation, must comply with section 255-42.5:

- a. Accounting, tax preparation, bookkeeping, and payroll services;
- b. Advertising, public relations, and related services;
- c. Architectural, engineering, and related services;
- d. Attorneys and Legal services;
- e. Notary Public;
- f. Computer systems design and related services;
- g. Financial advice and other financial services;
- h. Insurance sales and services;
- i. Management, scientific, and technical consulting services;

- j. Marketing research and public opinion polling services;
- k. Physicians, dentists, physical therapists, psychiatrists, psychologists, speech therapists, chiropractors and licensed massage therapists and other licensed health practices;
- l. Scientific research and development services, exclusive of laboratory research;
- m. Specialized manual and computer design services;
- n. Translation and interpretation services.

12. Koi Ponds

- a. A Koi ponds are ponds used for holding [koi](#), a japanese fish, or other forms of pond fish, usually as part of a landscape.
- b. Koi ponds may be approved for installation provided they meet the following guidelines:
 - 1. Size: No larger than 23 and 25 feet long by 12 to 13 feet wide and 3 to 4 feet deep (7300 gallons);
 - 2. No more than 20 fish;
 - 3. If deeper than 2 inches of water, the pond must be covered by pond netting to prevent a hazard or the property where the pond is located must be surrounded by a four foot fence;
 - 4. Any lighting must be subdued.

13. Telecommunications Facilities, pursuant to §§ 255-50 to 255-80 of this Code.

§ 255-43. Permitted Uses In All Districts

The following uses may be permitted in every Zone District within the Township of Riverside as follows:

- A. Community Residences for the Disabled;
- B. Community residences for the terminally ill;
- C. Adult family care homes for elderly and physically disabled adults. The requirements for these uses shall be the same as those for single family dwelling units located

within such districts.

D. Public Schools

E. Public Parks.

§ 255-44. Accessory Structures

An accessory structure is defined as a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. An accessory structure does not include structures meant for interior uses.

Prior to the construction or placement of an accessory structure, zoning approval shall be obtained from the Zoning Officer or the Planning Board, as the case may be.

There shall be no more than two accessory structures on a lot in any residential zone district with a combined size that is no larger than 1,000 square feet.

The following accessory structures are permitted in all Zoning Districts provided they meet all other requirements of this section and the District within which they are to be placed:

- A. Garage. Only one detached garage permitted on any lot with a maximum size of 750 square feet.
- B. Utility shed, no larger than 250 square feet..
- C. Gazebo;
- D. Swing sets
- E. Portable canopy's for personal enjoyment but not storage

§ 255-45. Area and Bulk Requirements For Accessory Structures

A. Setback. Any accessory building attached to a principal building is part of the principal building and shall adhere to the yard requirements for the principal building in the Zone District.

B. Height and Area. The number of accessory buildings shall not exceed two (2) per lot in Residential zoning districts for a total maximum gross floor area of 1000 square feet. The following setbacks and height requirements shall be permitted:

1. Free standing garage - a garage shall not exceed the maximum gross floor area of five hundred (750) square feet and be no higher sixteen (16) feet.

2. Sheds – A shed shall be no closer than 6 inches to the property lines and no taller than sixteen (16) feet.

3. Pools – A swimming pool, whether in-ground or above-ground, shall be no closer than ten (10) feet to the nearest property line.

3. All other permitted accessory structures – All other permitted accessory structures shall be no closer than 10 feet to the property line and no higher than the principal structure.

C. Satellite Dish Receiving Antennae.

a. Satellite dish receiving antennae shall be permitted on the ground, located in side or rear yards only, except that rooftop antennae shall be permitted if they are less than three (3) feet in diameter, do not extend above the roof-line and are not visible from the street. Such ground antennae shall be set back a minimum of ten (10) feet from any property line.

b. The ground-level satellite dish receiving antennae, its foundation pad and supportive structure shall not exceed a maximum height of six (6) feet above the ground level and shall not exceed a maximum of twelve (12) feet of surface area.

c. Screening. The satellite dish receiving antennae shall be screened on all sides from public view by use of opaque fencing to a height not to exceed six (6) feet or shrubbery, or both.

§ 255-46. Use Permit Required for Human Service Facilities

A. Intent. It is recognized that the placement of human service facilities in certain zoning areas may defeat the goals of these facilities and may alter the nature and character of affected areas to the detriment of both the users of such facilities and the community in general. Thus regulation is necessary to balance the interests of the users of such facilities and the community in general.

B. Regulated uses. No public or private entity shall establish a food pantry, soup kitchen, substance abuse community or residential treatment facility, walk-in or drop-in center, counseling center, detention center, temporary or short-term shelter, transient housing, residential treatment facility established for any purpose or similar facilities, in the Township of Riverside, without first obtaining permission from the Joint Land Use Planning Board. The requirements of this article shall apply to regulated uses existing prior to the effective date of this section which are enlarged or extended after the effective date of this ordinance.

C. Application to Joint Land Use Planning Board. Applicants seeking to establish uses regulated under this section shall submit to the Joint Land Use Planning Board a detailed

description of the proposed use, including but not limited to an estimation of the number of individuals to be served at the facility over a stated time period, the number of residents to be housed, the activities and programs anticipated at the facility, the hours of operation and the degree of supervision at the facility. The applicant shall also submit a demonstration of the need for such use at the proposed location and a detailed explanation of how this use will not adversely impact the nature and character of the area in which the facility is to be based. The applicant shall also submit the information required under this subsection to: 1) the Chief of Police of the Township of Riverside; 2) the Chief of the Township of Riverside Fire Department; 3) the Township Committee; and 4) the Burlington County Health Department for their review and advisory recommendation, if any, to the Joint Land Use Planning Board. The Joint Land Use Planning Board, Township Committee, Chief of the Fire Department, Chief of Police or Department of Human Services may also require other information as may reasonably be necessary to ascertain the impact of the proposed facility on public safety, health and welfare.

D. Standards. In addition to a consideration of the effect of the proposed use on the public health, safety, and aesthetics, the Joint Land Use Planning Board shall consider the impact of the proposed use on the area in which the facility is to be based, including the concentration of existing regulated uses. The Joint Land Use Planning Board shall consider any recommendation from the Township Committee, Fire Chief, the Chief of Police and/or the Department of Health, but it is not bound by these recommendations.

E. Conditions on approval. In the event of an approval, the Joint Land Use Planning Board may attach such conditions as are necessary or desirable in its judgment to ensure the compatibility of the proposed use with surrounding property and overall development of the community. Such conditions shall be expressly set forth in the Joint Land Use Planning Board approval. Nothing contained herein shall preclude the Joint Land Use Planning Board from making reasonable accommodations in rules, policies, practices or services as are necessary to allow the users of a regulated facility to use and enjoy such facility.

F. Denial of application. The Joint Land Use Planning Board shall deny an application if it is determined that the nature and character of the area in which the facility is to be based would be substantially altered as a result of the establishment of the facility. In the event of a denial, the Joint Land Use Planning Board shall issue a written decision specifying the basis for the denial.

G. Abandonment of use. All approvals issued under this section shall expire and terminate upon the cessation or abandonment of the permitted use for a one-year period.

H. Termination. All approvals shall be deemed to be personal to the holder and shall terminate upon the transfer of title or ownership of the property or change of operator, tenant or occupant or a change of use.

I. Severability. If any word, clause, sentence, paragraph, subsection, section or part of this article included in this article now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the word, clause, sentence, paragraph, subsection, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 255-47. Health Care Facility.

A. The term "health care facility" shall include hospitals, clinics, health maintenance organizations (HMO's) and other public or private institutions, offices or facilities principally engaged in providing services for health maintenance, counseling, diagnosis or treatment of human disease, pain, injury, deformity or physical condition. Excluded from this definition are nursing homes, animal research facilities, drug or alcoholic rehabilitation centers, and the joint offices of physicians numbering five physicians or fewer.

B. Permitted accessory uses include:

(1) Labs incidental to permitted use.

(2) Out-patient departments.

(3) Training facilities.

(4) Management offices.

(5) Medical staff residences.

(6) Off-street parking.

(7) Staff recreational facilities.

C. Bulk standards for new construction shall correspond to the zoning district in which the proposed use is located.

D. A landscaped buffer of at least 10 feet in width shall be provided within all minimum property line setback areas.

E. Off-street parking shall be provided in accordance with the zone district requirement.

F. Loading space requirements shall be determined at time of site plan review.

G. All other applicable requirements of this chapter shall be met.

§ 255-48. Nursing home.

A. The term "nursing home" shall include public or private institutions or facilities principally engaged in providing full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

B. Bulk standards shall conform to zone requirements.

C. All construction shall maintain a residential appearance.

D. Off-street parking shall be provided as determined by the Planning Board during site plan review, based on applicant testimony as to specific need requirements.

§ 255-49. Alternate Energy Systems

A. Purpose.

Alternate energy sources are an abundant, renewable, and nonpolluting energy resource. Converting solar rays and wind to electricity will reduce our dependence on nonrenewable energy resources, and decrease air and water pollution that results from the use of conventional energy sources. Solar energy systems also enhance the reliability and quality of the power grid, reduce peak power demands, and help diversify the State's energy supply portfolio. Alternate energy source systems make the electricity supply market more competitive by promoting customer choice

New Jersey's Renewable Portfolio Standards (RPS) require each supplier/provider, as defined at N.J.A.C. 14:8-1.2, that sells electricity to retail customers in New Jersey to provide a percentage of their retail electricity sales from renewable energy sources, 7.4 percent as of June 1, 2010, and increasing to 22.5 percent by June 1, 2021, and a purpose of the Municipal Land Law (N.J.S.A. 40:55D-2.n) is "to promote utilization of renewable energy sources."

On November 20, 2009, Governor Chris Christie signed P.L.2009, c.146, clarifying that a wind, solar or photovoltaic energy facility or structure should be considered an "inherently beneficial" use under the Municipal Land Use Law's analysis of positive criteria for the grant of a "d variance" under N.J.S.A.40:55D-70, regardless of whether the facility or structure is a principal use, a part of the principal use, or an accessory use or structure. In addition, on April 4, 2010, Governor Christie signed P.L. 2010, c. 4 exempting solar panels from being counted in calculations utilized to determine impervious coverage in land use applications under the Municipal Land Use Law.

The purpose of this section is to establish requirements for the installation and safe operation of alternate energy systems within the Township of Riverside.

B. Accessory Structure - Small wind and solar energy systems shall be permitted accessory structures and uses in the Township of Riverside.

C. Definitions.

(1) Minor Solar or Photovoltaic Energy Facility or Structure -

A fuel cell, solar or photovoltaic panel or system of panels for the collection of energy and conversion to electrical energy, which is located on the power beneficiary's premises; is designed and intended primarily to offset up to 110% of the beneficiary's requirements for energy consumption on site as documented through the submission of power company electricity usage bills or another form of documentation acceptable to the Township of Riverside Zoning Officer; and is secondary to the beneficiary's use of the premises for other lawful purposes.

(2) Major Solar or Photovoltaic Energy Facility or Structure -

A system of fuel cells, solar or photovoltaic panels and equipment for the production of energy that is not a minor photovoltaic energy facility of structure.

(3) Solar energy system - a solar energy system and all associated equipment which converts solar energy into usable electrical energy, heats water or produces hot air or other similar function through the use of solar panels.

(4) Solar panels - a structure containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of solar energy system.

(5) Small Wind Energy System – means a wind energy system, as defined herein that is used to generate electricity; and has a nameplate capacity of 100 kilowatts or less.

(6) Wind Energy System – means a wind turbine and all associated equipment, including any base, blade, foundation, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component necessary to fully utilize the wind generator.

(7) Wind Turbine – means equipment that convert energy from the wind into electricity. This term includes the rotor, blades and associated mechanical and electrical conversion components necessary to generate, store and/or transfer energy.

C. Permit Requirements.

(1) Before any solar panel or wind turbine alternative energy system may be installed, plans for such installation shall be submitted to the Township of Riverside Zoning Officer and Township of Riverside Fire Department officials. No alternate energy source shall be installed without a permit issued by the Township.

(2) The design of the solar panel system shall conform to all applicable industry standards including the New Jersey Uniform Construction Code, the National Electric Code and the Township of Riverside Building Code and Zoning Regulations. The applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certified organization and any such design shall be certified by an Engineer registered in the State of New Jersey. The manufacturer specifications shall be submitted as part of the application.

D. General Requirements

1. The primary purpose of a wind or solar energy system will be to provide power for the principal use of the property whereon said system is to be located and shall not be for the generation of power for commercial purposes, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time from a wind or solar energy system designed to meet the energy needs of the principal use. For the purposes of this ordinance, the sale of excess power shall be limited so that in no event an energy system is generating more energy for sale than what is otherwise necessary to power the principle use on the property.

2. Wind and solar energy systems shall only be permitted as an accessory use on the same lot as the principle use.

3. All applications for wind energy systems shall be presented to the Development Review Committee for administrative approval.

4. Wind and solar energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system. In no case shall any identification be visible from a property line.

5. The installation of a wind or solar energy system shall conform to the National Electric Code as adopted by the New Jersey Department of Community Affairs.

6. The installation of a wind or solar energy system is subject to all Public Service and Electric Company (PSE&G) requirements for interconnection.

7. The general provisions of the Township's land use code shall not apply to wind and solar energy systems with regard to height. Wind and solar energy systems shall conform to the height restrictions provided in this subsection.

E. Installation Requirements

1. Roof Mounted Minor Solar or Photovoltaic Energy Facilities

(a) Solar panels shall be permitted as a rooftop installation in any zoning district. A roof-mounted alternate energy system may be mounted on a principal building or accessory structure, provided all requirements as outlined below are satisfied. No roof-mounted Minor Solar or Photovoltaic Energy Facilities or Structures shall be installed on a non-conforming structure.

(b) Roof-mounted solar panels shall be mounted parallel to the roof angle and shall not exceed a height of 12 inches above the rooftop.

(c) A roof-mounted solar panel that is mounted on a flat roof may be angled to achieve maximum sun exposure but shall not exceed 5 feet above the roof. No such mounted solar panel shall exceed the maximum permitted height of the structure.

(d) All roof-mounted panels shall be installed at least 3 feet from the roof edges. In no instance shall any part of a roof-mounted Minor Solar or Photovoltaic Energy Facility or Structure extend beyond the roof edge.

(e) Roof-mounted solar panels shall not be permitted on the front roof of a structure which faces a street. This requirement shall also apply to the side street of a corner lot. Solar panels shall be located on a rear-or-side-facing roof, as viewed from any adjacent street. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front-facing installation. All solar energy systems shall comply with the following conditions:

(i) Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties, businesses, residential homes or roadways.

(ii) All exterior electrical lines must be painted a color scheme that matches as closely as reasonable possible the color of the structure and adjacent materials.

(iii) An external disconnect switch, which is clearly identified and unobstructed, shall be provided.

(iv) Signage identifying the use of solar panels shall be posted at an easily visible location. The signage shall clearly state the name, address and telephone number of the vendor authorized to deactivate the solar panel system in the case of an emergency.

(v) In addition to the required signage, property owners shall provide the Township of Riverside Police Department and Fire Department with a map illustrating the location of the disconnect switch, the location of any storage batteries as well as any information regarding the vendor authorized to deactivate the solar panel.

(vi) Marking is required on all interior and exterior direct conduit, raceway, enclosures, cable assemblies and junction boxes to alert the Fire Service to avoid cutting them.

2. Ground-mounted Minor Solar or Photovoltaic Energy Facility

(a) A ground-mounted Minor Solar or Photovoltaic Energy Facility or Structure shall be located on lots of one acre gross or more and shall not exceed 20% of lot coverage.

(b) A ground-mounted Minor Solar or Photovoltaic Energy Facility or Structure shall comply with all principle building setbacks in the applicable zone.

(c) A ground-mounted Minor Solar or Photovoltaic Energy Facility or Structure shall not exceed 12 feet in height.

(d) All power transmission lines from a ground-mounted Minor Solar or Photovoltaic Energy Facility or Structure to any building, structure or utility connection shall be located underground.

(e) Inverter noise shall not exceed 40dBA at the property line.

(f) Roadways within the site shall not be constructed of impervious materials and shall be designed to minimize the extent of roadways constructed and soil compaction.

(g) An external disconnect switch shall be provided, and the owner must file a map with the Township of Riverside Fire and Police Departments clearly showing where the disconnect switch is located.

3. An identifying emblem shall be placed at the front of any structure where solar panels have been installed. The design and placement of the identifying emblem shall conform to the guidelines established by the New Jersey Department of Community Affairs.

4. Within 10 days after approving the installation or alteration of a solar photovoltaic system, the Riverside Township Zoning Officer shall file a copy of the application and approval with the Riverside Township fire department.

5. The Applicant shall additional file a notification with the Riverside Township Fire Marshall, with a copy to the Riverside Township Zoning Officer, which includes the following information if not already supplied as part of the application or permitting process:

a. the name of the property owner(s);

- b. the address of the property;
- c. the name of the owner or owners and the address of any other adjacent structure served by the solar system;
- d. information concerning whether the solar photovoltaic system is equipped with an external emergency disconnection device and the location of such external emergency disconnection device;
- e. and the year that the solar photovoltaic system was installed.

6. Major Solar or Photovoltaic Energy Facilities and Structures are not permitted.

7. Wind Turbines

Wind Turbines are permitted as a conditional use in all districts subject to the following requirements:

- a. Minimum lot size: one (1) acre provided the lot size and conforms to the height requirements below.
- b. Minimum setbacks: All wind turbines shall be setback from all property lines a distance equal to 100% of the height of the structure including the blades.
- c. Wind turbines shall not be permitted in any front yard.
- d. Maximum Height.
 - (i) Freestanding wind turbines shall not exceed a height of 80 feet on lots between one (1) acre and three (3) acres. On lots of three (3) acres or more a maximum height of 150 feet is permitted.
 - (ii) Rooftop wind turbines may not exceed a height of six (6) feet on lots between one (1) acre and three (3) acres. Rooftop wind turbines may not exceed a height of twelve (12) feet on lots of three (3) acres or more.
 - (iii) The maximum height of any wind turbine shall include the height of the blades at its highest point.
 - (iv) No more than one wind turbine shall be permitted per residential property.
 - (v) Wind turbines on residential properties shall have a nameplate capacity of 10 kilowatts or less.

e. Wind turbines shall be permitted in a non-residential zoning district subject to the bulk requirements for that district and the following:

(i) The maximum height for a wind turbine shall not exceed 150 feet, including the height of the blades at its highest point measured from ground level even if mounted on a building or structure.

(ii) Minimum setbacks: All wind turbines shall be setback from all property lines a distance equal to 100% of the height of the structure including the blades.

(iii) Wind turbines shall not be permitted in a front yard.

(iv) No more than one wind turbine shall be permitted per property.

(v) Wind turbines shall not be permitted as a rooftop installation. Rooftop installation of wind turbines may only be permitted subject to technical review of the manufacturer's specifications.

(vi) Noise: All wind energy systems shall comply with the following:

(a) Between a residential use or zone sound levels of the wind energy system shall not exceed 55 35 dBA at a common property line or 50 30 dBA to the closest occupied structure.

(b) In all other cases at a common property line sound levels of the wind energy system shall not exceed 65 45 dBA.

(c) These levels may be exceeded during short-term events such as utility outages and/or severe windstorms.

f. Wind turbines shall be designed with an automatic brake or other similar device to prevent over-speeding and excessive pressure on the tower structure.

g. Wind energy systems shall not be artificially lighted, except to the extent required by the FAA or other applicable authority.

h. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

i. The tower shall be designed and installed so as not to provide step bolts, a ladder, or other publicly accessible means of climbing the tower, for a minimum height of eight feet above the ground.

j. All moving parts of the wind energy system shall be a minimum of ten (10) feet above ground level.

k. The blades on the wind energy system shall be constructed of a corrosive resistant material.

l. All guy wires or any part of the wind energy system shall be located on the same lot as the energy system.

F. Abandonment

1. If the applicant ceases operation of the Solar or Wind Energy system for a period of 12 months, or begins but does not complete construction of the project within 18 months after receiving final site plan approval, the system will be declared 'abandoned.'

2. The applicant is required to submit at the time application is made for a solar or wind energy system, a decommissioning plan that ensures that the site will be restored to a useful, non-hazardous condition without delay, should the system be determined abandoned. Such decommissioning plan shall include a plan detailing:

a. Removal of above ground and below ground equipment, structures and foundations.

b. Restoration of the surface grade and soil after removal of equipment.

c. Re-vegetation of restored soil areas with native seed mixes, excluding any invasive species.

d. The plan shall include a time frame for the completion of site restoration work.

3. Upon cessation of activity of a fully constructed Solar or Wind Energy System for a period of 1 year, the Township Zoning Officer (or such other official as is designated by the governing body) may notify the owner and/or operator of the energy source to implement the decommissioning plan. Within 180 days of notice being served, the owner and/or operator can either restore operation equal to 80% of approved capacity, or implement the decommissioning plan.

4. If the owner and/or operator fails to fully implement the decommissioning plan within the 180 day time period and restore the site as required, the Township may, at its own expense provide for the restoration of the site in accordance with the decommissioning plan and may in accordance with the law recover all expenses incurred for such activities from the defaulted owner and/or operator. The cost incurred by the Township shall be assessed against the property, shall become a lien and tax upon said property, shall be added to and become a part of

the taxes to be levied and assessed thereon, and enforced and collected with interest by the same officer and in the same manner as other taxes.

§ 255-50. Sexually Oriented Business.

Intent and purpose. In the development and execution of this article, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics. It has been determined that strict control and regulation of these uses is required to ensure their operation is maintained in compliance with the law for the preservation of the public peace, health, safety, morals and general welfare of the people of the Township of Riverside and to prevent their contributing to the blighting and downgrading of the surrounding neighborhoods. For the purposes of this chapter, the term "Sexually Oriented Business" shall be defined as set forth in Article II, § 255-15.

A. This use shall not be located within 1,000 feet of the boundaries of the site of an existing adult establishment.

B. This use shall not be located within 1,000 feet of a residential District, church, school, school bus stop, municipal or county playground, place of public resort and recreation, hospital, child care center or public building.

C. Every adult establishment shall be surrounded by a perimeter buffer of at least 50 feet in width with plantings, fence or other physical divider along the outside of the perimeter sufficient to impede the view of the interior of the premises on which the business is located.

D. No adult establishment shall display more than two exterior signs, consisting of one identification sign and one sign giving notice that the premises is off limits to minors. The identification sign shall be no more than 40 square feet in size.

§ 255-51. Body Piercing and Tattoo Parlors

A. Any proposed Body Piercing or Tattoo Parlor shall comply with all zoning regulations of the District where permitted.

B. Any applicant for approval of a Body Piercing or Tattoo Parlor shall comply with the current version of the New Jersey State Sanitary Code, Chapter 8, Body Art Procedures, N.J.A.C. 8:27-1, et seq. and all future amendments thereto. Any person who fails to comply with the provisions of N.J.A.C. 8:27-1 et seq. while performing such work is in violation of this section.

§ 255-52. Performance and Improvement Standards.

A. Electrical or electronic devices. All electrical or electronic devices shall be subject to the provisions of Public Law 90-602, 90th Congress, HR 10790, dated October 18, 1968, entitled

"An Act for the Protection of Public Health and Safety from the Dangers of Electronic Product Radiation." Radiation products, as defined in DHEW Publications No. (FDA) 75-8003, shall be so limited and controlled so that no measurable energy can be recorded at any point beyond the property boundaries. The applicant, upon request, shall produce certified data wherein measurements made in accordance with the procedures and standards set forth in the DHEW Publication No. (FDA) 75-8003 adequately demonstrate compliance with the minimum standards established by the Act.

B. Glare. No use shall produce a strong, dazzling light or reflection of a strong, dazzling light or glare beyond its lot lines. Exterior lighting shall be shielded, buffered and directed so that glare, direct light or reflection will not become a nuisance to adjoining properties, adjoining units, adjoining districts or streets.

C. Heat. No use shall produce heat perceptible beyond its lot lines. Further, no use shall be permitted which could cause the temperature to rise or fall in any body of water, except that this provision shall not apply to any private swimming pool, aquatic pond or sewerage treatment plant which has received approval by the New Jersey Department of Environmental Protection.

D. Noise. No use shall produce noise levels greater than those permitted by local regulations or those rules established by the New Jersey Department of Environmental Protection, as they may be adopted and amended, whichever is more restrictive.

E. Odor. Odors shall not be discernible at the lot line or beyond.

F. Storage and waste disposal. No provision shall be made for the depositing of materials or waste upon a lot where they may be transferred off the lot by natural causes or forces, where they can contaminate an underground aquifer or otherwise render such an underground aquifer undesirable as a source of water supply or recreation, or where they will destroy aquatic life. Provision shall be made for all material or waste which might cause fumes or dust, which constitute a fire or toxic hazard or which may be edible or otherwise attractive to rodents and insects to be enclosed in appropriate containers to eliminate such hazards.

G. Ventilation. No use shall obstruct the natural ventilation of adjacent uses, nor contaminate the air with excessive heat or odor. Further, no air conditioners or exhaust fans shall be permitted to discharge exhausted air unless set back from all property lines 5 feet or equipped with baffles to deflect the discharged air away from the adjacent use.

H. Explosive and inflammable matter. No use shall create an imminent hazard in regard to explosivity and inflammability. All uses must be in conformance with the Fire Code.

I. Emissions. All fuel-generated industries shall comply with the New Jersey Department of Environmental Protection standards for emissions, and specifically with the standards of the Clean Air Act.

J. Vibration. There shall be no vibration which is discernible to the human sense of feeling beyond the immediate lot.

K. Screening. There shall be adequate screening of any unsightly condition created in conjunction with a permitted use.

L. Drainage. No stormwater or natural drainage which originated on the property, or water generated by an activity, such as air conditioners or swimming pools, shall be diverted across property lines, unless transported in an approved or existing drainage system.

M. Painting and Exterior Surfaces.

1. Purpose and intent.

The purpose of these exterior color standards is to maintain and enhance an attractive physical environment within the Township of Riverside. The intent of these standards is to:

(a) Create and maintain a strong community image, identity and a sense of place, through the use of acceptable colors and color combinations on buildings and/or structures that will have a substantial impact upon the character of the Township of Riverside;

(b) Minimize incompatible visual colors which prevent orderly community development that may threaten to reduce community property values;

(c) Enhance and sustain property values; and

(d) Foster civic pride and community spirit by maximizing the positive impact of development.

2. Exterior surfaces and paint – All exterior surface materials, including paint, shall be consistent with surrounding structures. Color schemes shall also be consistent with surrounding structures and shall not be garish or otherwise offensive in nature which might adversely affect neighboring properties. This applies to all new construction, as well as structures being rehabilitated or undergoing routine maintenance.

§ 255-53. Homeowners' Associations.

Homeowners' associations shall be established in all planned real estate developments where three or more dwelling units are established for the purpose of owning and maintaining, repairing and reconstructing all common buildings, improvements and real property that are part

of the planned real estate development. Such associations shall be established pursuant to New Jersey law.

§ 255-54. Swimming Pools

A. General requirements.

(1) No private residential swimming pool shall be constructed or installed on any lot unless the lot contains a residential use. Pools shall be located in rear yard areas only and shall meet the setback distances for accessory buildings as specified in § 255-45 for each particular zoning district, except that in no case may a swimming pool be located closer than 10 feet to any lot line. In the case of corner lots, a pool shall be set back no closer than 10 feet to any street.

(2) A swimming pool shall occupy no more than 75% of the rear yard area in which it must be located.

(3) A swimming pool shall not be nearer than 10 feet to a side property line or eight feet to a rear property line. Distances for above setbacks shall be measured from the decking to the property line. Pools may not be located in a required buffer and/or easement. No swimming pool may be located in a front yard in any zone.

(4) Private residential and public swimming pool areas with a depth greater than 18 inches must comply with fence requirements contained in "Swimming Pools, Spas and Hot Tubs (International Residential Code 2000, NJ)" attached as Exhibit E of this Code. Fences may be located along the property line.

(5) Pool lighting shall be designed and located to prevent glare onto contiguous properties.

B. Design requirements. Private residential or public swimming pools shall not contain drain outlets which connect in any manner to any sanitary sewerage disposal system. All private residential and public swimming pools shall have drain outlets which connect to the storm sewers (if storm sewers are adjacent to the property) or shall have drain outlets which empty into the public street. In no event, however, shall any pool whose drain empties into the public streets be emptied or drained when the temperature is less than 40° F.

C. Health requirements.

(1) There shall be no physical connection between a public or private potable water supply system and any swimming pool at a point below the maximum water level of the swimming pool or to a recirculation or heating system of any such swimming pool unless such physical connection is so installed and operated that no pool water can be discharged or siphoned into any potable water supply system.

(2) Water purity. The physical, chemical and bacterial qualities of the water in swimming pools shall comply with the latest requirements made by the American Public Health Association and by the New Jersey Department of Health.

ARTICLE VIII

Telecommunication Facilities

§ 255-55. Purpose and legislative intent.

The Riverside Township Committee finds that wireless telecommunications facilities and related equipment may pose unique impacts upon the public health, safety and welfare and environment of Riverside and its inhabitants and may have other adverse impacts, visual and otherwise, upon the community, its character and thus the quality of life in the Township. The intent of this article is to ensure that the placement, construction or modification of wireless telecommunications facilities and related equipment is consistent with Riverside's land use policies and ordinances; to minimize the negative and adverse visual impact of wireless telecommunications facilities; to assure a comprehensive review of environmental impacts of such facilities; to protect the health, safety and welfare of the Township of Riverside; and to encourage shared use of wireless telecommunications facilities.

§ 255-56. Definitions and word usage.

For purposes of this Article, the defined terms, phrases, words, abbreviations and their derivations shall have the meaning given in this section.

ACCESSORY FACILITY OR STRUCTURE - A facility or structure serving or being used in conjunction with a telecommunications facility and located on the same property or lot as the telecommunications facility, including, but not limited to, utility or transmission equipment, storage sheds or cabinets.

APPLICATION - The form approved by the Planning Board, together with all necessary and appropriate documentation that an applicant submits in order to receive a conditional use permit for a telecommunications facility.

ANTENNA- A system of electrical conductors that transmit or receive electromagnetic waves or radio frequency signals. Such waves shall include, but not be limited to, radio, television, cellular, paging, personal telecommunications services (PCS) and microwave telecommunications.

APPLIED WIRELESS TELECOMMUNICATIONS FACILITY- An antenna array that is applied or attached to a building or structure with any accompanying pole or device that attaches the antenna array to the building or structure and connection cables.

BREAK POINT- The location on a telecommunications tower which, in the event of a failure of the tower, would result in the tower falling or collapsing within the boundaries of the property on which the tower is placed.

COLOCATION- The use of the same structure or telecommunications tower to carry two or more antennas for the provision of wireless services by two or more persons or entities.

COMMERCIAL IMPRACTICABILITY OR COMMERCIALLY IMPRACTICABLE - Shall have the meaning in this article and any conditional use permit granted hereunder as is defined and applied under the United States Uniform Commercial Code (UCC).

CONDITIONAL USE PERMIT - The official document or permit by which an applicant is allowed to construct and use a wireless telecommunications facility as granted or issued by the Township.

FAA - The Federal Aviation Administration, or its duly designated and authorized successor agency.

FCC - The Federal Communications Commission, or its duly designated and authorized successor agency.

FREESTANDING TOWER - Any structure that is specifically designed for the purpose of supporting a wireless telecommunications device. This definition shall include monopoles and self-supporting and guyed towers.

HEIGHT - When referring to a tower or structure, the distance measured from the grade level existing prior to construction of a tower or, if an existing structure, the grade level existing prior to application to place a wireless telecommunications antenna to the highest point on the tower or structure, even if said highest point is an antenna.

NIER- Nonionizing electromagnetic radiation.

PERSON- Any individual, corporation, estate, trust, partnership, joint-stock company, association of two or more persons having a joint common interest, or governmental entity.

PERSONAL WIRELESS FACILITY- See definition for "wireless telecommunications facility."

PERSONAL WIRELESS SERVICES (PWS) OR PERSONAL TELECOMMUNICATIONS SERVICE (PCS) (OR ANY FUNCTIONALLY EQUIVALENT SERVICE OR TECHNOLOGY THAT MAY BE DEVELOPED IN THE FUTURE) - Shall have the same meaning as defined and used in the 1996 Telecommunications Act.

SITE- See definition for "wireless telecommunications facility."

TELECOMMUNICATIONS - The transmission and reception of audio, video, data and other information by wire, radio frequency, light and other electronic or electromagnetic systems.

TELECOMMUNICATIONS STRUCTURE- Any structure used in, associated with or necessary for the provision of wireless services and as described in the definition of "wireless telecommunications facility."

TEMPORARY- In relation to all aspects and components of this article, fewer than 90 days.

WIRELESS TELECOMMUNICATIONS FACILITY, TOWER, SITE OR PERSONAL WIRELESS FACILITY (OR ANY FUNCTIONALLY EQUIVALENT SERVICE OR TECHNOLOGY THAT MAY BE DEVELOPED IN THE FUTURE) -A structure or location designed or intended to be used or used to support antennas. It includes, without limit, antennas applied to the facade of a building or roof mounted antennas, freestanding towers, guyed towers, monopoles and similar structures that employ camouflage technology, and including, but not limited to, structures such as a church steeple, water tower, flagpole, sign or other similar structures intended to mitigate the visual impact of an antenna or the functional equivalent of such. It is a facility or structure intended for transmitting and/or receiving radio, television, cellular, paging or personal telecommunications services or microwave telecommunications, but excluding those used exclusively for fire, police and other dispatch telecommunications or exclusively for private radio and television reception and private citizens bands, amateur radios and other similar telecommunications.

TOWNSHIP – Refers to the Township of Riverside.

§ 255-57. Overall policy and desired goals for conditional use permit.

A. In order to ensure that the placement, construction and modification of wireless telecommunications facilities conforms to the Township's purpose and intent of this article, the Township Committee creates a conditional use permit for a wireless telecommunications facility. It shall be a violation of this article to erect, construct, replace or modify a wireless telecommunications facility within the Township of Riverside without first obtaining a conditional use permit.

B. Any conditional use permit for a wireless telecommunications facility issued shall, to the greatest extent possible, conform to the following goals:

- (1) Establish a policy for examining an application for and issuing a conditional use permit for a wireless telecommunications facility that is both fair and consistent.
- (2) Establish reasonable time frames for granting or not granting a conditional use permit for a wireless telecommunications facility or recertifying or revoking the conditional use permit granted under this article.
- (3) Promote and encourage, wherever possible, the sharing and/or colocation of a wireless telecommunications facility among service providers.

(4) Promote and encourage, wherever possible, the placement of a wireless telecommunications facility in such a manner as to cause minimal disruption to the land, property, buildings and other facilities adjacent to, surrounding and in generally the same area as the requested location of such a wireless telecommunications facility and to minimize adverse aesthetic impacts to the community.

§ 255-58. Conditional use permit application and other requirements.

A. All applicants for a conditional use permit for a wireless telecommunications facility or any modification of such facility shall comply with the requirements set forth in this section.

B. All applicants for a conditional use permit for a wireless telecommunications facility shall submit an application to the Township Zoning Officer on forms prepared by the Township. An application for a wireless telecommunications facility, as defined in this section, shall be directed by the Zoning Officer to the Planning Board for review and approval.

C. An application for a conditional use permit for a wireless telecommunications facility shall be made by the person or entity which will own the wireless telecommunications facility and shall be signed on behalf of the applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information. The landowner, if different from the applicant, shall also sign the application. At the discretion of the Planning Board, any false or misleading statement in the application may subject the applicant to denial of the application without further consideration or opportunity for correction.

D. Applications not meeting the requirements stated herein, or which are otherwise incomplete, shall be rejected by the Planning Board.

E. The applicant shall include a statement, in writing:

(1) That the applicant's proposed wireless telecommunications facility will be maintained in a safe manner and in compliance with all conditions of the conditional use permit, without exception, unless specifically granted relief by the Planning Board, in writing, as well as all applicable and permissible local codes, rules and regulations, including any and all applicable county, state and federal laws, rules and regulations.

(2) That the construction of the wireless telecommunications facility is legally permissible, including, but not limited to, the fact that the applicant is authorized to do business in the State of New Jersey.

F. No wireless telecommunications facility or tower or other structure shall be installed or constructed for the purpose of providing wireless telecommunications service until a plan of the site, including elevation, is reviewed and approved by the Planning Board,

G. All applications for the construction or installation of a new wireless telecommunications facility shall be accompanied by a report containing the information hereinafter set forth. The report shall be signed by a licensed professional engineer registered in the State of New Jersey and shall contain the following information. Where this section calls for certification, such certification shall be by a qualified State of New Jersey licensed professional engineer, unless otherwise noted. The application shall include, in addition to the other requirements for the conditional use permit, the following information:

- (1) Documentation that demonstrates the need for the wireless telecommunications facility to provide service primarily within the Township.
- (2) Name and address of person preparing the report.
- (3) Name and address of the property owner, operator and applicant, to include the legal form of the applicant.
- (4) Postal address and tax map designation of the property.
- (5) Zoning district in which the property is situated.
- (6) Size of the property, stated both in square feet and lot line dimensions, and a diagram showing the location of all lot lines.
- (7) Location of all residential structures within 750 feet in the case of a freestanding tower and within 250 feet in the case of all other wireless telecommunications facility applications.
- (8) Location of all schools and habitable structures within 750 feet in the case of a freestanding tower and within 250 feet in the case of all other wireless telecommunications facility applications.
- (9) Location of all structures on the property which is the subject of the application.
- (10) Location, size and height of all proposed and existing antennas and all appurtenant structures.
- (11) Type, size and location of all proposed and existing landscaping.
- (12) The number, type and design of the wireless telecommunications facility's antenna(s) proposed and the basis for the calculations of the wireless telecommunications facility's capacity to accommodate multiple users.
- (13) The make, model and manufacturer of the wireless facility and antenna(s).

(14) A description of the proposed wireless facility and antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above preexisting grade, materials, color and lighting.

(15) The frequency, modulation and class of service of radio or other transmitting equipment.

(16) Transmission and maximum effective radiated power of the antenna(s).

(17) Direction of maximum lobes and associated radiation of the antenna(s).

(18) The applicant's proposed wireless facility maintenance and inspection procedures and related system of records.

(19) Certification that NIER levels at the proposed site are within the threshold levels adopted by the FCC.

(20) Certification that the proposed antenna(s) will not cause interference with existing telecommunications devices.

(21) A copy of the FCC license applicable for the use of the wireless telecommunications facility.

(22) Certification that a topographic and geomorphologic study and analysis has been conducted and, taking into account the subsurface and substrata and the proposed drainage plan, that the site is adequate to assure the stability of the proposed wireless telecommunications tower on the proposed site.

(23) Propagation studies of the proposed site and all adjoining proposed or in-service or existing sites.

(24) The applicant shall disclose, in writing, any agreement in existence prior to submission of the application that would limit or preclude the ability of the applicant to share any new wireless telecommunications facility that it constructs.

H. In the case of a new wireless telecommunications facility, the applicant shall be required to submit a report demonstrating its efforts to secure shared use of existing wireless telecommunications facilities. Copies of written requests and responses for shared use shall be provided to the Planning Board.

I. Certification that the wireless telecommunications facility, accessory facilities and structures, and attachments are designed and constructed (as built) to meet all county, state and federal structural requirements for loads, including wind and ice loads.

J. After construction certification that the wireless telecommunications facility and related facilities are grounded and bonded so as to protect persons and property and installed with appropriate surge protectors.

K. A visual impact assessment which shall, at the Planning Board's request, include:

(1) A "zone of visibility" map which shall be provided in order to determine locations where the facility may be seen.

(2) Computer-generated pictorial representations of "before" and "after" views from key viewpoints to be determined by the Planning Board, including, but not limited to, state highways and other major roads, state and local parks, other public lands, historic districts, preserves and historic sites normally open to the public, and from any other location where the site is visible to a large number of visitors or travelers. The Planning Board will provide guidance concerning the appropriate key sites at a pre-application meeting.

(3) An assessment of the visual impact of the facility base, guy wires and accessory structures from abutting and adjacent properties and streets.

L. The applicant shall, in a manner approved by the Planning Board, demonstrate and provide, in writing and/or by drawing, how it shall effectively screen from view its proposed wireless telecommunications facility base and all accessory facilities and structures, subject to approval by the Planning Board.

M. All utilities serving any wireless telecommunications facility site shall be installed underground and in compliance with all laws, rules and regulations of the Township, including, specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate. The Planning Board may waive or vary the requirements of underground installation of utilities whenever, in the opinion of the Planning Board, such waiver or variance shall not be detrimental to the health, safety, general welfare or environment, including the visual and scenic characteristics of the area.

N. All applicants for wireless telecommunications facilities and accessory facilities and structures shall demonstrate that the facility be sited so as to have the least possible adverse visual effect on the environment and its character and on the residences in the area of the wireless telecommunications facility site.

O. Both the wireless telecommunications facility and any and all accessory or associated facilities and structures shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and with the natural surroundings.

P. An access road and parking to assure adequate emergency and service access shall be provided, should such be deemed necessary by the Planning Board. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and vegetation-cutting. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion potential.

Q. A person who holds a conditional use permit for a wireless telecommunications facility shall construct, operate, maintain, repair, modify or restore the permitted wireless telecommunications facility in strict compliance with all current technical, safety and safety-related codes and regulations adopted by the Township, county, state or United States, including, but not limited to, the most recent editions of the National Electrical Safety Code and the National Electrical Code (or substitute codes), as well as accepted and responsibly workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health and land use codes. In the event of a conflict between or among any of the preceding, the more stringent shall apply.

R. A holder of a conditional use permit granted under this article shall obtain, at its own expense, all permits and licenses required by applicable law, rule or regulation and must maintain the same, in full force and effect, for as long as required by the Township or other governmental entity or agency having jurisdiction over the applicant.

S. If the applicant is proposing the construction of a freestanding tower, the applicant shall examine the feasibility of designing a tower to accommodate future demand for at least two additional commercial applications, e.g., future colocations. The wireless telecommunications facility shall be structurally designed to accommodate at least two additional antenna arrays equal to those of the applicant and located as close to the applicant's antenna as possible without causing interference. This requirement may be waived, provided that the applicant, in writing, demonstrates that the provisions of future shared usage of the wireless telecommunications facility is not technologically feasible or is commercially impracticable and creates an unnecessary and unreasonable burden, based upon:

- (1) The number of foreseeable FCC licenses available for the area.
- (2) The kind of wireless telecommunications facility site and structure proposed.
- (3) The number of existing and potential licenses without wireless telecommunications facility spaces/sites.
- (4) Available space on existing and approved telecommunications towers.

T. Unless waived by the Planning Board, there shall be a pre-application meeting with the Development Review Committee. The purpose of the pre-application meeting will be to address issues which will help to expedite the review and permitting process. Where the application is for the shared use of an existing telecommunications tower or other high structure, the applicant can seek to waive any application requirements that may not be applicable. At the pre-application meeting, the waiver requests, if appropriate, will be decided by the Township. Costs of the Township's attorneys, engineers, planners and other consultants to prepare for and attend the pre-application meeting will be borne by the applicant.

U. The holder of a conditional use permit shall notify the Planning Board of any intended modification of a wireless telecommunications facility and shall apply to the Planning Board to modify, relocate or rebuild a wireless telecommunications facility.

§ 255-59. Location.

A. Location priorities.

1. Notwithstanding any other provision of the Zoning Code or any other local law, wireless telecommunications facilities may be, subject to the provisions of this article, located in any zoning district. Applicants for wireless telecommunications facilities shall locate, site and erect said wireless telecommunications facilities, including towers or other tall structures, in accordance with the following priorities, No. 1 being the highest priority and No. 7 being the lowest priority:

- a. Colocation on a site with existing telecommunications towers or structures containing existing telecommunications facilities in non-residential districts and on non-residential buildings
- b. Existing non-residential tall structures
- c. Industrial or commercial areas
- d. Other non-residential areas
- e. Colocation on a site with existing telecommunications towers or structures containing existing telecommunications facilities in residential districts
- f. Existing residential structures over five stories in height
- g. On other property in the Township.

2. If the proposed property site is not the highest priority listed above, then a detailed explanation must be provided as to why a site of a higher priority was not selected. The person seeking such an exception must satisfactorily demonstrate the reason or reasons why such

a permit should be granted for the proposed site and the hardship that would be incurred by the applicant if the permit were not granted for the proposed site.

3. An applicant may not bypass sites of higher priority by stating that the site presented is the only site leased or selected. An application shall address colocation as an option and, if such option is not proposed, the applicant must explain why colocation is commercially or otherwise impractical. Agreements between providers limiting or prohibiting colocation shall not be a valid basis for any claim of commercial impracticability or hardship.

4. Notwithstanding the above, the Planning Board may approve any site located within an area in the above list of priorities, provided that the Planning Board finds that the proposed site is in the best interest of the health, safety and welfare of the Township and its inhabitants.

B. The applicant shall submit a written report demonstrating the applicant's review of the above locations in order of priority, demonstrating the technological reason for the site selection. If the site selected is not the highest priority, then a detailed written explanation as to why sites of a higher priority were not selected shall be included with the application.

C. The applicant shall, in writing, identify and disclose the number and locations of any additional sites that the applicant has, is or will be considering, reviewing or planning for wireless telecommunications facilities in the Township, and all municipalities adjoining the Township, for a two-year period following the date of the application.

D. Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, the Planning Board may disapprove an application for any of the following reasons:

1. Conflict with safety and safety-related codes and requirements.

2. Conflict with traffic needs or traffic laws, or definitive plans for changes in traffic flow or traffic laws.

3. Conflict with the historic nature of a neighborhood or historical district.

4. The location of a wireless telecommunications facility will be in such proximity to residences or other noncommercial uses so as to create an unacceptable impact upon any adjoining property by virtue of visual or aesthetic impacts and/or by virtue of the impact of the placement of such a facility upon adjoining property values.

5. The placement and location of a wireless telecommunications facility which would create an unacceptable risk, or the probability of such, to residents, the public, employees and agents of the Township, or employees of the service provider or other service providers.

6. Placement of a wireless telecommunications facility, which, by virtue of its location, would be in conflict with the purpose and intent of the Zoning Code or Master Plan of the Township of Riverside.

§ 255-60. Shared use of telecommunications facilities.

A. Location of antennas on preexisting wireless telecommunications facilities shall be considered and preferred. Shared use of existing telecommunications towers or other existing structures shall be preferred by the Township, as opposed to the proposed construction of new telecommunications towers or facilities. Where such shared use is unavailable, the applicant shall submit a comprehensive report which lists an inventory of existing wireless telecommunications facilities and other appropriate structures which could be used to support antennas within four miles of any proposed new wireless telecommunications facility site, unless the applicant can show that some other distance is more reasonable, and outlining opportunities for shared use of existing facilities and the use of other preexisting structures as a preferred alternative to new construction.

B. An applicant intending to share use of an existing telecommunications tower or other tall structure shall be required to document the intent of the existing owner to share use.

C. In the event that an application to share the use of an existing freestanding telecommunications tower does not increase the height of the freestanding telecommunications tower, the Planning Board may waive such requirements of the application required by this article as may be unnecessary to the review of the application.

D. Such shared use shall consist only of the minimum antenna array technologically required to provide service within the Township unless it is demonstrated that a more extensive antenna array is necessary to fill a service gap which cannot be filled without erecting additional freestanding towers or telecommunications structures within the Township. In no event shall an antenna be installed which does not principally provide service in a manner which fills an existing gap in service within the Township.

§ 255-61. Height of facilities and antennas.

A. The applicant must submit documentation demonstrating that the total height of any wireless telecommunications facility and/or antenna is necessary to provide service within the Township or to otherwise fill a service gap which cannot be filled in any other reasonable fashion.

B. Wireless telecommunications facilities shall be no higher than the minimum height necessary. Unless waived by the Planning Board upon good cause shown, the maximum height shall be 100 feet, based on three colocated antenna arrays and ambient tree height of 70 feet.

C. The maximum height of any wireless telecommunications facility and attached antennas constructed after the effective date of this article shall not exceed that which shall permit operation without artificial lighting of any kind in accordance with municipal, county, state and/or federal laws and/or regulations.

§ 255-62. Visibility.

A. Wireless telecommunications facilities shall not be artificially lighted or marked, except as required by law.

B. Telecommunications towers and facilities shall be of a galvanized finish or painted with a rust preventive paint of an appropriate color to harmonize with the surroundings, as approved by the Planning Board, and shall be maintained in accordance with the requirements of this article.

C. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting of as unobtrusive and inoffensive an effect as is permissible under state and federal regulations, and an artist's rendering or other visual representation showing the effect of light emanating from the site on neighboring habitable structures within 1,500 feet of all property lines of the parcel on which the wireless telecommunications facility is located.

§ 255-63. Security against unauthorized access.

All wireless telecommunications facilities and antennas shall be located, fenced or otherwise secured in a manner which prevents unauthorized access. Specifically:

A. All antennas, towers and other supporting structures, including guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or run into.

B. Transmitters and telecommunications control points must be installed such that they are readily accessible only to persons authorized to operate or service them.

§ 255-64. Signage.

Wireless telecommunications facilities shall contain a sign no larger than four square feet to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities. The sign shall contain the name(s) of the owner(s) and operator(s) of the antenna(s) as well as emergency telephone number(s). The sign shall be located so as to be visible from the access point of the site. No other signage, including advertising, shall be permitted on any wireless telecommunications facilities, antennas, antenna supporting structures or antenna towers, unless required by law.

§ 255-65. Lot size and setbacks.

A. All proposed telecommunications towers and associated equipment shall be set back from abutting parcels, recorded rights-of-way and road and street lines a distance sufficient to substantially contain on site all icefall or debris from a tower or tower failure and to preserve light, air and privacy of any adjoining properties.

B. Wireless telecommunications facilities shall be located with a minimum setback from any property line a distance equal to the height of the facility, plus 10 feet, or the existing setback requirement of the underlying zoning district, whichever is greater. Further, any accessory structure shall be located so as to comply with the minimum setback requirements for the property on which it is situated.

C. Notwithstanding anything contained herein to the contrary, if a wireless telecommunications facility is placed on an existing building, the Planning Board may vary the setbacks, provided the Planning Board requires that the wireless telecommunications facility be set back to the maximum extent permitted under the circumstances.

§ 255-66. Retention of expert assistance; reimbursement by applicant; deposit required.

A. The Planning Board may hire any consultant and/or expert necessary to assist in review and evaluation of the application and any requests for recertification.

B. An applicant shall deposit with the Township funds sufficient to reimburse the Township for all reasonable costs of consultant and expert evaluation and consultation to the Planning Board in connection with the review of any application. The initial deposit shall be \$7,500 for a facility application and \$5,000 in the case of colocation. These funds shall accompany the filing of an application, and the Township will maintain a separate escrow account for all such funds. The Township's consultants/experts shall bill or invoice the Township no less frequently than monthly for its services in reviewing the application and performing its duties. If at any time during the review process the balance of this account falls below \$2,500, additional funds must be submitted to the Township to bring the balance of the account to \$7,500, or in the case of colocation, \$5,000, or upon request from the applicant, a lesser amount to be set by the Planning Board, before any further action or consideration is taken on the application. In the event that the amount held in escrow by the Township is more than the amount of the actual billing or invoicing, the difference shall be promptly refunded to the applicant.

C. The total amount of the funds set forth in Subsection B of this section may vary with the scope and complexity of the project, the completeness of the application and other information as may be needed by the Planning Board or its consultant/expert to complete the necessary review and analysis. Additional funds, as required, shall be paid by the applicant. The

initial amount of the escrow deposit shall be established at a pre-application meeting with the Township.

§ 255-67. Conditional use permit required; exceptions; continuation of existing facilities.

A. No person, corporation or other entity shall be permitted to site, place, build, construct or modify, or prepare any site for the placement or use of, a wireless telecommunications facility as of the effective date of this article without having first obtained a conditional use permit for a wireless telecommunications facility. Notwithstanding anything to the contrary in this section, no conditional use permit shall be required for those exceptions noted in the definition of wireless telecommunications facility, such as those used exclusively for fire, police and other dispatch telecommunications or exclusively for private radio and television reception and private citizens bands, amateur radio and other similar telecommunications.

B. After the date of adoption of this article all construction, including routine maintenance on an existing wireless telecommunications facility, shall comply with the requirements of this article.

C. All wireless telecommunications facilities existing on or before the effective date of this article shall be allowed to continue as they presently exist; provided, however, that any modification to existing facilities must comply with this article.

§ 255-68. Action on permit applications; notification of applicant.

A. The Planning Board will undertake a review of an application pursuant to this article in a timely fashion and shall act within a reasonable period of time given the relative complexity of the application and the circumstances, with due regard for the public's interest and need to be involved and the applicant's desire for a timely resolution.

B. Except for necessary building permits no additional permits or approvals from the Township, other than the conditional use permit granted under this article, shall be required for telecommunications facilities and telecommunications structures covered by this article.

C. After the public hearing and after formally considering the application, the Planning Board may approve and issue, approve with conditions, or deny, a conditional use permit. Its decision shall be in writing and shall be based on the record. The burden of proof for the grant of the permit shall always be upon the applicant.

D. If the Planning Board approves the conditional use permit for a wireless telecommunications facility, then the applicant shall be notified of such approval, in writing, within 10 calendar days of the Board's action, and the conditional use permit shall be issued within 30 days after such approval.

E. If the Planning Board denies the conditional use permit for a wireless telecommunications facility, then the applicant shall be notified of such denial in writing within 10 calendar days of the Board's action.

F. The decision on the application shall also be filed in the office of the Township Clerk within ten days after it is rendered.

G. Upon receipt of the conditional use permit, the applicant shall thereafter apply for and obtain a building permit from the Building Department.

§ 255-69. Right of appeal; Variances.

Any person aggrieved by the granting or denial of an application for a wireless telecommunications facility may take an appeal therefrom to the Superior Court of the State of New Jersey within 30 days from the date of filing of the decision of the Planning Board on the application.

§ 255-70. Recertification of conditional use permits.

A. At least six months prior to the fifth anniversary of the effective date of the conditional use permit and every five years thereafter, the holder of a conditional use permit for such facility shall submit a written request for recertification. In the written request for recertification, the holder of such conditional use permit shall note the following:

1. The name of the holder of the conditional use permit for the wireless telecommunications facility.
2. If applicable, the number or title of the conditional use permit.
3. The date of the original granting of the conditional use permit.
4. Whether the wireless telecommunications facility has been moved, relocated, rebuilt, repaired or otherwise modified since the issuance of the conditional use permit.
5. If the wireless telecommunications facility has been moved, relocated, rebuilt, repaired or otherwise modified; whether the Planning Board approved such action; the terms and conditions of such approval; and a certification that the holder of the conditional use permit is in compliance with all terms and conditions of the approval.
6. Any requests for waivers or relief of any kind whatsoever from the requirements of this article and any requirements for a conditional use permit.
7. That the wireless telecommunications facility is in compliance with the conditional use permit and in compliance with all applicable codes, laws, rules and regulations.

B. If, after such review, the Planning Board determines that the permitted wireless telecommunications facility is in compliance with the conditional use permit and all applicable codes, laws, rules and regulations, then the Board shall issue a recertification conditional use permit for the wireless telecommunications facility, which may include any new provisions or conditions that are mutually agreed upon or required by codes, laws, rules or regulations.

C. If the Planning Board does not complete its review, as noted in Subsection B of this section, prior to the five-year anniversary date of the conditional use permit, or subsequent fifth anniversaries, then the applicant for the permitted wireless telecommunications facility shall receive an extension of the conditional use permit, for up to six months, in order for the Board to complete its review.

D. If the holder of a conditional use permit for a wireless telecommunications facility does not submit a request for recertification of such conditional use permit within the time frame noted in Subsection A of this section, or if the Planning Board finds that the wireless telecommunications facility has been moved, relocated, rebuilt or otherwise modified without approval of such having been granted by the Planning Board under this article, then such conditional use permit and any authorizations granted thereunder shall cease to exist on the date of the fifth anniversary of the original granting of the conditional use permit, or subsequent fifth anniversaries, unless the holder of the conditional use permit adequately demonstrates to the Planning Board that extenuating circumstances prevented a timely recertification request. If the Planning Board agrees that there were legitimate extenuating circumstances, then the holder of the conditional use permit may submit a late recertification request.

§ 255-71. Extent and parameters of conditional use permits.

The extent and parameters of a conditional use permit for a wireless telecommunications facility shall be as follows:

A. Such conditional use permit shall be nonexclusive.

B. Such conditional use permit shall not be assignable or transferable without the express written consent of the Planning Board, and such consent shall not be unreasonably withheld.

C. Such conditional use permit may be revoked, cancelled or terminated for a violation of the conditions and provisions of the conditional use permit for a wireless telecommunications facility or for a material violation of this article.

§ 255-72. Performance security.

The applicant and the owner of record of any property on which there is a proposal to site a wireless telecommunications facility shall be jointly required to execute and file with the

Township a bond, or other form of security acceptable to the Township, in an amount deemed sufficient by the Planning Board to assure the faithful performance of the terms and conditions of this article and the conditions of any conditional use permit issued pursuant to this article. The full amount of the bond or security shall remain in full force and effect throughout the term of the conditional use permit and/or until the wireless telecommunications facility is removed and any necessary site restoration is completed. The failure to pay any annual premium for the renewal of any such security shall be a violation of the provisions of the conditional use permit and shall entitle the Planning Board to revoke the conditional use permit after prior written notice to, and an opportunity to be heard by, the holder of the permit.

§ 255-73. Reservation of authority to inspect facilities.

A. In order to verify that the holder of a conditional use permit for a wireless telecommunications facility and any and all lessees, renters and/or licensees of a wireless telecommunications facility place and construct such facilities, including towers and antennas, in accordance with all applicable technical, safety, fire, building and zoning codes, laws, rules and regulations and other applicable requirements, the Township may inspect all facets of said permit holder's, renter's, lessee's or licensee's placement, construction, modification and maintenance of such facilities, including, but not limited to, towers, antennas and buildings or other structures constructed or located on the permitted site.

B. The Township shall pay for costs associated with such an inspection, except for those circumstances occasioned by said holder's, lessee's or licensee's refusal to provide necessary information or necessary access to such facilities, including towers, antennas and appurtenant or associated facilities, or refusal to otherwise cooperate with the Township with respect to an inspection, or if violations of this article are found to exist, in which case the holder, lessee or licensee shall reimburse the Township for the cost of the inspection.

C. Payment of such costs shall be made to the Township within 30 days from the date of the invoice or other demand for reimbursement. In the event that the finding(s) of violation is/are appealed in accordance with the procedures set forth in this article, said reimbursement payment must still be paid to the Township and the reimbursement shall be placed in an escrow account established by the Township specifically for this purpose, pending the final decision on appeal. In the event the appeal is successful, the funds held in escrow shall be returned to the permit holder.

§ 255-74. Annual NIER certification.

The holder of the conditional use permit shall, annually, cause an engineer with at least five years of experience in the field to certify to the Township that non-ionizing electromagnetic radiation

(NIER) levels at the site are within the threshold levels adopted by the FCC. The certifying engineer need not be approved in advance by the Township but must submit evidence of experience along with the required certification.

§ 255-75. Liability insurance.

A. A holder of a conditional use permit for a wireless telecommunications facility shall secure, and at all times maintain, public liability insurance, property damage insurance and umbrella insurance coverage for the duration of the conditional use permit in the following amounts:

1. Commercial general liability:

a. Per occurrence: \$1,000,000.

b. Aggregate: \$2,000,000.

B. The commercial general liability insurance policy shall specifically include the Township and its officials, employees and agents as additional insureds.

C. The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State of New Jersey.

D. The insurance policies shall contain an endorsement obligating the insurance company to furnish the Township with at least 30 days' written notice in advance of the cancellation of the insurance.

E. Renewal or replacement policies or certificates shall be delivered to the Township at least 15 days before the expiration of the insurance which such policies are to renew or replace.

F. Before construction of a permitted wireless telecommunications facility is initiated, the holder of the conditional use permit shall deliver to the Township a copy of each of the policies or certificates representing the insurance in the required amounts.

§ 255-76. Indemnification.

Any conditional use permit issued pursuant to this article shall contain a provision with respect to indemnification. Such provision shall require the holder of the conditional use permit, to the extent permitted by the law, to at all times defend, indemnify, protect, save, hold harmless and exempt the Township, officials of the Township and its officers, agents, servants and employees from any and all penalties, damages or charges arising out of any and all claims, suits, demands, causes of action or awards of damage, whether compensatory or punitive, or expenses arising therefrom, either at law or in equity, which might arise out of, or are caused by, the construction, erection, modification, location, product performance, operation, maintenance, repair,

installation, replacement, removal or restoration of a wireless telecommunications facility within the Township. With respect to the penalties, damages or charges referenced herein, reasonable fees of attorneys, consultants and expert witnesses are included in those costs that are recoverable by the Township.

§ 255-77. Penalties for offenses.

A. Civil sanctions. Any person who violates any of the provisions of this article shall be liable for a civil penalty of not more than \$3,000 for every such violation. Each consecutive day of violation will be considered a separate offense. Such civil penalty may be released or compromised by the Township. In addition, the Township shall have power, following a hearing, to direct the violator to comply with the provisions of this article.

B. Criminal sanctions. Any person, firm or corporation who willfully violates any of the provisions of this article or permits promulgated thereunder, excluding provisions set forth in the rules and regulations promulgated thereunder, upon conviction thereof of the first offense shall be guilty of a violation punishable by a fine of not less than \$500 and not more than \$1,000 and, for a second offense and each subsequent offense, shall be guilty of a violation punishable by a fine of not less than \$1,000 nor more than \$2,000, or a term of imprisonment of not more than 15 days, or both. Each consecutive day of violation will be considered a separate offense.

C. Notwithstanding anything in this article, the holder of the conditional use permit for a wireless telecommunications facility may not use the payment of fines, liquidated damages or other penalties, to evade or avoid compliance with this article or any section of this article. An attempt to do so shall subject the holder of the conditional use permit to termination and revocation of the conditional use permit.

D. The provisions for civil and criminal penalties contained herein shall not be exclusive, and the Township may seek such other relief as may be available, including injunctive relief to prevent the threatened or continued violation of this article.

§ 255-78. Default and/or revocation.

A. If a wireless telecommunications facility is repaired, rebuilt, placed, moved, relocated, modified or maintained in a way that is inconsistent or not in compliance with the provisions of this Article or of the conditional use permit, then the Building Department shall notify the holder of the conditional use permit, in writing, of such violation. Such notice shall specify the nature of the violation or noncompliance and that the violations must be corrected within seven days of the date of the postmark of the notice, or of the date of personal service of the notice, whichever is earlier. Notwithstanding anything to the contrary in this subsection or any other section of this article, if the violation causes, creates or presents an imminent danger or

threat to the health or safety of lives or property, the Building Department may, at its sole discretion, order the violation remedied within 24 hours.

B. If, within the period set forth in Subsection A above, the wireless telecommunications facility is not brought into compliance with the provisions of this article or of the special use permit, or substantial steps are not taken in order to bring the affected wireless telecommunications facility into compliance, then the Planning Board may revoke such special use permit for a wireless telecommunications facility and shall notify the holder of the special use permit within 48 hours of such action.

§ 255-79. Removal of facilities; restoration of site.

A. Under the following circumstances, the Planning Board may determine that the health, safety and welfare interests of the Township warrant and require the removal of a wireless telecommunications facility:

1. A wireless telecommunications facility with a permit has not used as a wireless telecommunications facility for a period exceeding 90 consecutive days or a total of 180 days in any three-hundred-sixty-five-day period, except for periods caused by force or acts of God.

2. A permitted wireless telecommunications facility falls into such a state of disrepair that it creates a health or safety hazard.

3. A wireless telecommunications facility has been located, constructed or modified without first obtaining the required conditional use permit, or any other necessary authorization.

4. A wireless telecommunications facility, which does not meet the current FCC standards, shall be removed within six months of the implementation of such new standards, unless the facility is made compliant.

B. If the Planning Board makes such a determination as noted in Subsection A of this section, then the Board shall notify the holder of the conditional use permit for the wireless telecommunications facility within 48 hours that said wireless telecommunications facility is to be removed. The Planning Board may approve an interim temporary use permit, such as to enable the sale of the wireless telecommunications facility.

C. Upon a determination by the Planning Board that a wireless telecommunications facility should be removed, the holder of the conditional use permit or the owner of the site shall

dismantle and remove such wireless telecommunications facility and all associated structures and facilities from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or commercial impracticability, within 90 days of receipt of written notice from the Planning Board.

D. If a wireless telecommunications facility is not removed or substantial progress has not been made to remove the wireless telecommunications facility within 90 days after the permit holder or owner of the site has received notice, then the Township may remove the wireless telecommunications facility at the sole expense of the owner and/or permit holder.

E. If the Township removes or causes to be removed a wireless telecommunications facility and the owner of the wireless telecommunications facility does not claim the property and remove the facility from the site to a lawful location within 10 days, then the Township may take steps to declare the facility abandoned and sell it and its components.

F. Notwithstanding anything in this section to the contrary, the Planning Board may approve a temporary permit for the wireless telecommunications facility for no more than 90 days, during which time a suitable plan for removal, conversion or relocation of the affected wireless telecommunications facility shall be developed by the holder of the permit, subject to the approval of the Planning Board, and an agreement to such plan shall be executed by the holder of the permit and the Township. If such a plan is not developed, approved and executed within the ninety-day time period, then the Township may take possession of and dispose of the affected wireless telecommunications facility in the manner provided in this section.

§ 255-80. Waiver of application requirements and permit conditions.

A. Any applicant can request a waiver of application requirements that are inapplicable to its permit application. Such request shall be in writing. Requests should be discussed at the preapplication meeting. The applicant shall have the burden of supporting such requests. Determinations as to applicability of application requirements shall be made by the Planning Board.

B. In determining permit conditions, the Planning Board can waive inapplicable permit requirements, consistent with the policy goals and priorities of this article. The applicant shall have the burden of supporting such requests. Determinations as to applicability of permit condition requirements shall be made by the Planning Board.

§ 255-81. Adherence to state and federal rules and regulations.

A. To the extent that the holder of a conditional use permit for a wireless telecommunications facility has not received relief or is not otherwise exempt from appropriate state and/or federal agency rules or regulations, then the holder of such a conditional use permit

shall adhere to and comply with all applicable rules, regulations, standards and provisions of any state or federal agency, including but not limited to the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.

B. To the extent that applicable rules, regulations, standards and provisions of any state or federal agency, including but not limited to the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting and security, are changed and/or are modified during the duration of a conditional use permit for a wireless telecommunications facility, then the holder of such a conditional use permit shall conform the wireless telecommunications facility to the applicable changed and/or modified rule, regulation, standard or provision within a maximum of 24 months of the effective date of the applicable changed and/or modified rule, regulation, standard or provision, or sooner as may be required by such rule, regulation, standard or provision.

§ 255-82. Conflict with other laws.

Where this article differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the county, state or federal government, the more restrictive or protective of the Township and the public shall apply.

§ 255-83. Severability.

If any word, phrase, sentence, part, section, subsection or other portion of this article or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this article, and all applications thereof, not having been declared void, unconstitutional or invalid shall remain in full force and effect.

§ 255-84. Legislative authority.

Sections 255-55 to 255-83 are enacted by local law pursuant to Municipal Land Use Law. These sections shall supersede the provisions of Township ordinance or other statute to the extent that it is inconsistent with the same and to the extent permitted by the New Jersey State Constitution, Municipal Land Use Law or any other applicable State of New Jersey or Federal statute.

ARTICLE IX

District Regulations

§ 255-85. R-1 Single Family Residential District

Purpose Statement:

The primary purpose of the R-1 residential district is to continue the existing predominant pattern of single-family detached homes and other neighborhood –oriented uses on lots of 60 feet wide or wider and of 100 feet or more in depth.

The secondary purposes of the district are to:

1. Maintain the existing housing stock and neighborhood facilities, streetscape and public infrastructure;
2. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit and the like; and
3. Accommodate compatible infill development and alterations for changing household needs.

A. Permitted uses

1. Single family detached dwellings.
2. Public parks and park type, non-commercial recreational facilities.
3. Athletic Fields and Swimming Facilities (public and private).
4. Schools

B. Permitted Accessory Uses

The following uses may be allowed as accessory uses to on the same lot and with any of the permitted uses in the R-1 District, provided they otherwise meet zoning requirements of this Chapter:

1. Free standing private garages.
2. Utility shed.
3. Private swimming pools (above and in-ground), Jacuzzis and saunas.
4. Private greenhouses.
5. Decks and patios.
6. Gazebos.
7. Private dog pen.

C. Conditional uses

The following conditional uses shall be permitted provided all zoning requirements of this Chapter are met:

1. Places of worship.
2. Quasi-public uses.
3. Utility structures and facilities for basic infra-structure services, such as gas, electric, land-line telephone service, water and sewage.
4. Home Occupations (see § 255-42.D.5).
5. Koi ponds (see § 255-42.D.12).
6. Funeral Homes.
7. Utilities & Waste Management – electric substations, water and wastewater pumping stations

D. Not Permitted

Generally, any use not compatible with single-family residential character of the R-1 District is prohibited. In addition, the following specific uses are not permitted in the R-1 District:

1. Multi-family structures.
2. Manufacturing.
3. Warehouse and storage facilities.
4. Commercial enterprises.
5. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

E. Lot size, Area, Yard and Building Requirements

Minimum Lot Area (in square feet)	6000	Accessory Structure
Width	60	
Depth	100	
Minimum Yards (Feet)		
Front	25	

Rear	25	6 inches
Side		6 inches
One	8	
Both	24	
Minimum Lot Width (Feet)		
Maximum Building Height (Stories/Feet)	35/2 ½	15/1
Maximum Lot Coverage	80%	
Minimum Net Habitable Floor Area (Square Feet)	650 sf	

§ 255-86. R-2 Single Family Residential District

Purpose Statement:

The primary purpose of the R-2 residential district is to continue the existing predominant pattern of single-family detached homes and other neighborhood-oriented uses on lots of 50' wide or wider and of 100' or more in depth.

The secondary purposes of the district are to:

1. Maintain the existing housing stock and neighborhood facilities, streetscape and public infrastructure,
2. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit, etc.,
3. Accommodate compatible infill development and alterations for changing household needs.

A. Permitted uses

1. Single family detached dwellings.
2. Public parks and recreational facilities.
3. Athletic Fields and Swimming Facilities (public and private).
4. Schools

B. Permitted Accessory Uses

The following uses may be allowed as accessory uses to on the same lot and with any of the permitted uses in the R-1 District, provided they otherwise meet zoning requirements of this Chapter:

1. Free standing private garages.
2. Utility shed.
3. Private swimming pools (above and in-ground), Jacuzzis and saunas.
4. Private greenhouses.
5. Decks and patios.
6. Gazebos.
7. Private dog pen.

C. Conditional uses

The following conditional uses shall be permitted provided all zoning requirements of this Chapter are met:

1. Places of worship.
2. Quasi-public uses.
3. Utility structures and facilities for basic infra-structure services, such as gas, electric, land-line telephone service, water and sewage.
4. Home Occupations (see § 255-42.D.5).
5. Koi Ponds (see § 255.D.12).
6. Funeral Homes
7. Utilities & Waste Management – electric substations, water and wastewater pumping stations

D. Not Permitted

Generally, any use not compatible with single-family residential character of the R-2 District is prohibited. In addition, the following specific uses are not permitted in the R-2 District:

1. Multi-family structures.

2. Manufacturing.
3. Warehouse and storage facilities.
4. Commercial enterprises.
5. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

E. Lot size, Area, Yard and Building Requirements

Minimum Lot Area (in square feet)	5000	Accessory Structure
Width	50	
Depth	100	
Minimum Yards (Feet)		
Front	20	
Rear	25	6 inches
Side		6 inches
One	8	
Both	24	
Minimum Lot Width (Feet)		
Maximum Building Height (Stories/Feet)	35/2 ½	15/1
Maximum Lot Coverage	80%	
Minimum Net Habitable Floor Area (Square Feet)	650 sf	

§ 255-87. R-3 Single Family Residential District

Purpose Statement:

The primary purpose of the R-3 residential district is to continue the existing mix of single-family attached and detached homes and two-family attached homes and other neighborhood-oriented uses on lots of 40' wide or wider and of 100' or more in depth feet wide or wider.

The secondary purposes of the district are to:

1. Maintain the existing housing stock and neighborhood facilities, streetscape and public infrastructure,
2. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit, etc.,
3. Accommodate compatible infill development and alterations for changing household needs.

A. Permitted uses

1. Single family detached dwellings and two-family attached homes.
2. Public parks and recreational facilities.
3. Athletic Fields and Swimming Facilities (public and private).
4. Schools

B. Permitted Accessory Uses

The following uses may be allowed as accessory uses to on the same lot and with any of the permitted uses in the R-3 District, provided they otherwise meet zoning requirements of this Chapter:

1. Free standing private garages.
2. Utility shed.
3. Private swimming pools (above and in-ground), Jacuzzis and saunas.
4. Private greenhouses.
5. Decks and patios.
6. Gazebos.
7. Private dog pen.

C. Conditional uses

The following conditional uses shall be permitted provided all zoning requirements of this Chapter are met:

1. Places of worship.

2. Quasi-public uses.
3. Utility structures and facilities for basic infra-structure services, such as gas, electric, land-line telephone service, water and sewage.
4. Home Occupations (see § 255-42.D.5).
5. Townhouses.
6. Koi ponds (see section 255.D.12).
7. Funeral Homes.
8. Utilities & Waste Management – electric substations, water and wastewater pumping stations

D. Not Permitted

Generally, any use not compatible with single-family residential character of the R-3 District is prohibited. In addition, the following specific uses are not permitted in the R-3 District:

1. Multi-family structures.
2. Manufacturing.
3. Warehouse and storage facilities.
4. Commercial enterprises.
5. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

E. Lot size, Area, Yard and Building Requirements

Minimum Lot Area (in square feet)	4000	Accessory Structure
Width	40	
Depth	100	
Minimum Yards (Feet)		
Front	15 ³	

³ May be reduced to 5 feet for the construction or reconstruction of an open front porch consistent with the neighborhood

Rear	25	6 inches
Side		6 inches
One	8	
Both	24	
Minimum Lot Width (Feet)		
Maximum Building Height (Stories/Feet)	35/2 ½	15/1
Maximum Lot Coverage	80%	
Minimum Net Habitable Floor Area (Square Feet)	650 sf	

§ 255-88. R-4 Single Family Residential District

Purpose Statement:

The primary purpose of the R-4 residential district is to continue the existing mix of single-family detached homes and two-family detached homes and other neighborhood-oriented uses on lots of 50' wide or wider and of 150' or more in depth.

The secondary purposes of the district are to:

1. Maintain the existing housing stock and neighborhood facilities, streetscape and public infrastructure;
2. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit and the like; and
3. Accommodate compatible infill development and alterations for changing household needs.

A. Permitted uses

1. Single family detached dwellings.
2. Public parks and park type, non-commercial recreational facilities.
3. Athletic Fields and Swimming Facilities (public and private).
4. Schools

B. Permitted Accessory Uses

The following uses may be allowed as accessory uses to on the same lot and with any of the permitted uses in the R-1 District, provided they otherwise meet zoning requirements of this Chapter:

1. Free standing private garages.
2. Utility shed.
3. Private swimming pools (above and in-ground), Jacuzzis and saunas.
4. Private greenhouses.
5. Decks and patios.
6. Gazebos.
7. Private dog pen.

C. Conditional uses

The following conditional uses shall be permitted provided all zoning requirements of this Chapter are met:

1. Places of worship.
2. Quasi-public uses.
3. Utility structures and facilities for basic infra-structure services, such as gas, electric, land-line telephone service, water and sewage.
4. Home Occupations (see § 255-42.D.5).
5. Koi ponds (see section 255-42.D.12).
6. Funeral Homes.
7. Utilities & Waste Management – electric substations, water and wastewater pumping stations

D. Not Permitted

Generally, any use not compatible with single-family residential character of the R-4 District is prohibited. In addition, the following specific uses are not permitted in the R-4 District:

1. Multi-family structures.
2. Manufacturing.
3. Warehouse and storage facilities.
4. Commercial enterprises.
5. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

E. Lot size, Area, Yard and Building Requirements

Minimum Lot Area (in square feet)	7500	Accessory Structure
Width	50	
Depth	150	
Minimum Yards (Feet)		
Front	25	
Rear	25	6 inches
Side		6 inches
One	8	
Both	24	
Minimum Lot Width (Feet)		
Maximum Building Height (Stories/Feet)	35/2 ½	15/1
Maximum Lot Coverage	80%	
Minimum Net Habitable Floor Area (Square Feet)	650 sf	

§ 255-89. FHC – Flood Hazard Conservation

The primary purpose of the FH-C residential district is to continue the existing predominant pattern of single-family detached homes and other neighborhood-oriented uses on lots of 90' wide or wider and of 100' or more in depth along the Township's Delaware River and Rancocas Creek waterfronts.

The secondary purposes of the district are to:

1. Bring existing developments up to modern flood control codes,
2. Maintain the existing housing stock and neighborhood facilities, streetscape and public infrastructure,
3. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit, etc.,
4. Accommodate compatible infill development and alterations for changing household needs.

A. Permitted Principal Uses.

1. Single family detached dwellings.
2. Public parks and recreational facilities.
3. Athletic Fields and Swimming Facilities (public and private).
4. Food manufacturing – bakeries; brew pubs; coffee and teas; micro breweries, wineries and distilleries; non-alcoholic beverages; snack foods
5. Light non-food manufacturing – brooms, brushes, mops; burial caskets; computer and electronic products; dolls, toys and games; electrical equipment, appliances and components; hardware, equipment, machinery and tools; fasteners, buttons, needles and pins; furniture and related products; gaskets, packing and sealing devices; jewelry and silverware; lighting and light products; medical equipment and supplies; millwork, wood products and pre-fab construction; musical instruments; office supplies (except paper); printing and related support activities; signs; sporting and athletic goods; transportation equipment
6. Automobile and boat storage, commercial
7. Scenic and sightseeing transportation, land and water

B. Permitted Accessory Uses. Only the following accessory uses on the same lot with and customarily incidental to the foregoing permitted uses:

1. Private garages.
2. Utility sheds.
3. Private swimming pools, including above and below ground, Jacuzzis and saunas.
4. Private greenhouses.

C. Conditional Uses. The following conditional uses shall meet the requirements set forth in § 255-42:

1. Utility structures and facilities needed to provide the direct service of gas, electricity, telephone, water and sewerage, but not offices, garages, warehouses, maintenance areas, production facilities, processing facilities or similar commercially or industrially related operations of such companies.

2. Quasi-public uses and recreation areas.

3. Places of worship.

4. Home occupations.

5. Marinas; Harbor operations, cargo handling and support services

6. Koi ponds.

7. Bed and Breakfast Inns.

8. Schools: elementary and secondary

9. Utilities & Waste Management – electric substations, water and wastewater pumping stations

D. Not Permitted

Generally, any use not compatible with single-family residential character of the FH-C District is prohibited. In addition, the following specific uses are not permitted in the FH-C District:

1. Multi-family structures.

2. Manufacturing.

3. Warehouse and storage facilities.

4. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

E. Lot size, Area, Yard and Building Requirements

Minimum Lot Area (in square feet)	9000	Accessory Structure
Width	90	

Depth	100	
Minimum Yards (Feet)		
Front	35	
Rear	25	6 inches
Side		6 inches
One	15	
Both	30	
Minimum Lot Width (Feet)		
Maximum Building Height (Stories/Feet)	35/2 ½	15/1
Maximum Lot Coverage	80%	
Minimum Net Habitable Floor Area (Square Feet)	650 sf	

§ 255-90. CD - Commercial District

Purpose Statement:

The primary purpose of the Commercial District is to be the Township's central business district. Goods and services offered in the business district should be those intended to attract local and regional patronage, either by foot traffic, transit or automobile.

The secondary purposes of the district are to:

1. Maintain the existing housing stock and commercial facilities, streetscape and public infrastructure;
2. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit and the like; and
3. Accommodate compatible infill development and alterations for changing household needs.

A. Permitted Principal Uses

1. Retail Sales Establishments limited to Arts and craft production and sale; Bakeries and baked goods stores; butchers and meat markets; clothing, accessories and shoes stores; confectionary and nut stores; convenience stores; delicatessens; fish and seafood markets;

florists; food markets, groceries and supermarkets; fruit and vegetable markets; Photography studios and supplies; Tobacco stores;

2. Eating & drinking establishments, including restaurants, cafeterias, grills, buffet & caterers and catering services, drink bars (non-alcoholic) and bars (alcoholic).
3. Funeral homes and mortuaries, excluding crematoriums.
4. Professional offices.
5. Service oriented businesses, excluding tattoo parlors and body piercing facilities.
6. Adult Day-care and licensed child-care services: pre-schools
7. Registered Family Child Care services.
8. Public parks and recreational facilities.
9. Health care facilities;
10. Personal and household services, such as footwear/leather goods repair; hair, nail and skin, diet, weight care services; Home/garden equipment repair and appliance repair; pet care (except veterinary); photofinishing; re-upholstering and furniture repair; tailoring and dressmaking.
11. Instructional academies (Fine, martial and performing arts, language, sports and recreation, driving, etc).
12. Libraries.
13. Discount Department Stores
14. Office uses limited to: Accounting, Tax preparation, Bookkeeping and payroll services; Architectural, Engineering and related services; Lawyers and legal services; Physicians, Dentists and other licensed health practitioners; Veterinary services
15. Postal service, couriers and messengers

B. Permitted Accessory Uses

1. Private garages.
2. Refuse enclosures.
3. Utility sheds.

4. Private swimming pools, including above and below ground, Jacuzzis and saunas.
5. Private greenhouses.
6. Off-street parking and loading.
7. Restaurant delivery.
8. Vending machines (inside buildings only)
9. Parking areas, garages (private).
10. Utilities & Waste Management – Typical utility structures, facilities and services for development; Electric substations, water and wastewater pumping stations

C. Conditional Uses

1. Single family detached dwellings and two-family attached homes pursuant to the provisions for the R-3 District.
2. Two family detached dwellings pursuant to the provisions for the R-3 Single Family and Two Family District.
3. Quasi-public uses.
4. Utility structures and facilities needed to provide the direct service of gas, electricity, telephone, water and sewerage, but not offices, garages, warehouses, maintenance areas, production facilities, processing facilities or similar commercially or industrially related operations of such companies.
5. Home occupations (as set forth in § 255-42.D.5).
6. Apartments over first floor of commercial establishments, offices and facilities permitted as principal uses in this district.
7. Bed and Breakfast Inns.
8. Schools and educational services, such as business schools, technical and trade schools, computer management and training tutoring and other educational support services, all limited to upstairs offices.
9. Outdoor seating.

10. Outdoor displays of merchandise

11. Utilities & Waste Management – Typical utility structures, facilities and services for development; Electric substations, water and wastewater pumping stations

D. Not Permitted

Generally, any use not compatible with commercial and single-family residential character of the Commercial District is prohibited. In addition, the following specific uses are not permitted in the Commercial District:

1. Manufacturing.
2. Warehouse and storage facilities.
3. Multi-family apartments or conversions of existing buildings for multiple apartments

E. Lot size, Area, Yard and Building Requirements

Minimum Lot Area (in square feet)	5000	Accessory Structure
Width	50	
Depth	100	
Minimum Yards (Feet)		
Front	0	
Rear	10	6 inches
Side		6 inches
One	8	
Both	16	
Minimum Lot Width (Feet)		
Maximum Building Height (Stories/Feet)	35/2 ½	15/1
Maximum Lot Coverage	80%	
Minimum Net Habitable Floor Area (Square Feet)	650 sf	

F. Signs

All signs must conform to Section 255-157 of this Code.

§ 255-91. I-1 General Industrial District

Purpose Statement:

The purpose of the I-1 general industrial district is to continue clean manufacturing and light industrial uses compatible with adjacent residential uses. Due to its location within residential neighborhoods and accessibility by local residential streets, warehousing, wholesale and retail operations, and other uses that generate higher truck traffic operations are prohibited.

The secondary purposes of the district are to:

1. Maintain the existing housing stock and general light industrial facilities, streetscape and public infrastructure;
2. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit and the like; and
3. Accommodate compatible infill development and alterations for changing commercial needs.

A. Permitted Principal Uses

1. Light manufacturing, fabrication and assembly.
2. Research, testing and experimentation.
3. Information services, such as data processing, hosting and related services; Internet publishing and broadcasting and web search portals; Libraries and archives; Motion picture, television and video production and distribution; Music publishing, sound recording production and distribution; New syndicates; Newspaper, periodical, book and directory publishers; Radio and television broadcasting; Software publishers
4. Office buildings.
5. Single family homes.
6. Light non-food manufacturing (i.e., brooms, brushes & mops; burial caskets; computer and electronic products, dolls, toys and games; electrical equipment, appliances and components, etc.); Hardware, Equipment, Machinery and tools; Fasteners, Buttons, Needles and pins; Furniture and related products; Gaskets, packing and sealing devices; Jewelry and silverware; Lighting and light products; Medical equipment and supplies; Millwork, wood products and pre-fab construction; Musical instruments; Office supplies, except paper; Printing and related support activities; Signs; Sporting and athletic goods; Transportation equipment

7. Postal service, couriers and messengers

B. Permitted Accessory Uses

1. Cafeterias, Grills and Buffets & Catering Halls
2. Vending machines (inside buildings)
3. Private garages.
4. Refuse enclosures.
5. Utility sheds.
6. Off-street parking, garages and loading areas.
7. Parking areas, garages (private).

8. Utilities & Waste Management Services: Typical Utility Structure, Facilities and services for development

C. Conditional Uses

1. Utility structures and facilities needed to provide the direct service of gas, electricity, telephone, water and sewerage, but not offices, garages, warehouses, maintenance areas, production facilities, processing facilities or similar commercially or industrially related operations of such companies.

2. Utilities & Waste Management – Typical utility structures, facilities and services for development; Electric substations, water and wastewater pumping stations

D. Not Permitted

Generally, any use not compatible with light industrial and single-family residential character of the R-1 District is prohibited. In addition, the following specific uses are not permitted in the R-1 District:

1. Heavy Manufacturing.

E. Lot size, Area, Yard and Building Requirements

	Industrial	Residential	Accessory Structure
Minimum Lot Area (in square feet)	43560	6000	
Width	200	60	

Depth	200	100	
Minimum Yards (Feet)			
Front	30	25	
Rear	30	25	6 inches
Side			6 inches
One	15	8	
Both	30	24	
Minimum Lot Width (Feet)			
Maximum Building Height (Stories/Feet)	100/6	35/2 ½	65/4 (15/2)
Maximum Lot Coverage	75%	80%	
Minimum Net Habitable Floor Area (Square Feet)	650 sf	650 sf	

F. Signs

All signs must conform to Section 255-157 of this Code.

G. Other Regulations. All other regulations of this ordinance shall be applied.

§ 255-92. I-2 Industrial District

Purpose: The purpose of the I-2 district is to continue the existing pattern of general and light industrial uses, as well as wholesale trading, in the Township's traditional railroad oriented industrial district.

A. Permitted Principal Uses

1. Adult day-care and licensed child-care services: preschools.
2. Registered Family child-care service
3. Drinking places (alcoholic beverages)
4. Building material and garden equipment and supplies dealers
5. Fuel stations (e.g., gasoline, propane, electric)

6. Full service restaurants
7. Convenience stores
8. Rental services, including: consumer rental goods; general rental centers; Linen and uniform supply (commercial and industrial laundries); Machinery and equipment rental and leasing.
9. Information services, such as data processing, hosting and related services; Internet publishing and broadcasting and web search portals; Libraries and archives; Motion picture, television and video production and distribution; Music publishing, sound recording production and distribution; New syndicates; Newspaper, periodical, book and directory publishers; Radio and television broadcasting; Software publishers
10. Construction Contractors: Building equipment (electrical, wiring, plumbing, HVAC, etc.); Building interior finishing (drywall, insulation, painting, wall covering, flooring, tiling, finish carpentry, etc.), Site maintenance and management; Structural building exterior (framing, masonry, glass and glazing, roofing, siding, etc.); Structural steel and concrete foundations and structures
11. Food manufacturing – bakeries; coffee and teas; micro breweries, wineries and distilleries; non-alcoholic beverages; snack foods
12. Light non-food manufacturing – brooms, brushes, mops; burial caskets; computer and electronic products; dolls, toys and games; electrical equipment, appliances and components; hardware, equipment, machinery and tools; fasteners, buttons, needles and pins; furniture and related products; gaskets, packing and sealing devices; jewelry and silverware; lighting and light products; medical equipment and supplies; millwork, wood products and pre-fab construction; musical instruments; office supplies (except paper); printing and related support activities; signs; sporting and athletic goods; transportation equipment
13. Postal service, couriers and messengers
14. Transportation and warehousing limited to: General freight trucking; Taxi and limousine service; Used household and office goods moving
15. Refrigerated warehousing and storage
16. Wholesale Trade: Apparel, Piece Goods, notions; Beer, wine and distilled alcoholic beverages; Books, periodical and newspapers; Drugs and druggists sundries; Electrical and electronic goods; Electronic shopping and mail-order houses; Furniture and home furnishings; Grocery and related products; Hardware, plumbing & heating equipment and supplies; Jewelry, watch, precious stone and precious metals; Lumber and other construction materials; Machinery, equipment and supplies; Motor vehicle and motor vehicle parts and supplies; Paper and paper

products; Professional and commercial equipment and supplies; Sporting and recreational goods and supplies; Tobacco and Tobacco products; Toy and hobby goods and supplies; Wholesale electronic markets and agents and brokers.

B. Permitted Accessory Uses

1. Vending machines (inside buildings only)
2. Parking areas, garages (Private).
3. Utilities & Waste Management Services: Typical Utility Structure, Facilities and services for development
4. Cafeterias, grills and buffets and catering halls.
5. Parking areas, garages (public/municipal).

C. Conditional Uses

1. Schools and educational services, such as business schools, technical and trade schools, computer management and training tutoring and other educational support services, all limited to upstairs offices
2. Caterers.
3. Limited service restaurants
4. Tattoos and body piercing
5. Adult Book Stores
6. Retail Sales Establishments – Antiques & collectibles; Art dealers; Artist Studios, Arts and craft production and sales; Audio, gaming and video sales/rentals; Bakeries and baked goods stores; Beer, wine and liquor stores; Books, newspapers, Magazines, Music and Periodicals; Butchers & meat markets; Clothing, Accessories and shoes stores (new and used); Clothing and Accessories; computer and telecommunication device stores; Confectionary and nut stores; Convenience stores; Delicatessens; Department stores; Discount department stores; Electronics and appliances stores; Fish and seafood markets; Florists; Food markets; Fruit and vegetable markets; Furniture and home furnishings; Hardware; Jewelry. Luggage and leather goods; office supplies and gift stores; Pet and pet supplies; Pharmacies; Photography studios and supplies; Sporting goods, hobby, book and music stores; Tobacco stores
7. Vending Machines (inside buildings only)
8. Warehouse Clubs and Supercenters

9. Outdoor Displays of Merchandise

10. Utilities & Waste Management – electric substations, water and wastewater pumping stations

11. Construction Contractors: Building equipment (electrical, wiring, plumbing, HVAC, etc.); Building interior finishing (drywall, insulation, painting, wall covering, flooring, tiling, finish carpentry, etc.), Site maintenance and management; Structural building exterior (framing, masonry, glass and glazing, roofing, siding, etc.); Structural steel and concrete foundations and structures

12. Motor vehicle related businesses: Filing stations, Major service engine, body, frame, painting, welding, etc.; Minor service (maintenance, incidental repairs); Parts reclamation, rebuilding, refurbishing; Sales and rentals/leasing; Washing, detailing. Tire and oil change, etc.

13. Microwave/Cellular Communication Towers and Antennae

14. Transportation and warehousing limited to: Personal and household (mini) storage

D. Not Permitted

Generally, any use not compatible with light industrial and single-family residential character of the R-1 District is prohibited. In addition, the following specific uses are not permitted in the R-1 District:

1. Heavy Manufacturing.

E. Lot size, Area, Yard and Building Requirements

	Industrial	Accessory Structure
Minimum Lot Area (in square feet)	43560	
Width	200	
Depth	200	
Minimum Yards (Feet)		
Front	30	
Rear	30	6 inches
Side		6 inches

One	15	
Both	30	
Minimum Lot Width (Feet)		
Maximum Building Height (Stories/Feet)	100/6	65/4
Maximum Lot Coverage	75%	
Minimum Net Habitable Floor Area (Square Feet)	650 sf	

F. Signs

All signs must conform to Section 255-157 of this Code.

G. Other Regulations. All other regulations of this ordinance shall be applied.

§ 255-93. SD-1 Redevelopment District

Purpose Statement:

The primary purpose of the SD-1 redevelopment district is to develop the lands previously used for manufacturing purposes for a mix of single-family attached and detached homes, townhouses and commercial uses.

The secondary purposes of the district are to:

1. Create a sustainable housing stock and neighborhood facilities, streetscape and public infrastructure,
2. Provide an environment for commercial opportunities;
3. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit, etc.,
4. Accommodate compatible infill development and alterations for changing household needs.

A. The SD-1 Redevelopment District consists of lands located northwest of Pavilion Avenue from the intersection of Lafayette Street to the Rancocas Creek. The following Block and Lots are included in SD-1:

Block	Lots
-------	------

601	1, 1.01, 1.02, 2, 3, 4, 5, 5.01
703	1, 2, 3, 4, 5, 18, 19, 20, 21, 22, 23, 24
803	8, 8.02, 9, 11, 12, 13, 14, 15

B. Permitted uses

Generally, all permitted uses of the R-3 and Commercial District, including:

1. Single family detached dwellings and two-family attached homes.
2. Townhouses;
3. Market rate residential apartments on the second and third floors of commercial structures;
4. Professional offices;
5. Retail Sales Establishments – Antiques & collectibles; Art dealers; Artist Studios, Arts and craft production and sales; Audio, gaming and video sales/rentals; Bakeries and baked goods stores; Beer, wine and liquor stores; Books, newspapers, Magazines, Music and Periodicals; Butchers & meat markets; Clothing, Accessories and shoes stores (new and used); Clothing and Accessories; computer and telecommunication device stores; Confectionary and nut stores; Convenience stores; Delicatessens; Department stores; Discount department stores; Electronics and appliances stores; Fish and seafood markets; Florists; Food markets; Fruit and vegetable markets; Furniture and home furnishings; Hardware; Jewelry. Luggage and leather goods; office supplies and gift stores; Pet and pet supplies; Pharmacies; Photography studios and supplies; Sporting goods, hobby, book and music stores; Tobacco stores.
6. Restaurants, coffee houses and cafes;
7. Movie theaters and performing arts theaters, excluding sexually oriented businesses.
8. Financial institutions, banking facilities, credit unions or related businesses, excluding cash checking facilities.
9. Dry cleaning facilities and laundromats.
10. Bakeries, fish markets, butchers and meat markets, product markets, supermarkets and other related businesses
11. Funeral homes and mortuaries.

12. Public parks and recreational facilities.
13. Athletic Fields and Swimming Facilities.
14. Adult Day Care and Licensed Child Care Services: preschools
15. Schools
16. Registered Family Child Care Services
17. Health care facilities
18. Brew pubs.
19. Cafeterias, grills, buffets & catering halls.
20. Caterers.
21. Drinking places (alcoholic beverages).
22. Full-service restaurants, including brew pubs.
23. Limited service restaurants
24. Snack/desert and non-alcoholic beverage establishments
25. Personal and household services, such as footwear/leather goods repair; hair, nail and skin, diet, weight care services; Home/garden equipment repair and appliance repair; pet care (except veterinary); photofinishing; re-upholstering and furniture repair; tailoring and dressmaking.
26. Recreational uses, such as amusement arcades, art galleries, fitness and recreational sports centers, instructional academies, live performance theaters and nightclubs (not sexually oriented), motion picture theaters, museums and historical, other commercial indoor and outdoor recreation, performing arts companies and sports teams and clubs
27. Rental services limited to consumer goods rentals.
28. Information services, such as data processing, hosting and related services; Internet publishing and broadcasting and web search portals; Libraries and archives; Motion picture, television and video production and distribution; Music publishing, sound recording production and distribution; New syndicates; Newspaper, periodical, book and directory publishers; Radio and television broadcasting; Software publishers
29. Information services, such as data processing, hosting and related services;

Internet publishing and broadcasting and web search portals; Libraries and archives; Motion picture, television and video production and distribution; Music publishing, sound recording production and distribution; New syndicates; Newspaper, periodical, book and directory publishers; Radio and television broadcasting; Software publishers

30. Parking areas, garages (public/municipal).

31. Motor vehicle related business – parts and supplies sales (new and used)

32. Office uses limited to: Accounting, Tax preparation, Bookkeeping and payroll services; Architectural, Engineering and related services; Lawyers and legal services; Physicians, Dentists and other licensed health practitioners; Veterinary services

33. Administrative & Support Services limited to: Copying, photocopying and printing services; Mailing, packaging and labeling services; Travel arrangement and reservation services

34. Brew pubs

35. Rail passenger transportation; Scenic and sightseeing transportation, land and water; Taxi and limousine service

C. Permitted Accessory Uses

The following uses may be allowed as accessory uses on the same lot and with any of the permitted accessory uses in the SD-1 Zone District, provided they otherwise meet zoning requirements of this Chapter, including:

1. Free standing private garages.

2. Utility shed.

3. Refuse enclosures.

4. Private swimming pools (above and in-ground), Jacuzzis and saunas.

5. Private greenhouses.

6. Decks and patios.

7. Gazebos.

8. Private dog pen.

9. Restaurant delivery

10. Vending machines (inside buildings only)
11. Parking areas, garages (public/municipal).
12. Automobile and board storage, commercial;
13. Rail freight transportation
14. Utilities & Waste Management Services: Typical Utility Structure, Facilities and services for development

D. Conditional uses

The following conditional uses shall be permitted provided all zoning requirements of this Chapter are met:

1. Utility structures and facilities for basic infra-structure services, such as gas, electric, land-line telephone service, water and sewage.
2. Apartments over first floor of commercial establishments, offices and facilities permitted as principal uses in this district.
3. Bed and Breakfast Inns.
4. Hotels.
5. Nursing and Residential Care (Assisted Living) Facilities
6. Schools and educational services, such as business schools, technical and trade schools, computer management and training tutoring and other educational support services, all limited to upstairs offices.
7. Wire Transfer services.
8. Outdoor seating
9. Outdoor displays of merchandise
10. Utilities & Waste Management – electric substations, water and wastewater pumping stations
11. Construction Contractors: Building equipment (electrical, wiring, plumbing, HVAC, etc.); Building interior finishing (drywall, insulation, painting, wall covering, flooring, tiling, finish carpentry, etc.), Site maintenance and management; Structural building exterior (framing, masonry, glass and glazing, roofing, siding, etc.); Structural steel and concrete foundations and structures

12. Office uses limited to: Advertising, public relations and related services; Computer systems design and related services; Management, scientific and technical consulting; Marketing research and public opinion polling; Scientific research and development services and labs; Specialized design services; Translation and interpretation services.

13. Administrative & Support Services: Business support services;; Employment services; Facilities support services; Investigation and security services; Office administrative services; Property maintenance, janitorial and similar services

14. Construction Contractors: Building equipment (electrical, wiring, plumbing, HVAC, etc.); Building interior finishing (drywall, insulation, painting, wall covering, flooring, tiling, finish carpentry, etc.), Site maintenance and management; Structural building exterior (framing, masonry, glass and glazing, roofing, siding, etc.); Structural steel and concrete foundations and structures

15. Home occupations

16. Marinas

E. Not Permitted

Generally, any use not compatible with single-family residential character of the R-3 District is prohibited. In addition, the following specific uses are not permitted in the R-3 District:

1. Multi-family structures.
2. Manufacturing.
3. Warehouse and storage facilities.
4. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

F. Lot size, Area, Yard and Building Requirements

	Residential		Commercial	
		Accessory Structure		Accessory Structure
Minimum Lot Area (in square feet)	4000			
Width	40			
Depth	100			

Minimum Yards (Feet)				
Front	15 ⁴			
Rear	25	6 inches		
Side		6 inches		
One	8			
Both	24			
Minimum Lot Width (Feet)				
Maximum Building Height (Stories/Feet)	35/2 ½	15/1		
Maximum Lot Coverage	80%			
Minimum Net Habitable Floor Area (Square Feet)	650 sf			

G. Signs

All signs must conform to Section 255-157 of this Code.

H. Other Regulations. All other regulations of this ordinance shall be applied.

§ 255-94. SD-2 Redevelopment District

Purpose Statement:

The primary purpose of the SD-2 redevelopment district is to develop the lands previously used for manufacturing purposes for a mix of single-family attached and detached homes, townhouses and commercial uses.

The secondary purposes of the district are to:

1. Create a sustainable housing stock and neighborhood facilities, streetscape and public infrastructure,
2. Provide an environment for commercial opportunities;

⁴ May be reduced to 5 feet for the construction or reconstruction of an open front porch consistent with the neighborhood

3. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit, etc.,

4. Accommodate compatible infill development and alterations for changing household needs.

A. The SD-2 Redevelopment District consists of lands located northeast of Pavilion Avenue from the Riverline to the Rancocas Creek. The following Block and Lots are included in SD-2:

Block	Lots
603	1, 2, 2.01, 2.02, 2.03, 2.04, 3, 4, 5

B. Permitted Principal Uses:

Generally, all permitted uses of the R-3 and Commercial District, including:

1. Single family detached dwellings and two-family attached homes.
2. Townhouses;
3. Market rate residential apartments on the second and third floors of commercial structures;
4. Athletic Fields and Swimming Facilities
5. Public Parks and Playgrounds
6. Adult Day Care and Licensed Child Care Services: Preschools
7. Registered Family Child Care Services
8. Health care facilities
9. Cafeterias, grills, buffets and catering halls
10. Drinking Places (alcoholic beverages)
11. Full service restaurants
12. Limited service restaurants
13. Snack/desert and non-alcoholic beverage bars

14. Instructional Academies (Fine, martial and performing arts, language, sports and recreation, driving, etc).

15. Retail Sales Establishments limited to: Arts and craft production and sale; Bakeries and baked goods stores; butchers and meat markets; Clothing, accessories and shoes stores; confectionary and nut stores; convenience stores; delicatessens; fish and seafood markets; Electronics and appliance stores; florists; food markets, groceries and supermarkets; fruit and vegetable markets; Photography studios and supplies; Tobacco Stores.

16. Information services, such as data processing, hosting and related services; Internet publishing and broadcasting and web search portals; Libraries and archives; Motion picture, television and video production and distribution; Music publishing, sound recording production and distribution; New syndicates; Newspaper, periodical, book and directory publishers; Radio and television broadcasting; Software publishers

17. Office uses limited to: Accounting, Tax preparation, Bookkeeping and payroll services; Architectural, Engineering and related services; Lawyers and legal services; Physicians, Dentists and other licensed health practitioners; Veterinary services.

18. Administrative & Support Services limited to: Copying, photocopying and printing services; Mailing, packaging and labeling service; Travel arrangement and reservation services.

19. Information services, such as data processing, hosting and related services; Internet publishing and broadcasting and web search portals; Libraries and archives; Motion picture, television and video production and distribution; Music publishing, sound recording production and distribution; New syndicates; Newspaper, periodical, book and directory publishers; Radio and television broadcasting; Software publishers

C. Permitted Accessory Uses:

1. Restaurant delivery
2. Vending machines (inside buildings only)
3. Parking areas, garages (public/municipal).
4. Utilities & Waste Management Services: Typical Utility Structure, Facilities and services for development

D. Permitted Conditional Uses:

1. Apartments and flats created as a conversion of the existing non-residential historic building, known as the Keystone Watch Case Building, located on Lot 2, Block 602.

2. Schools and educational services, such as business schools, technical and trade schools, computer management and training tutoring and other educational support services, all limited to upstairs offices
3. Outdoor seating
4. Outdoor displays or merchandise
5. Utilities & Waste Management – electric substations, water and wastewater pumping stations
6. Construction Contractors: Building equipment (electrical, wiring, plumbing, HVAC, etc.); Building interior finishing (drywall, insulation, painting, wall covering, flooring, tiling, finish carpentry, etc.), Site maintenance and management; Structural building exterior (framing, masonry, glass and glazing, roofing, siding, etc.); Structural steel and concrete foundations and structures
7. Office uses limited to: Advertising, public relations and relates services; Computer systems design and related services; Management, scientific and technical consulting; Marketing research and public opinion polling; Scientific research and development services and labs; Specialized design services; Translation and interpretation services.
8. Administrative & Support Services: Business support services; Employment services; Facilities support services; Investigation and security services; Office administrative services; Property maintenance, janitorial and similar services
9. Microwave/cellular communication towers and antennae
10. Marinas

E. Not Permitted

Generally, any use not compatible with single-family residential character of the R-3 District is prohibited. In addition, the following specific uses are not permitted in the R-3 District:

1. Multi-family structures (other than in the converted Watch Case Building).
2. Manufacturing.
3. Warehouse and storage facilities.
4. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

F. Lot size, Area, Yard and Building Requirements

	Residential		Commercial	
		Accessory Structure		Accessory Structure
Minimum Lot Area (in square feet)	4000			
Width	40			
Depth	100			
Minimum Yards (Feet)				
Front	15 ⁵			
Rear	25	6 inches		
Side		6 inches		
One	8			
Both	24			
Minimum Lot Width (Feet)				
Maximum Building Height (Stories/Feet)	35/2 ½	15/1		
Maximum Lot Coverage	80%			
Minimum Net Habitable Floor Area (Square Feet)	650 sf			

G. Signs

All signs must conform to Section 255-157 of this Code.

H. Other Regulations. All other regulations of this ordinance shall be applied.

§ 255-95. SD-3 Redevelopment District

Purpose Statement:

⁵ May be reduced to 5 feet for the construction or reconstruction of an open front porch consistent with the neighborhood

The primary purpose of the SD-3 redevelopment district is to develop the lands previously used for medical purposes for a mix of single-family attached and detached homes, townhouses and commercial uses.

The secondary purposes of the district are to:

1. Create a sustainable housing stock and neighborhood facilities, streetscape and public infrastructure,
2. Provide an environment for commercial opportunities;
3. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit, etc.,
4. Accommodate compatible infill development and alterations for changing household needs.

A. The SD-3 Redevelopment District consists of lands located northeast of Pavilion Avenue from the Riverline to the Rancocas Creek. The following Block and Lots are included in SD-3:

Block	Lots
3201	1, 2, 3, 4, 5, 6, 7, 8, 9, 10
3202	1
3203	1, 2, 3, 4, 5, 6, 7, 8, 8.01, 9, 10, 11, 12, 27.0128, 29, 30, 31, 32, 32.01, 33
3204	1
3205	1, 5, 6, 7, 8, 9, 10, 11, 12, 13
3206	1, 2
3207	1, 4, 5, 6, 7, 8, 9, 10
3301	32, 32.01

B. Permitted Principal Uses:

Generally, all permitted uses of the R-3 and Commercial District, including:

1. Single family detached dwellings and two-family attached homes.
2. Townhouses;

3. Market rate residential apartments on the second and third floors of commercial structures;

4. Public Parks and Playgrounds

5. Athletic Fields and Swimming Facilities

6. Adult Day Care and Licensed Child Care Services: Preschools

7. Registered Family Child Care Services

8. Health care facilities

9. Rail passenger transportation

C. Permitted Accessory Uses

1. Parking areas, garages (public/municipal).

2. Utilities & Waste Management – Typical utility structures, facilities and services for development; Electric substations, water and wastewater pumping stations

D. Permitted Conditional Uses:

1. Nursing and Residential Care (Assisted Living) Facilities

2. Schools and educational services, such as business schools, technical and trade schools, computer management and training tutoring and other educational support services, all limited to upstairs offices

3. Parking areas, garages (private).

4. Utilities & Waste Management – Typical utility structures, facilities and services for development; Electric substations, water and wastewater pumping stations

E. Not Permitted

Generally, any use not compatible with single-family residential character of the R-3 District is prohibited. In addition, the following specific uses are not permitted in the R-3 District:

1. Multi-family structures (other than in the converted Watch Case Building).

2. Manufacturing.

3. Warehouse and storage facilities.

4. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

F. Lot size, Area, Yard and Building Requirements

	Residential		Commercial	
		Accessory Structure		Accessory Structure
Minimum Lot Area (in square feet)	4000			
Width	40			
Depth	100			
Minimum Yards (Feet)				
Front	15 ⁶			
Rear	25	6 inches		
Side		6 inches		
One	8			
Both	24			
Minimum Lot Width (Feet)				
Maximum Building Height (Stories/Feet)	35/2 ½	15/1		
Maximum Lot Coverage	80%			
Minimum Net Habitable Floor Area (Square Feet)	650 sf			

G. Signs

All signs must conform to Section 255-157 of this Code.

H. Other Regulations. All other regulations of this ordinance shall be applied.

⁶ May be reduced to 5 feet for the construction or reconstruction of an open front porch consistent with the neighborhood

§ 255-96. SD-4 Redevelopment District

Purpose Statement:

The primary purpose of the SD-4 redevelopment district is to develop the lands previously used for manufacturing purposes for a mix of single-family attached and detached homes, townhouses and commercial uses.

The secondary purposes of the district are to:

1. Create a sustainable housing stock and neighborhood facilities, streetscape and public infrastructure,
2. Provide an environment for commercial opportunities;
3. Encourage alternative modes of transportation, such as walking, bicycling, carpooling, mass transit, etc.,
4. Accommodate compatible infill development and alterations for changing household needs.

A. The SD-4 Redevelopment District consists of lands located northwest of Pavilion Avenue from the intersection of Lafayette Street to the Rancocas Creek. The following Block and Lots are included in SD-4:

Block	Lots
904	1, 2
1201	1, 1.01

B. Permitted uses

Generally, all permitted uses of the R-3 and Commercial District, including:

1. Single family detached dwellings and two-family attached homes.
2. Townhouses;
3. Market rate residential apartments on the second and third floors of commercial structures;
4. Professional offices;

5. Retail Sales Establishments – Antiques & collectibles; Art dealers; Artist Studios, Arts and craft production and sales; Audio, gaming and video sales/rentals; Bakeries and baked goods stores; Beer, wine and liquor stores; Books, newspapers, Magazines, Music and Periodicals; Butchers & meat markets; Clothing, Accessories and shoes stores (new and used); Clothing and Accessories; computer and telecommunication device stores; Confectionary and nut stores; Convenience stores; Delicatessens; Department stores; Discount department stores; Electronics and appliances stores; Fish and seafood markets; Florists; Food markets; Fruit and vegetable markets; Furniture and home furnishings; Hardware; Jewelry. Luggage and leather goods; office supplies and gift stores; Pet and pet supplies; Pharmacies; Photography studios and supplies; Sporting goods, hobby, book and music stores; Tobacco stores.

6. Restaurants, coffee houses and cafes;

7. Movie theaters and performing arts theaters, excluding sexually oriented businesses.

8. Financial institutions, banking facilities, credit unions or related businesses, excluding cash checking facilities.

9. Dry cleaning facilities and laundromats.

10. Bakeries, fish markets, butchers and meat markets, product markets, supermarkets and other related businesses

11. Funeral homes and mortuaries.

12. Public parks and recreational facilities.

13. Athletic Fields and Swimming Facilities.

14. Adult Day Care and Licensed Child Care Services: preschools

15. Schools

16. Registered Family Child Care Services

17. Health care facilities

18. Brew pubs.

19. Cafeterias, grills, buffets & catering halls.

20. Caterers.

21. Drinking places (alcoholic beverages).

22. Full-service restaurants, including brew pubs.
23. Limited service restaurants
24. Snack/desert and non-alcoholic beverage establishments
25. Personal and household services, such as footwear/leather goods repair; hair, nail and skin, diet, weight care services; Home/garden equipment repair and appliance repair; pet care (except veterinary); photofinishing; re-upholstering and furniture repair; tailoring and dressmaking.
26. Recreational uses, such as amusement arcades, art galleries, fitness and recreational sports centers, instructional academies, live performance theaters and nightclubs (not sexually oriented), motion picture theaters, museums and historical, other commercial indoor and outdoor recreation, performing arts companies and sports teams and clubs
27. Rental services limited to consumer goods rentals.
28. Information services, such as data processing, hosting and related services; Internet publishing and broadcasting and web search portals; Libraries and archives; Motion picture, television and video production and distribution; Music publishing, sound recording production and distribution; New syndicates; Newspaper, periodical, book and directory publishers; Radio and television broadcasting; Software publishers
29. Information services, such as data processing, hosting and related services; Internet publishing and broadcasting and web search portals; Libraries and archives; Motion picture, television and video production and distribution; Music publishing, sound recording production and distribution; New syndicates; Newspaper, periodical, book and directory publishers; Radio and television broadcasting; Software publishers
30. Parking areas, garages (public/municipal).
31. Motor vehicle related business – parts and supplies sales (new and used)
32. Office uses limited to: Accounting, Tax preparation, Bookkeeping and payroll services; Architectural, Engineering and related services; Lawyers and legal services; Physicians, Dentists and other licensed health practitioners; Veterinary services
33. Administrative & Support Services limited to: Copying, photocopying and printing services; Mailing, packaging and labeling services; Travel arrangement and reservation services
34. Rail passenger transportation; scenic and sightseeing transportation, land and water; Taxi and limousine service

C. Permitted Accessory Uses

The following uses may be allowed as accessory uses on the same lot and with any of the permitted accessory uses in the SD-1 Zone District, provided they otherwise meet zoning requirements of this Chapter, including:

1. Free standing private garages.
2. Utility shed.
3. Refuse enclosures.
3. Private swimming pools (above and in-ground), Jacuzzis and saunas.
4. Private greenhouses.
5. Decks and patios.
6. Gazebos.
7. Private dog pen.
8. Restaurant delivery
9. Vending machines (inside buildings only)
10. Parking areas, garages (public/municipal).
11. Automobile and board storage, commercial;
12. Rail freight transportation
13. Utilities & Waste Management Services: Typical Utility Structure, Facilities and services for development

D. Conditional uses

The following conditional uses shall be permitted provided all zoning requirements of this Chapter are met:

1. Utility structures and facilities for basic infra-structure services, such as gas, electric, land-line telephone service, water and sewage.
2. Bed and Breakfast Inns.
3. Hotels.

5. Nursing and Residential Care (Assisted Living) Facilities
4. Schools and educational services, such as business schools, technical and trade schools, computer management and training tutoring and other educational support services, all limited to upstairs offices.
5. Wire Transfer services.
6. Outdoor seating
7. Outdoor displays of merchandise
8. Utilities & Waste Management – electric substations, water and wastewater pumping stations
9. Construction Contractors: Building equipment (electrical, wiring, plumbing, HVAC, etc.); Building interior finishing (drywall, insulation, painting, wall covering, flooring, tiling, finish carpentry, etc.), Site maintenance and management; Structural building exterior (framing, masonry, glass and glazing, roofing, siding, etc.); Structural steel and concrete foundations and structures
10. Office uses limited to: Advertising, public relations and relates services; Computer systems design and related services; Management, scientific and technical consulting; Marketing research and public opinion polling; Scientific research and development services and labs; Specialized design services; Translation and interpretation services.
11. Administrative & Support Services: Business support services,; Employment services; Facilities support services; Investigation and security services; Office administrative services; Property maintenance, janitorial and similar services
12. Construction Contractors: Building equipment (electrical, wiring, plumbing, HVAC, etc.); Building interior finishing (drywall, insulation, painting, wall covering, flooring, tiling, finish carpentry, etc.), Site maintenance and management; Structural building exterior (framing, masonry, glass and glazing, roofing, siding, etc.); Structural steel and concrete foundations and structures
13. Home occupations (as set forth in § 255-42.D.5)

E. Not Permitted

Generally, any use not compatible with single-family residential character of the R-3 District is prohibited. In addition, the following specific uses are not permitted in the R-3 District:

1. Multi-family structures.

2. Manufacturing.
3. Warehouse and storage facilities.
4. Offices, garages, maintenance areas, processing facilities or similar commercial or industrially related operations necessary for any conditional use.

F. Lot size, Area, Yard and Building Requirements

	Residential		Commercial	
		Accessory Structure		Accessory Structure
Minimum Lot Area (in square feet)	4000			
Width	40			
Depth	100			
Minimum Yards (Feet)				
Front	15 ⁷			
Rear	25	6 inches		
Side		6 inches		
One	8			
Both	24			
Minimum Lot Width (Feet)				
Maximum Building Height (Stories/Feet)	35/2 ½	15/1		
Maximum Lot Coverage	80%			
Minimum Net Habitable Floor Area (Square Feet)	650 sf			

G. Signs

⁷ May be reduced to 5 feet for the construction or reconstruction of an open front porch consistent with the neighborhood

All signs must conform to Section 255-157 of this Code.

- H. Other Regulations. All other regulations of this ordinance shall be applied.

PART 3: LAND DEVELOPMENT REVIEW

ARTICLE X Approval Required

§ 255-97. Subdivision Review and Approval Required.

Pursuant to N.J.S.A. 40:55D-37, all subdivisions in the Township of Riverside shall be reviewed and approved by the Township Planning Board prior to the filing of subdivision plats or deeds with the office of the Burlington County Clerk. The only exemptions from the subdivision review and approval process are divisions of land that are not defined as subdivisions under this Chapter.

§ 255-98. Site Plan Review and Approval Required.

A. No construction permits shall be issued for any new structure or for any addition or alteration to an existing structure; no zoning permits shall be issued for any new use; and no certificates of occupancy shall be issued for any change of use of an existing structure until a site plan is reviewed and approved by the Riverside Township Joint Land Use Planning Board except that the following are specifically excluded from the site plan review and approval process:

1. Single/Two Family Dwellings. A construction permit for a single-family detached dwelling unit or a two-family dwelling unit used exclusively as a residence and/or their permitted accessory buildings or uses shall not require site plan approval in accordance with the following:

a. The use of an existing or proposed principal or accessory building for a home occupation as defined and permitted by this Chapter shall require the issuance of a zoning permit prior to the issuance of a construction permit or certificate of occupancy.

b. Permitted accessory buildings to single family detached or two family dwelling units that are located on the same lot as the residence shall not require site plan approval.

c. If the permitted accessory building or use is not located on the same lot as a principal single-family or two-family residential structure, site plan approval shall be required when the accessory structure exceeds 400 square feet in area.

2. Change of Use.

a. Any change of use from one permitted category of use to another permitted category of use shall not require site plan approval if the Zoning Officer certifies in writing that the existing site development meets the requirements of this chapter and that the new use category does not require an increase in the number of parking or loading spaces or other required site element. The Joint Land Use Planning Board shall review and concur with this waiver determination of the Zoning Officer.

b. The Riverside Joint Land Use Planning Board may waive site plan review and approval for a change of use if the change of use will not result in an increase in the intensity of land use on the site.

c. Applications for a conditional use permit may require site plan review and approval, per § 255-98 of this code.

3. Building Additions/Alterations. Building alterations shall not require site plan approval if the Zoning Officer certifies in writing that all of the following conditions apply:

a. There is no change in use;

b. There is no change in a prior approval condition;

c. The structural alteration does not exceed 1,000 square feet or less of floor area and will not encroach on existing off-street parking areas nor require additional parking;

d. There is no change in circulation proposed such as drive through windows, ingress or egress drives, changes in internal circulation, loading or unloading, delivery of pickup of goods or services, or trash collection; and

e. There are no major changes in a significant facility or improvement such as a drainage facility, or landscaped buffer; and

f. The total impervious area of the site is not increased by 5,000 square feet or by more than 10% of the site area, whichever is less.

4. Fences/walls. Fences or walls shall not require site plan approval provided that they are not an element of a land development that requires site plan approval;

5. Signs. Signs that are less than 25 square feet in area shall not require site plan approval provided that they are not an element of a land development that requires site plan approval; All signs require the issuance of a zoning permit unless exempted by the sign section of this ordinance.

B. Land Disturbance. No land disturbance (i.e., filling, cutting, grading) or site clearing in excess of 5,000 square feet shall be permitted to take place unless site plan approval for the proposed use has been obtained from the Township Planning Board and the necessary zoning permit has been issued prior to the commencement of the land disturbance.

§ 255-99. Conditional Use Review and Approval Required.

Prior to the issuance of a zoning permit or certificate of occupancy for any conditional use permitted by this chapter, an application shall be made to the Planning Board for approval of the conditional use. The review by the Planning Board shall determine whether the conditional use complies with this provision of this chapter and shall include any required site plan review.

§ 255-100. Other Approvals.

In the event that an application for development requires an approval by a governmental agency other than the Joint Land Use Planning Board, the Board shall, in appropriate circumstances, condition approval upon the subsequent approval of such governmental agency, provided that the Board shall make a decision on any application for development within the time period provided in this chapter, or within an extension of such period as has been agreed to by the applicant, unless the Board is prevented or relieved from so acting by operation of law.

§ 255-101. Variance Applications.

All applications for variance relief to the Joint Land Use Planning Board not involving any related site plan, subdivision or conditional use approval shall be filed at least 15 days prior to the next regularly scheduled monthly meeting of the Board. The filing shall include 10 copies of any maps and related material; five completed copies of the appropriate application form(s), which includes the checklist for variances pursuant to N.J.S.A. 40:55D-10.3 attached to this chapter; and the fee in accordance with Chapter 150 of the Codes of Riverside. The Board shall act upon the application as stipulated by law.

§ 255-102. Conditional use; standards for review; time for decision.

A. All applications for conditional use shall be granted or denied by the Joint Land Use Planning Board pursuant to § 255-42.

B. The review by the Joint Land Use Planning Board of a conditional use application shall include site plan review. In cases where a conditional use application does not include alteration of the exterior of a building and will not have an impact on parking requirements, the Joint Land Use Planning Board may waive site plan submission requirements as provided for in § 255-103.D. The time period for action by the Board on conditional use applications shall apply to such site plan review.

C. If the development requiring conditional use approval deviates from a conditional use specification or standard, thereby requiring approval by the Zoning Board of Adjustment of a variance to allow such deviation, the Zoning Board of Adjustment shall, in lieu of the Planning Board, grant or deny the application.

D. The Joint Land Use Planning Board shall grant or deny an application for a conditional use within 95 days of submission of a complete application to the administrative officer of the Board, or within such further time as may be consented to by the applicant.

§ 255-103. Waiver of subdivision or site plan regulations; simultaneous review and approval.

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

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

C. The Joint Land Use Planning Board shall have the power to review and approve or deny conditional uses or site plans simultaneously with review for subdivision approval without the developer being required to make further application to the Joint Land Use Planning Board, or the Board being required to hold further hearings. The longest time period for action by the Joint Land Use Planning Board, whether it be for subdivision, conditional use or site plan approval, shall apply. Whenever approval of a conditional use is requested by the developer pursuant to this subsection, notice of the hearing on the plat shall include reference to the request for such conditional use.

D. Site Plan Waiver. The Planning Board may waive site plan approval requirements if it finds, after application and hearing, that the construction or alteration or change of occupancy or use does not affect existing circulation, drainage, relationships of building to each other, landscaping, buffering, lighting and other considerations of site plan review. An applicant requesting a waiver of site plan approval shall submit building plans and other drawings and information sufficient to enable the Planning Board to make an informed decision as to whether

the waiver should be granted. The applicant shall pay the fees set forth for minor site plans in the Code of Riverside.

§ 255-104 Environmental Impact Statement

Every major site plan development application must include as part of the application, an Environmental Impact Statement.

A. Purpose. The intent of the environmental impact statement (EIS) requirement is to provide a comprehensive analysis of the impact of major development projects on the Township's physical and social environment and to ensure that any impacts are mitigated to the extent possible.

B. Submission Requirement. An Environmental Impact Statement shall be submitted for all major submission and major site plan applications. The EIS must be submitted with the application for preliminary approval for the application to be deemed complete. ·

C. Preparation. The environmental impact statement should be prepared using an interdisciplinary approach. The qualifications of the person(s) who prepared each of the various elements of the statement shall be identified in a separate section of the EIS.

References shall be cited throughout the statement as appropriate and listed fully using a consistent standard format. The document shall be signed by a New Jersey Licensed Professional Engineer or Planner. ·

D. Format. The environmental impact statement shall be bound or in a loose-leaf binder and submitted on eight-and-one-half-by-eleven-inch paper. Each major section of the statement shall be clearly identified and shall begin on a separate page. All maps, plans and aerial photographs included in the statement shall specify a north point, graphic scale, date of preparation, source of information and, where appropriate, boundary lines.

Maps, plans and aerial photographs submitted in each major section of the statement shall be at appropriate scales to facilitate comparative analyses and assessments of environmental impacts.

E. Content. The EIS shall contain the following elements, as specified below:

1 . Cover page. The cover page shall indicate:

- a. That the document is an EIS for (state name or title of application).
- b. The name of the proposed facility.
- c. Its location within the township.

d. The name, address and telephone number of the person who prepared the EIS.

e. The date of preparation of the EIS.

2. Summary. A "one-page" summary containing the following elements shall be placed at the beginning of the EIS:

a. A brief description of the proposed facility, including its location.

b. Summary of major beneficial and adverse environmental impacts of the proposed facility.

c. Summary of major alternatives considered.

d. Township, county, state and federal approvals required for the proposed facility, if any.

3. Table of contents. The EIS shall contain a table of contents indicating the page numbers of the major sections and subsections.

4. Environmental Inventory. The applicant shall succinctly describe the existing environmental conditions of the site and surrounding region in sufficient detail to assist in the location and design of the facility, provide a basis for the applicant's assessment of the probable beneficial and adverse impacts of the proposed facility and enable the township to make the findings for permit approval. General inventory requirements for each facility as required herein.

5. Project description. The applicant shall succinctly describe what he proposes to do, and where and how he proposes to do it, during construction and operation of the facility. The project description shall include written text and graphic materials, including a site plan which may contain much of the project description information. General project description requirements for each facility type as required herein.

6. Unavoidable adverse environmental impact. The applicant shall describe probable adverse environmental impacts of the facility that cannot be avoided, including irretrievable commitments of resources, which shall be listed in the order of their relative magnitude.

7. Techniques to minimize adverse environmental impacts. The applicant shall describe the steps he will take to minimize or avoid adverse environmental impacts during the facility's construction, operation or removal, both at the site and in the surrounding

region. The applicant's program for ascertaining and verifying the accuracy of the environmental assessment of the facility and the actual effects of project construction shall also be described.

8. Alternatives.

a. The applicant shall identify, describe and analyze alternatives to all of the proposed facility and any part of the proposed facility, including the alternatives of no facility, alternative sites, alternative uses of this site and postponing construction.

b. The discussion of alternatives shall include an evaluation of alternatives that might avoid or minimize some or all of the probable adverse environmental impacts of the project. The costs and benefits of the alternatives shall be analyzed and presented. Reasons for the acceptability or nonacceptability of each alternative shall be given. For residential and sewerage facilities, the presentation of alternatives may include a brief narrative and accompanying sketch plans.

9. Other required licenses, permits and approvals. The applicant shall list all known licenses, permits and other approvals required by township, county, state or federal law for the construction and operation of the proposed facility. The status of each shall be identified.

10. Documentation. The applicant shall prepare a reference list using a consistent standard format of all published materials, reports, manuscripts or other written sources of information on the facility, its site and surrounding region consulted and employed in the preparation of the environmental impact statement. A separate reference list of all government agencies and individuals that either provided information orally and by letter or coordinated the EIS shall be prepared, with the dates and locations of all meetings specified. The documentation section shall also indicate the person(s) that prepared each major section and subsection of the EIS, including their qualifications.

F. Environmental Inventory. The EIS shall contain an environmental inventory of the site and its environmental context that includes the following information:

1. General Site Location Map. The site of the proposed facility shall be located generally on a United States Geological Survey Map of the Township.

2. Site Location Map. A site location map shall be provided consistent with the standards established for key map submission.

3. Existing Conditions Map. Existing site conditions which may hinder or prevent development such as delineated wetlands, surface water bodies and slopes of fifteen percent (15%) or more shall be presented in the mapped format as well as the written format specified below.

4. Existing Regional Conditions. The existing and proposed supply of and estimated need for the specific facility the applicant proposes to construct shall be described for the relevant surrounding region, which shall be interpreted to mean at least the county. These regional conditions may be mapped if appropriate.

5. Geology and Soils. A map and text shall identify and describe the physical features of the site, including, but not limited to:

a. Soil types, as classified and mapped by the Cooperative Soil Survey as conducted by the Soil Conservation Service of the United States Department of Agriculture in cooperation with the New Jersey Experiment Station, Cook College, Rutgers University, and the State Soil Conservation Committee, New Jersey Department of Agriculture (SCSUSDA), where available, or alternative soil types if SCS-USDA data is unavailable.

b. A soil data chart with descriptions indicating the following information for each soil type identified within the Site limits:

(1) Drainage class.

(2) Permeability class.

(3) Seasonal high-water table.

(4) Foundation limitations.

(5) Agricultural land capacity class.

(6) Erosion potential.

(7) Septic tank suitability, if appropriate.

(8) Trafficability (dust hazard).

(9) Depth of and name of the first geologic formation named on New Jersey Geologic Map, Atlas Sheet 40, or equivalent documentation, including prequaternary deposits.

(10) Degree of acidity and alkalinity of the soil.

c. Engineering soil classification, as mapped by SCS-USDA.

d. An engineering design characteristics chart indicating the following information for each engineering soil classification within the site:

(1) Limitations of soils for road cuts and fills.

(2) Road alignment characteristics.

(3) Limitations of soil for embankments.

(4) Pavement support characteristics.

e. The location, nature and thickness of any areas containing landfill materials on and within two hundred (200) feet of the site, a description of the landfill materials, and the appropriate beginning and cessation dates of landfill activities.

f. Potentially valuable mineral, gravel or other subsurface resources of the site shall be identified.

6. Hydrology. A topographic map of the site and its surroundings to a distance of two hundred (200) feet, with contour intervals consistent with those required for site plan submissions and accompanied by appropriate text shall identify and describe the following items:

a. Surface water.

(1) Existing natural and man-made watercourses, including drainageways, swales and water control structures, on and within two hundred (200) feet of the site, with their location, width, slope, capacity and direction of flow.

(2) Flood hazard areas of flood prone areas with cross section of watercourses at an appropriate scale and at appropriate intervals along the watercourse, showing extent of floodplain, top of bank, normal water level and bottom elevation.

(3) Existing lakes or ponds within or adjacent to the site, with location, extent and water level elevation.

(4) Existing storm drainage systems, including storm sewers, drainage ditches and retention or detention basins, on or adjacent to the site, with location, extent, capacity and direction of flow.

(5) Existing stormwater runoff from the project site and upstream watershed areas and calculations used to determine same.

(6) Existing slope analysis, with slopes of zero to one percent (0%-1%), two to four percent (2%- 4%), five to nine percent (5%-9%), ten to fourteen percent (10% - 14%) and fifteen percent (15%) or more delineated;

b. Groundwater.

(1) Aquifer recharge areas.

(2) Apparent direction of groundwater movement based upon surficial topography monitoring or potable water well data if available;

(3) Yields of existing wells within one-half (1/2) mile of the site, including description of aquifer(s) being utilized.

7. Vegetation. A map and text shall identify and describe the vegetation of the site, including but not limited to, the following items:

a. The vegetation types present, indicating the major species by scientific and common name. Where applicable, both over story and understory species should be included.

b. The acreage and percent of total area represented by each type.

c. Data for forest types shall include average diameter breast high (measured at five feet above ground level), diameter range and basal area for the over story trees.

d. Species or specimen trees unique because of scarcity, size, historical significance, or endangered status shall be indicated.

e. Wetlands as determined through actual field delineation should be described. A wetlands delineation report prepared by a qualified individual per the requirements of the New Jersey Freshwater Wetlands Protection Act may be included as an Appendix to this environmental impact statement. Alternatively, a statement from a qualified individual as to the absence of wetlands, if applicable, should be provided.

8. Wildlife. " A map and text shall identify and describe the wildlife of the site (indicated by their common and scientific names), including but not limited to the following items:

a. The species of wildlife (mammals, birds, reptiles, amphibians or aquatic organisms (present or which could be affected by the proposed project and the amount and quality of their associated habitat.

b. Any areas within the proposed site which are critical to the life cycle of any species of wildlife should be discussed.

c. Those species of wildlife classified as threatened or endangered by the appropriate state or federal agencies.

9. Water Quality.

a. Surface waters. A water quality inventory of such water bodies directly affected by the proposed facility shall be prepared utilizing existing authoritative sources of information. The classifications of such affected water bodies, their water quality standards and their status in meeting the established water quality standards shall be described. Existing restrictive uses of these water bodies shall be identified. The need to present additional data shall be based upon the relative sensitivity of the water body affected.

b. Groundwater. Where groundwater is to be utilized for potable water supplies, the water quality inventory shall include those parameters established for prevailing drinking water standards and any water quality standards established for groundwater.

10. Water Supply. The existing and proposed potable water supply system available to the site shall be identified and described in maps and text, indicating:

a. Source of supply.

b. Adequacy of supply, including current and anticipated maximum water demands within the entire service area, as available by the owner of said supply.

c. Pressure and volume of water available.

11. Sewerage System. The existing and proposed sewerage system available to the site shall be identified and described in maps and text, indicating:

a. Availability of existing facilities, including status of sewer connection ban, if any;

b. The adequacy of existing facilities, including:

c. Design capacity, type of treatment provided and location of outfall.

d. Current flows, including average monthly during highest month and highest twenty-four-hour flow.

e. Outstanding commitments to accept additional flows from other projects.

f. Water quality standards and effluent limitations.

g. Where individual septic tanks are proposed, indicate:

h. Location of registered or licensed water supplies within five hundred (500) feet of the project.

i. Field data describing results of soil borings, percolation test and seasonally high ground water table conditions, with specific locations of (including the dates of these tests). Soil borings shall be classified by the United Soil Classification System.

12. Air Quality. The existing air quality of the site and its surrounding region shall be evaluated and described, using monitoring data collected by and available from the New Jersey Department of Environmental Protection and Energy. The applicant may also monitor the existing air quality, or estimate air quality utilizing other sources of information.

13. Energy. The energy supplies available for delivery to the site shall be estimated, with types of energy, points of origin and means of transmission and delivery described and located. The percent of existing supply presently utilized shall be identified and, if applicable, differences in seasonal demands shall be indicated.

14. Public Services. Existing public and private services relevant to the proposed facility and available at the site and its surrounding region shall be described and located. Such services shall include, but not be limited to police and fire protection, first aid and ambulance services, health services, solid waste and garbage services, public and private educational facilities and commercial facilities.

15. Outdoor Recreation. A map and accompanying text shall identify the site and locate and describe the types and quantities, physical accessibility and availability for public use of recreation facilities and services within two (2) miles of the site, including, but not limited to, the following: waterways, wetlands, marinas, boat docks and launching platforms, playgrounds, parks, forests, natural areas, tennis courts, swimming pools, bikeways, etc. The extent of existing use and of unused capacity of these facilities shall also be indicated.

16. Transportation. The existing and known proposed transportation system available to the site and its surrounding region shall be described and located on a map at an appropriate scale. The highway and road network, other forms of public and private, individual and mass transportation, frequencies, volumes, peak periods and routes shall be identified. The relationship between places of employment and residential areas in the region shall be discussed.

17. Historic and Cultural Resources. The social, economic and community history of the site and its relevant surrounding region shall be described. Areas and sites of archeological, architectural, anthropological and historic significance, including those proposed for nomination or included in the National State Register of Historic Places, shall be identified, described and located on a map. An awareness of both above and below ground cultural resources, if any, should be reflected in this section, which should include a synopsis of the effort and method that is the basis for this awareness.

18. Aesthetics. The existing visual character and scenic attributes of the built and natural environment of the site and its relevant surrounding region, including common and significant views and vistas to and from the site, shall be described and depicted graphically, as appropriate.

19. Demographic, Social and Economic Conditions. A general demographic profile of the municipality and county in which the proposed facility is located shall be prepared, including data on the age, family income and occupation distribution of the population, as well as recent demographic trends. The relevant general social and economic problems and opportunities of the site and its relevant surrounding region, including housing considerations, municipal and county government revenues and expenditures, employment and property values and the relevant legitimate economic aspirations of the inhabitants of the area shall be discussed.

20. Hazardous Materials. Any known or suspected deposits of man-made regulated hazardous materials, including hazardous wastes, such as contaminated soil, above or below ground oil storage tanks or abandoned chemical storage facilities, shall be described. The applicant shall specify whether such deposits are to be removed from the site in compliance with applicable Department of Environmental Protection rules and regulations.

G. EIS Review. Upon receipt of a major site plan or subdivision application, the Planning Board Secretary shall forward the environmental impact statement ("EIS") to the Planning Board Engineer and the Planning Board Planner for review. The EIS shall only be considered administratively complete for the purposes of determining the application's completeness if each of the subsections described in this Section are adequately addressed. Once the EIS is determined to be administratively complete, the Board Professionals shall conduct a technical review of the EIS and report their comments within thirty (30) days of the date of submission to the Planning Board agency. If the EIS is determined to be technically deficient in any manner, the applicant shall be required to submit an amendment or addendum to the EIS. The Board Professionals shall have thirty days to review the amendment or addendum. If the EIS is deemed technically complete, the Board Professionals shall summarize the EIS to the Planning Board and recommend any further mitigative measures. Copies of the Environmental Impact Statement shall be on file and available for inspection in the office of the Planning Board Secretary. The same schedule and conditions applicable to the full site plan or subdivision requirements shall also apply to an EIS.

§ 255-105. Community Impact Statement

A. All applications for preliminary major subdivision approval where 10 or more lots are proposed, all applications for multifamily residential developments and all applications for preliminary major site plan approval shall be accompanied by a community impact statement

analyzing the proposed development and its expected impacts upon existing municipal facilities and services.

B. The community impact statement shall indicate why, in the applicant's opinion, the proposed development is in the public interest, as well as providing data and opinions concerning the following specific items:

1. Population impact: an analysis of the number of people expected to be added to the municipal population as a result of the proposed development according to the following age cohorts: children, adults and other information about age cohorts.

2. School impact: an analysis of the anticipated number of pupils who will be added to the student population in the municipality and the ability of the existing public school facilities to absorb the expected student population during a ten-year period. Should expanded or new school facilities and/or increased teaching staff be required, the projected cost for such additions shall be specified.

3. Facilities impact: an analysis of the existing facilities available to serve the proposed development and the impact of the development upon the facilities, including the adequacy of existing public water facilities, public sewerage facilities, recreational facilities and library facilities. Should such facilities be determined inadequate to serve the proposed development, the remedies, either expected or proposed by the applicant, shall be indicated along with the estimated costs for such additional facilities.

4. Service impact: an analysis of the existing services provided by the Township to serve the proposed development and the impact of the development upon the services, including police protection, fire protection, solid waste disposal and street maintenance services.

5. Traffic impact: an analysis of the existing road network available to serve the proposed development, as well as the proposed road network within the development itself and the surrounding road network which will be affected by the proposed development, including the capacity of the existing and proposed roadways, the anticipated traffic volumes as a result of the proposed development, the physical structure of both road networks and any problem areas in the road network affected by the development, including unsafe intersections and vertical or horizontal alignments.

6. Financial impact: an analysis of the revenues expected to be generated from the development compared to the anticipated costs which the proposed development is expected to generate. Revenues and costs shall be projected for the Township, the Township school system and the county.

C. Waiver. The Planning Board may waive any provisions of this section if deemed not applicable.

Article XI

Application Requirements

§ 255-106. Application Submission and Content

A. General Requirements. An applicant shall submit ten (10) copies of an application on the form prescribed by the Joint Land Use Planning Board (attached as Appendix ____, which may be updated from time to time), together with additional documents as outlined below. One copy of the application submission must be submitted directly by the Applicant to each of the Board's professionals.

(1) Completed application forms and Checklists corresponding to the requested relief which shall contain an acknowledgment signed by the applicant stating that the applicant is familiar with the procedure set forth herein for submitting and acting upon applications for relief and to be bound by it.

(2) Certificate from the Township Tax Collector that all taxes and assessments are paid to date.

(3) Copies of any existing/proposed protective covenants or deed restrictions applying to the land being developed.

(4) The required application and escrow fees pursuant to Chapter 150, Codes of Riverside.

(5) A completed IRS W-9 Form.

(6) A Completed Statement of Ownership form, which shall contain a certification that the applicant is the owner of the land or the properly authorized agent of the owner, or that the owner has consented to the application under an option agreement.

(7) A signed Consent To Enter property form.

(8) Plans and drawings. The applicant shall submit ten (10) copies of a plan or plans and one (1) reduced size plat or plan printed on 11x17 sized paper and which describes the integrated or overall development of the tract of land for which variance, site plan or subdivision

approval is required, drawn to a scale of not less than one (1) inch equals fifty (50) feet. Plans shall be printed on one of the following standard sheet sizes: 8 1/2 x 13, 15 x 21, 24 x 36, or 30 x 42. The plat and/or plan must be signed and sealed by a New Jersey licensed professional engineer, or other representative deemed acceptable by the Riverside Township professional staff and folded into eights with the title block revealed. The plan or plat shall generally contain:

(a) The location, use and dimensions of the land to be included and the zoning district or districts in which located.

(b) The size, shape, location, arrangement and dimensions of any existing or proposed buildings, structures, parking areas, loading areas, open space, entrances, exits, streets and sidewalks.

(c) All setback, lot and right-of-way lines and the dimensions, locations and purposes of all easements.

(d) A chart showing the comparison of the zoning district and parking regulations, as set forth in this chapter, with the development or use proposed. Included within this comparison shall be all the lot, dimensional, height and setback comparisons along with coverage and parking comparisons. The gross floor area of all buildings shall be shown, including a separate tabulation for cellars and basements.

(e) For major site plans only, existing and proposed contours with intervals of one (1) foot. The location of any existing or proposed ditches, swales, berms or streams shall also be shown.

(f) For major site plans only, a drainage plan containing the following:

[1] The size, location and slope of any existing or proposed pipes.

[2] The size, type, invert elevation and location of any existing or proposed drainage inlets.

[3] The disposition of all off-site drainage.

(g) For major site plans only, all existing and proposed waterlines, sanitary sewer lines, gas lines, utility poles and fire hydrants.

(h) All existing and proposed signs and lighting.

(i) A complete landscape plan, including size and type of existing and proposed plantings, and provisions to be made for maintenance of same.

(j) A description, rendering, sketch or picture of the existing and proposed building and other structures, including front, side and rear elevations.

(k) The proposed floor plan, including a typical floor plan for each type of dwelling unit in a proposed multiple dwelling.

(l) The location of refuse storage areas, the handling of solid waste and the method of handling and disposing of recyclable materials.

(m) Any other information which is deemed to be necessary for the review of the site plan by the Planning Board, including but not limited to:

[1] Information sufficient to demonstrate that satisfactory arrangements can be made to accommodate probable increases in traffic and to facilitate traffic movement on all streets in the vicinity of the proposed use.

[2] Sufficient data in all instances to enable the Planning Board to judge the effectiveness of the design and character of the proposed development, to consider properly the relationship of the proposed development or use to surrounding development, anticipated traffic, public health, safety and general welfare and the like and to determine that the proposed plan and use comply with the requirements of the district and all other pertinent requirements of the Township of Riverside and are consistent with the concepts and intent of the Township Master Plan, as amended.

9. Major subdivision and major site plan applications, as defined in § 255-15, shall be subject to both a preliminary and a final hearing.

10. Prior to any subdivision of property, any existing lots to be included in the proposed subdivision must be consolidated.

B. Details required for minor/preliminary major subdivision plat and minor/preliminary major site plan applications.

1. Each plat shall be drawn from a field survey by a professional engineer or land surveyor licensed to practice in the State of New Jersey, and shall bear the signature, seal, license number and telephone number of such professional engineer or land surveyor. All engineering data shall be signed and sealed by a professional engineer, and all surveying data shall be signed and sealed by a professional land surveyor.

2. Each submission shall be drawn at an appropriate scale of not less than one inch equals 50 feet and shall be submitted on one of the following standard sheet sizes: 8 1/2 inches by 13 inches; 15 inches by 21 inches; 24 inches by 36 inches; or 30 inches by 42 inches.

3. If one sheet is not sufficient to contain the entire project site, the property may be divided into sections to be shown on separate sheets of equal sizes, with reference on each sheet to the adjoining sheets. Each subdivision plat and site plan shall show the following information, as applicable:

(a) A key map showing the entire project site and its relation to the surrounding area, at a scale of one inch equals not more than 2,000 feet.

(b) A title block in accordance with the rules governing title blocks for professional engineers, N.J.A.C. 13:4-8.2, including:

[1] The name of the subdivision or development and Township of Riverside, Burlington County.

[2] The name, title, address and telephone number of the applicant.

[3] The name, title, address and license number of the professional or professionals who prepared the plat or plan.

[4] The name, title and address of the owner(s) of record.

[5] The scale, in written and graphic form.

[6] The date of original preparation and of each subsequent revision thereof, and a list of the specific revisions entered on each sheet.

(c) North arrow.

(d) For both subdivisions and site plans- the square footage or acreage of the project site to the nearest hundredth of an acre, not including areas within public rights-of-way. For site plans- a computation of the area of the project site to be disturbed.

(e) Approval signature lines for:

[1] The Joint Land Use Planning Board Chairperson.

[2] The Joint Land Use Planning Secretary.

[3] The Municipal Clerk, when required.

(f) The existing tax sheet number(s) and existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the Township Tax Map, and proposed block and lot numbers, as provided by the Township Tax Assessor upon written request.

(g) The subdivision or development boundary line must be shown as a heavy solid line.

(h) The location of existing and proposed:

[1] Property lines, with bearings and distances;

[2] Streets, alleys, structures with their numerical dimensions and an indication as to whether existing structures will be retained or removed;

[3] Parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, and drainpipes;

[4] Any natural features, such as wetlands and trees; and

[5] Any historic landmarked areas or sites.

[6] Any redevelopment areas, as indicated on the Township's

Zoning Map.

(i) The location and width of all existing and proposed utility easements.

(j) Zoning districts on and adjacent to the project site, including district names and requirements, with proposed variance requests.

(k) Proposed buffer and landscaped areas.

(l) Delineation of floodplains, including both floodway and flood fringe areas.

(m) Contours, as shown on the USGS topographic maps.

4. The names and lot and block numbers of all property owners within 200 feet of the extreme limits of the project site, as shown on the most recent tax list prepared by the Township's Tax Assessor.

5. A certificate from the Township Tax Collector that all taxes, assessments and/or any municipal liens are paid to date shall be provided with the application.

6. No subdivision involving any street(s) requiring additional right-of-way or cartway width, as specified in the Master Plan or Official Map and the street requirements of this chapter, shall be approved unless such additional right-of-way, either along one or both sides of such streets, as applicable, shall be granted to the Township of Riverside or other appropriate governmental agency.

7. No subdivision involving any corner lot shall be approved unless a sight triangle shall be granted as specified in this chapter.

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

C. Details Required For Preliminary Major Subdivisions and Preliminary Major Site Plan Applications.

1. All preliminary major subdivision plat and preliminary major site plan applications shall include all documents and details enumerated above in §§ 255-75 and 255-96 of this chapter.

2. Additional requirements for preliminary major site plan applications.

(a) The location and species associations of all existing individual trees or groups of trees having a caliper of eight inches or more measured three feet above the ground level on portion(s) of the site that are proposed to be disturbed. The proposed location of all proposed plantings shall be indicated and a legend provided listing the botanical and common names, the sizes at time of planting, the total quantity of each plant, and the location of each plant keyed to the plan or plat.

(b) All existing and proposed bridges, culverts, drainage swales, and watercourses both on the project site and within 200 feet of its boundaries shall be shown. Cross sections of the watercourses and/or drainage swales must be provided at an appropriate scale showing the extent of the floodplain, top of bank, normal water levels and bottom elevations.

(c) Existing and proposed contours with intervals of five feet. All contour information shall refer to a known datum. Existing contours shall be shown as a dashed line; finished grades shall be shown as a solid line.

(d) A soil erosion and sediment control plan as required by N.J.S.A. 4:24-39 et seq.

(e) Locations of all existing structures, showing existing and proposed front, rear and side yard setback distances, an indication of whether the existing structures and uses will be retained or removed, and any landmark areas or sites.

(f) The size, height and location of all proposed buildings, structures, signs and lighting facilities.

(g) A zoning compliance table demonstrating conformity to the requirements of the zoning district(s) in which the property is located. Information to be shown on this table must include, but is not limited to lot size, lot coverage, building setbacks, building height, floor area ratio, and parking requirements, as well as whether or not any variances are being requested. All tract and lot sizes shall be expressed in square feet and shall include bearings and distances.

(h) Architectural drawings, which shall include:

- [1] Proposed floor plans
- [2] Proposed elevations
- [3] Indication of room sizes and building height of proposed/existing structures on both floor plans and elevations.
- [4] Materials and manufacturers of building details including windows and siding.
- [5] Color palette for proposed structures, including but not limited to facade, trim, and roof.
- [6] Proposed facade details including, but not limited to doors, shutters, and cornices.
- [7] Materials, sizes and treatments for all porches, stoop areas, garden walls, planters and stair railings, as well as landscaping in accordance with § 255-149.
- [8] Height, size, boundaries and entry/gate locations for all fencing.
- [9] Locations, type and character of all proposed wall mounted light fixtures, mail boxes and any other exterior building features.
- [10] Proposed paving patterns and brick work for sidewalks, driveways and parking areas.
- [11] Size, color, materials for any proposed building signage, unless already included on engineering drawings, as well as scaled representations on elevations including verbiage and font style.
- [12] Design and location of any proposed freestanding signs including size and materials to be used, pursuant to Section § 255-157 of this Code.

(i) The proposed location, direction of illumination, power and type of proposed outdoor lighting, including details of lighting poles, luminaries and hours of operation in accordance with § 255-152. This information shall be provided in both textual form and shown on the plat. A proposed landscaping, screening, buffering and open space plan in accordance with § 255-131 and § 255-147.

(j) The location and design of any off-street parking area, showing size and location of parking spaces, aisles and barriers. Landscaping in parking areas shall be provided in accordance with the provisions of § 255-142.

(k) Proposed public art and location of such art to be provided by the Applicant as part of the proposed project, as applicable.

(l) All means of vehicular access and egress to and from the site onto public streets and alleys showing the site and the location of driveways, cartways and curb cuts, including the possible utilization of traffic signals, channelization, acceleration and deceleration lanes, sight triangle easements, additional width and other proposed devices necessary to prevent vehicular conflicts. Curb cuts are discouraged on major arteries unless no alternate practicable means to access the site are available. All curb cuts are subject to review and approval by the Township's professionals. At the discretion of the Planning Board, a traffic impact study may be required to assess the traffic impacts that are expected to result from a proposed development. In the event that a traffic impact study is required, sufficient escrow must be provided by the Applicant to cover the costs of professional review services for the study, per § 255-20.D.2.

(m) The application shall include plans and computations for any storm drainage system(s) in order to demonstrate compliance with the provisions of this chapter, and § 255-146: Stormwater Management of the Township Code, including but not limited to the following:

[1] All existing or proposed storm lines within or adjacent to the tract showing size and slope of the lines, direction of flow and the location of each catch basin, inlet, manhole, culvert and headwall in plan and profile.

[2] A map drawn to scale, minimum scale one inch equals 50 feet, showing the contributing area to each inlet or cross drain.

(n) The location of existing infrastructure such as water and sewer mains, utility structures, gas transmission lines and high tension power lines on the project site and within 200 feet of its boundaries.

(o) Plans of proposed infrastructure improvements and utility layouts, including sewers, storm drains and waterlines and feasible connections to gas, telephone and electrical utility systems.

(p) Plans for proposed streets including typical cross sections and construction details, horizontal and vertical alignments of the center line of all proposed streets and of all existing streets abutting the project site. The vertical alignments shall be based on USGS vertical datum and shall include curbing, sidewalks, storm drains, drainage structures and cross sections every half and full station of all proposed streets and of all existing streets abutting the project site. Sight triangles, the radius of curblines and street sign locations shall be clearly indicated at all intersections.

(q) Any protective covenants or deed restrictions applying to the land being developed shall be indicated on the submitted subdivision plat or site plan.

(r) Any proposed permanent monuments shall be shown, in accordance with the Map Filing Act, N.J.S.A. 46:23-9.9 et seq.

(s) The Applicant shall submit a subdivision application to the Burlington County Planning Board for review and approval.

(t) The Applicant shall submit a recycling plan consistent with Chapter 150 of the Codes of Riverside

3. Consideration of Built Context.

In addition to the above requirements, the Planning Board shall consider the relation of proposed structures to the surrounding built environment in its review of site plan applications. Proposed structures shall be related harmoniously to themselves and to existing topography, buildings and roads in the vicinity of the project site. The achievement of a harmonious relationship may include the creation of focal points with respect to public views of the site, surrounding terrain and other buildings. Proposed structures shall be sited so as to minimize any adverse impact upon the surrounding area and particularly upon any nearby residences by reason of:

- (a) Building location, height, bulk and shadows.
- (b) Location, intensity, direction and times of use of outdoor lighting.
- (c) Likelihood of nuisances.
- (d) Other similar considerations.

Appropriate natural or artificial screening may be required to minimize any potential adverse impacts.

4. The Township and the Joint Land Use Planning Board reserve the right to require additional information before granting a preliminary subdivision and/or site plan hearing or approval when, in their judgment, such additional information is required in order for the Board to make an informed decision or when unique circumstances affect the project site or when the application for development poses special problems for the project site and the surrounding area. Such information shall include, but not be limited to, drainage calculations and traffic impact analyses or engineering studies.

B. Major Development

In addition to the documents outlined in subsection A. above, an Applicant proposing a major development shall also submit:

(1) An Environmental Impact Statement in accordance with § 255-104.

(2) A Stormwater Management Design Report, in accordance with § 255-148, if the proposed development will ultimately disturb more than one (1) acre or increase the impervious surfaces by more than 10,890 square feet.

(3) Traffic Report.

(4) Community Impact Assessment, pursuant to § 255-105.

C. Checklists. The following instructions and checklists must also be submitted with any application, which may be revised from time-to-time, as necessary:

1. Minor Subdivision Application Checklist;
2. Major Subdivision; Application for Preliminary Approval Checklist;
3. Major Subdivision; Application for Final Approval Checklist;
4. Minor Site Plan Application Checklist;
5. Major Site Plan; Application for Preliminary Approval Checklist;
6. Major Site Plan: Application for Final Approval Checklist;
7. Variance Application Checklist.
8. Conditional Use Checklist.

D. Waiver and modification. In accordance with the provisions of N.J.S.A. 40:55D-51 and/or N.J.S.A. 40:55D-10.3, the Riverside Joint Land Use Planning Board may waive or modify any of the above submission requirements in any instance where the Planning Board finds that said requirements are not necessary in order to review said site plan.

E. Procedures for filing.

1. Applicants shall call the Planning Board Secretary to be scheduled for conceptual Site Review prior to filing any applications. This review may be conducted by the Planning Board Secretary and/or the Development Review Committee.

2. After conceptual review, the Applicant shall complete three (3) copies of all necessary applications together with full scale plans (if necessary) and return to Site Review at which time the plans will be turned over to the Board Engineer and Planner for professional review. The applications, plans and all information required by § 255-106, as well as proof of payment of taxes, shall be filed with the Secretary of the Joint Land Use Planning Board at least thirty (30) days prior to the regularly scheduled meeting of the Board at which the applicant desires the application to be considered. No review will be undertaken by the Board's professionals until all fees are paid.

3. Fees will be calculated by the Board Secretary. The Applicant must provide a Federal or tax identification number in order to establish an escrow account. Once all fees and escrow are paid the professional review will commence.

4. From this point, the Applicant will deal directly with the Board professionals, as necessary.

5. After the Board professionals are satisfied with the Applicant's submission, the Applicant's plans may be deemed complete.

6. Following a determination of completeness, the applicant will be scheduled for full Planning Board review. The applicant must follow the notification procedures outlined in § 255-24 of this Ordinance and the New Jersey Municipal Land Use Law.

7. The applicant will then submit to the Board Secretary ten (10) copies of the applications, plans and all supporting documents no later than ten (10) days prior to the date of the hearing. The Secretary shall retain one (1) copy of the application and other documents in his/her office for review by any interested person during normal business hours and shall forward the remaining copies to each member of the Joint Land Use Planning Board.

8. The applicant will then make a full presentation to the Planning Board.

9. The Planning Board shall make a determination on the applicant's plan and issue a Resolution of its decision.

10. The applicant shall publish in the official Township newspaper all determinations of the Planning Board.

F. All applicants shall obtain from the Township Tax Collector, a certified list of property owners to whom the applicant is required to give notice pursuant to § 255-24 of this chapter. The official shall, pursuant to N.J.S.A. 40:55D-12c, within seven (7) days after receipt of a request and upon receipt of payment of a fee as set forth in Chapter 150 of the Codes of the Township of Riverside, make and certify a list from the current tax duplicates of the names and addresses of owners to whom the applicant is required to give notice. The Applicant shall thereafter provide written notice by certified mail to all property owners, required utilities and any other required entity at least ten (10) days prior to the scheduled meeting of the Board where the application will be considered.

G. Pursuant to the provisions of N.J.S.A. 40:55D-39 and 40:55D-65, every application for development submitted to the Joint Land Use Planning Board shall be accompanied by proof that no taxes, assessments for local improvements or municipal liens are due or delinquent on the property which is the subject of such application; or, if it is shown that taxes, assessments or municipal liens are delinquent on said property, any approvals or other relief granted by the Joint Land Use Planning Board shall be conditioned upon either the prompt payment of such taxes or assessments or the making of adequate provision for the payment thereof in such manner that the municipality will be adequately protected.

§ 255-107. Withdrawal of applications.

No application filed with the Joint Land Use Planning Board may be withdrawn by the applicant without the consent of the Board. The Board may condition its consent to withdraw upon such terms and conditions as the Board deems appropriate, including for example the condition that the applicant reimburse the Board and any objector for all expenses, including attorneys' fees, incurred in responding to the application. No application fees shall be returned to the applicant. In determining whether to grant consent for withdrawal of an application, the Board shall consider the following factors:

A. The amount of time and effort spent by the municipality and its agents in reviewing the application prior to the request for withdrawal.

B. The lack of finality that would result if the application were permitted to be withdrawn.

C. The point in the proceedings at which time the request for withdrawal is made.

D. The interests of any member of the public that has opposed the application and whether any such person has retained counsel or incurred other expenses.

E. Whether any conditions or terms could be imposed on the withdrawal to mitigate the adverse consequences of withdrawal.

F. Any other relevant factors or considerations that bear on the request for withdrawal.

§ 255-108. Completeness Review

A. Submission Procedure. All land development applications (subdivision, site plan, conditional use or variance relief) shall be processed in the following manner:

1. The applicant for development approval shall submit a complete application form along with all of the required documents, plans, and fees to the Planning Board Secretary at least 30 days prior to the Planning Board meeting at which the Applicant wishes to be heard.

2. The Planning Board Secretary shall determine that all of the required documents have been submitted to be administratively complete and shall note the date of the receipt of the application on the application form. The Planning Board Secretary's administrative completeness determination shall not be considered a determination that the application is complete pursuant to Paragraph C of this Section.

B. Distribution of Documents. The Applicant shall forward copies of the application to the Board's Engineer for a completeness review.

C. Completeness Determination Required. All development applications must be deemed complete before the application is to be considered by the Planning Board. Applications will not be placed on the Board's agenda until the application is determined to be complete by the Board Engineer and is scheduled by the Planning Board Secretary. Public notices shall not be published or distributed until an application has been placed on a regular or special meeting agenda by the Planning Board Secretary. The Board Engineer shall certify that an application is complete within 45 days of submission. The time for a decision on the development application will only commence when an application is deemed complete. The failure of the Board Engineer to act within 45 days of the submission shall result in the application being deemed complete by default.

D. Completeness Review Process. The Planning Board Engineer, with the assistance of the Board Secretary, Planner and Attorney, as may be required, shall review each development application for the purpose of determining whether it is complete and worthy of the technical review process. The Board Engineer shall certify to the Board Secretary within 45 days of the receipt of the application that the application is to be deemed complete or incomplete.

1. If the application is found to contain all of the information required by this Chapter, the Board Engineer shall determine the application to be complete and shall direct the Planning Board Secretary to schedule the application for a regular or special meeting of the Planning Board.

2. If said application is found to lack substantive information that could impact the review of the application, the Board Engineer shall determine the application to be incomplete and shall cause the applicant to be notified, in writing, that said application is incomplete and shall specify the deficiencies in the application.

E. Time Limit. On the date the aforesaid application is certified complete, or on the 46th day following the submission of the application in the event that the Board Engineer fails to make a determination of completeness, as the case may be, the applicable time period within which the Board must act upon the application shall commence. In any case, the applicant is obliged to prove that he or she is entitled to approval of the application. The Board may subsequently require correction of any information found to be in error, may require submission of additional information not specified in this chapter and/or may require revisions in the application documents, all as are reasonably necessary to make an informed decision as to whether the requirements for approval of the application have been met; provided, however, that the application shall not be deemed incomplete for lack of any such additional information or revisions.

F. Time for action by the Board. The Board shall take action on any development application within 45 days after the application has been certified complete or within such further time as may be consented to by the applicant. Failure of the Board to act within the prescribed time period shall constitute approval of the application, except in the case of the following circumstances:

(1) Any preliminary site plan or subdivision application which includes any request for variance relief pursuant to N.J.S.A. 40:55-60 and § 255-101 of this chapter shall be acted upon within 120 days, or within such further time as may be consented to by the applicant.

(2) Any preliminary site plan application involving more than 10 acres of land, more than 10 dwellings or a preliminary subdivision application involving more than 10 lots shall be acted upon within 95 days after the application has been certified complete, or within such further time as may be consented to by the applicant. Failure of the Board to act within the prescribed time period shall constitute approval of the application, provided that any preliminary site plan or preliminary subdivision application which includes any variance request pursuant to N.J.S.A. 40:55-60 and § 255-101 shall be acted upon within 120 days, or within such further time as may be consented to by the applicant.

G. Minor technical changes to approved plans; administrative review.

Should a minor technical change to an approved plat or plan be required as a result of field conditions related to code or health and safety issues, the Joint Land Use Planning Board may defer consideration and approval of such minor technical changes to the Township Engineer or other Township official, as the case may be.

H. Considerations by Board.

(1) The recommendations of those agencies and officials to whom the plat or plan was submitted shall be given careful consideration in the final decision on the development application. If the County Planning Board approves the submission, such approval shall be noted on the plat or plan. If the Board acts favorably on the final plat or plan, the Chairperson and Secretary of the Board, or the Acting Chairperson or Secretary where either or both may be absent, shall affix their signatures to at least five paper copies of the plat or plan, with the notification that it has been approved.

(2) If the Board, after consideration and discussion of the preliminary plat or plan determines that it is unacceptable, a notation shall be made by the Chairperson of the Joint Land Use Planning Board to that effect on the plat or plan, and a resolution shall be adopted in accordance with § 255-106.E.9 setting forth the reasons for such rejection. One copy of the plat or plan and such resolution shall be returned to the applicant within 10 days of the adoption of such resolution.

§ 255-109. Site plan review.

No construction permit shall be issued for any new structure, for any modification to an existing structure or for any addition to an existing structure, and no certificate of occupancy shall be issued for any change of use of an existing structure until the site plan has been reviewed and approved by the Riverside Township Joint Land Use Board, except that a construction permit for additions to any existing building of 1,000 square feet or less of floor area shall not require site plan approval. Applications for a conditional use permit may require site plan review and approval, per § 255-98 of this code.

§ 255-110. Informal review

A. At the request of the developer, one informal review of a concept plan for a development for which the developer intends to prepare and submit an application for development may be made by the Board's Development Review Committee. Applicants proposing major or unique development are encouraged to request an informal review prior to making formal application.

B. The developer shall not be required to submit any fees for the one informal review by the Board's Development Review Committee; however, no professional review(s) will be undertaken of any concept plat or concept plan.

C. The developer shall not be bound by any concept plan for which review is requested, and the Planning Board shall not be bound by any such review.

D. A developer desiring to have a concept plan informally reviewed by the Board's Development Review Committee, or by the Planning Board shall so notify the administrative officer at least 14 days prior to the next regularly scheduled monthly meeting of the Planning Board. The administrative officer shall thereafter notify the developer of the time and place of the informal review which has been scheduled.

§ 255-111. Review procedures – Major and Minor Site Plans.

A. Preliminary review of major and minor site plans.

(1) The Joint Land Use Planning Board shall make a preliminary review of the application at the first regularly scheduled meeting of the Planning Board occurring within 45 days after the filing of the application as set forth in § 255-108.F.

(2) The applicant and/or his/her attorney, architect, engineer or contractor shall be present at the preliminary review to testify as to the proposed site plan application, and any other interested person shall have the right to testify and be heard.

(3) At the preliminary review, the applicant shall present proof of notice as required by § 255-24.F. In the event that the applicant fails to comply with the notice provisions of § 255-24, the application shall not be considered until the next regularly scheduled meeting of the Planning Board at which proper proof of notice is presented.

(4) In conducting a preliminary review, the Planning Board may make suggestions for modifications, revisions or alterations of the proposed site plan. In the event that the applicant accepts such modifications, revisions or alterations of the site plan, the applicant shall file with the Board Secretary, at least fourteen (14) days prior to final review, all plans, drawings and other information necessary to incorporate such modifications, revisions or alterations in the site plan.

(5) Upon the submission to the Board Secretary of a complete application for a site plan for ten (10) acres of land or less and ten (10) dwelling units or less, the Planning Board shall grant or deny preliminary approval within forty-five (45) days of the date of such submission or within such further time as may be consented to by the developer, except that if the

application for site plan approval also involves an application for relief pursuant to § 255-18.A.5 or § 255-19 of this chapter, the Planning Board shall grant or deny preliminary approval within ninety-five (95) days of the date of the submission of a complete application to the Secretary of the Planning Board or within some further time as may be consented to by the applicant.

(6) Upon the submission of a complete application for a site plan of more than ten (10) acres or more than ten (10) dwelling units, or for a conditional use approval, the Planning Board shall grant or deny preliminary approval of the site plan and/or approval of the conditional use within ninety-five (95) days of the date of such submission or within such further time as may be consented to by the applicant.

(7) Amended Application. If the Planning Board requires any substantial amendment in the layout of improvements proposed by the developer that have been the subject of a hearing, an amended application for development shall be submitted and proceeded upon as in the case of the original application for development. The Planning Board shall, if the proposed development complies with this chapter, grant preliminary subdivision of site plan approval.

B. Final review of major and minor site plans.

(1) The Planning Board shall take final action on all applications for site plan approval at the first regularly scheduled meeting of the Planning Board following preliminary review.

(2) In the event outside approvals are required by the preliminary approval, an application for Final Site Plan approval must be made in a separate hearing and the Joint Land Use Planning Board may not consider such a request for final approval contemporaneously with, or at the same hearing as a preliminary site plan approval is considered.

(3) The applicant and/or its attorney, architect, engineer or contractor shall be present at the final review to testify as to the proposed site plan application, and any other interested person shall have the right to testify and be heard.

(4) At the final review, the applicant shall again present proof of notice as required by § 255-24.F. In the event that the applicant fails to comply with the notice provisions of § 255-24, final action shall not be taken until the next regularly scheduled meeting of the Planning Board at which proper proof of notice is presented.

(5) In the event that all plans and drawings and other information incorporating all modifications, revisions or alterations of the proposed site plan agreed to by the applicant at preliminary review have not been filed as required by the Planning Board shall take no final action until same have been properly filed .

(6) The Planning Board shall grant final approval if the detailed drawings, specifications and estimates of the application for final approval conform to the standards established by this chapter for final approval, the conditions of preliminary approval and, in the case of a major subdivision, the standards prescribed by the Map Filing Law, P.L. 1960, c. 141 (N.J.S.A. 46:23-9.9), provided that, in the case of a planned development, the reviewing body may permit minimal deviations from the conditions of preliminary approval necessitated by change of condition beyond the control of the developer since the date of preliminary approval without the developer being required to submit another application for development for preliminary approval.

(7) In the event of approval with conditions, no building permit shall be issued until the applicant submits building plans incorporating the conditions imposed.

(8) No certificate of occupancy shall be issued and no occupancy shall take place until and unless all construction and required improvements shall be completed in conformity with the approved site plan and any conditions required under the terms of the site plan approval.

C. Standards For Granting Final Approval In Sections. Unless an applicant shows good cause why less restrictive standards should apply, the Joint Land Use Planning Board shall require the following standards to be met for granting final approval to a section or sections of the preliminary subdivision plat or site plan:

1. The gross area of land to be developed shall not be less than 1 acre;
2. Each section shall not be less than 1/2 acre in area and, in the case of a subdivision, shall contain not fewer than 10 building lots;
3. Not more than 4 sections shall be approved;
4. All infrastructure (streets, curbs, sidewalks, water and sewer lines, drainage facilities and utility service) required to serve the development within a section shall be included within that section; and
5. Each section shall be designed both so as to stand alone in the event that development of the entire tract is not completed, and so as to be integrated into the development of the entire tract and adjoining tracts related to it.

D. Final approval shall be granted or denied within 45 days after submission of a complete application to the administrative officer of the municipal agency or within such further time as may be consented to by the applicant. Failure of the Joint Land Use Planning Board to act within the period prescribed shall constitute final approval of the application for final approval as submitted, and a certificate of the Secretary of the Planning Board as to failure of the Planning

Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other required evidence of approval.

E. Transfer And/Or Sale Of Land Prior To Final Approval. If before final subdivision approval has been granted, any person transfers or sells or agrees to transfer or sell, except pursuant to an agreement expressly conditioned on final subdivision approval, as owner or agent, any land which forms a part of a subdivision for which township approval is required by this chapter, such person shall be punishable as provided in this Chapter and each lot disposition so made may be deemed a separate violation. The township may also institute and maintain a civil action for injunctive relief and to set aside and invalidate any conveyance made pursuant to such a contract of sale if a certificate of compliance has not been issued in accordance with this chapter.

§ 255-112. Standards for review – Site Plan Applications.

In addition to the requirements of this chapter and of the Township of Riverside Master Plan, as amended from time to time, the following standards shall be used by the Planning Board as guidelines in reviewing site plan applications:

A. The existing landscape shall be preserved in its natural state insofar as possible and tree and soil removal kept to a minimum. Grade changes shall be made in keeping with the general appearance of neighboring developed areas. New landscaping and grass and ground cover areas shall be developed as screening and environmental protection for the site.

B. Proposed structures shall be related harmoniously to the terrain and to existing buildings and structures in the vicinity that have a visual relationship to the proposed development. Provision shall be made for screening of all parking, service and loading areas, playgrounds, equipment and storage areas from adjacent properties.

C. Adequate provision shall be made for vehicular and pedestrian circulation, including walkways, interior drives and parking. Special attention shall be given to location and number of access points to the public streets, width of interior drives, general interior circulation, separation of pedestrian and vehicular traffic and arrangement of parking areas that are safe and convenient and do not detract from the design of proposed structures and the neighboring properties.

D. Provision shall be made for the proper location and adequate intensity and direction of outdoor lighting, so that lighting shall be reflected away from adjoining premises and public rights-of-way. The size, location, design, color, texture, lighting and materials of all signs shall not detract from the design of the proposed buildings and structures and the surrounding

properties and streets or create confusion with other signs or for drivers of vehicles or pedestrians, and shall conform to the provisions of Section 255-157.

E. There shall be a careful review by the Riverside Sewer Authority, at the applicant's expense, of the anticipated average and maximum rates of sewage flow from any proposed structure, and a determination shall be made, to the satisfaction of the Planning Board, that existing sewerage and sewage treatment capacity are sufficiently adequate to convey and treat such anticipated sewage flow.

F. The Planning Board, after consultation with the Township Engineer, shall determine that there is adequate provision for drainage from the proposed site, such drainage to be so arranged that no deleterious effect can reasonably be expected in this regard upon adjacent properties or upon the general health and welfare of the community.

G. The Planning Board shall be assured that the proposed development will not interfere with the ecological balance of the community or the surrounding properties.

H. Adequate provision shall be made for the collection, disposition and recycling of recyclable materials consistent with the goals of the State Recycling Plan.

§ 255-113. Miscellaneous regulations.

A. Continued Applications. For any application that is heard by the Joint Land Use Planning Board and is continued for additional studies, reports, plans or revisions to previously submitted material, the new or revised material, the new or revised material must be submitted to the Planning Board Secretary at least 10 days prior to the hearing at which the new material is to be considered by the Board.

B. Certification of Approval. When a subdivision or site plan is approved by the Board, a notation to that effect, including the date of approval, shall be made, and at least 5 prints of the plat or plan and any related deed descriptions to be filed with the county recording officer shall be signed by the Board Engineer and the Chairman and Secretary of the Board (or the Acting Chairman or Secretary where either or both may be absent). No further approval of the application shall be required, and the Secretary of the Board, within 10 days of the date of approval, shall notify the applicant of the Board's action. Additionally, the Secretary of the Board shall forward the applicant a copy of the approved resolution, adopted in accordance with § 255-26.A of this chapter, within 10 days of its adoption by the Board.

C. Disapproval. When a subdivision or site plan is disapproved by the Joint Land Use Planning Board, the Secretary of the Board, within 10 days of such action, shall notify the applicant of such disapproval. Additionally, the Secretary of the Board shall forward the applicant a copy of

the disapproval resolution, adopted in accordance with § 255-26.A of this chapter, within 10 days of its adoption by the Board, setting forth the reasons for the disapproval.

D. Performance assurances. In approving a site plan, the Planning Board may require that the applicant first furnish to the Township a surety performance bond, guaranty or other form of security, acceptable in form and content to the Township Solicitor, for the purpose of assuring the completion and maintenance of such off-site and on-site improvements included in the site plan as will affect the public health, safety or general welfare, such as but not limited to drainage, streets, curbs, gutters, curb cuts, fire hydrants, recreational areas, shade trees, shrubbery, other landscaping, trash disposal, off-street parking, loading and unloading zones, artificial lighting and sidewalks. Such surety performance bond, guaranty or other form of security shall be required for no more than two (2) years after issuance of the certificate of occupancy.

E. Failure to act deemed approval. The failure of the Planning Board to act within the time periods prescribed by N.J.S.A. 40:55D-1 et seq. shall constitute final approval; provided, however, that the time periods prescribed herein may be extended by mutual agreement between the Planning Board and the applicant.

F. Effect of County Planning Board approval.

(1) In the event that Burlington County Planning Board approval of the site plan is required, a building permit shall not be issued following Riverside Joint Land Use Planning Board approval until the Riverside Joint Land Use Planning Board is notified by the Burlington County Planning Board.

(2) In the event that County Planning Board review and approval results in any changes in the site plan, a building permit shall not be issued until such changes are reviewed and approved by the Riverside Joint Land Use Planning Board in accordance with § 255-109.

§ 255-114. Other approvals.

In the event that an application for development requires an approval by a governmental agency other than the Joint Land Use Planning Board, the Board shall, in appropriate circumstances, condition approval upon the subsequent approval of such governmental agency, provided that the Board shall make a decision on any application for development within the time period provided in this chapter, or within an extension of such period as has been agreed to by the applicant, unless the Board or Township is prevented or relieved from so acting by operation of law.

§ 255-115. Review of all subdivisions required.

A. All subdivisions, as defined under § 255-97, are subject to the review procedures specified herein, for the purpose of preventing the creation of undersized lots so as to maintain the character and integrity of the Township's neighborhoods.

B. Adverse Effect. Any proposed application for development determined by the Board to be creating, imposing, aggravating or leading to the possibility of an adverse effect upon either property in question or upon any adjacent properties may be required to be revised to remove any adverse effect(s) prior to further review or approval by the Board; or, where the remaining portion of the original tract is sufficient to be subdivided or developed further, the applicant may be required to submit a sketch of the entire remaining portion of the tract to indicate a feasible plan whereby the applied for subdivision or development, together with subsequent subdivision(s) or development(s), may be submitted that will not create, impose, aggravate or lead to any adverse effect.

C. Upon the submission to the Secretary of the Planning Board of a complete application for a subdivision of ten (10) or fewer lots, the Planning Board shall grant or deny preliminary approval within forty five (45) days of the date of such submission or within such further time as may be consented to by the developer, except that if the application for subdivision approval also involves an application for relief pursuant to § 255-18.A.5 or § 255-19 of this Chapter, the Planning Board shall grant or deny preliminary approval within ninety-five (95) days of the date of submission of a complete application to the Secretary of the Planning Board or within such further time as may be consented to by the applicant.

D. Upon the submission of a complete application for a subdivision of more than ten (10) lots, the Planning Board shall grant or deny preliminary approval within ninety-five (95) days of the date of such submission or within such further time as may be consented to by the developer.

E. Subdivision Filing.

1. Deed descriptions, including metes and bounds, easements, covenants, restrictions, proposed block and lot numbers as provided by the Township Engineer, roadway and sight triangle dedications shall be submitted for approval and required signatures prior to filing with the county recording officer.

2. Within 190 days from the date on which the resolution of municipal approval of a minor subdivision is adopted by the Joint Land Use Planning Board, a plat map drawn in compliance with the Map Filing Act, P.L. 190 c. 141 (N.J.S.A. 46:23-9.9 et seq.) or deed description, properly drafted and signed by the Chairman and Secretary of the Board (or the Acting Chairman or Secretary where either or both may be absent), shall be filed by the subdivider with the county recording officer, provided that if an applicant elects to file a deed, said deed shall

be accompanied with a photographically reduced copy of the approved plat. Unless filed within the 190 days or an extension for filing is granted by the Board, the approval shall expire and will require Board approval as in the first instance.

3. The Board may extend the period of 190 days for filing a minor subdivision or deed if the developer proves to the reasonable satisfaction of the Board that the developer was barred or prevented, directly or indirectly, from filing because of delays in obtaining legally required approvals from other governmental or quasigovernmental entities and that the developer applied promptly for and diligently pursued the required approvals. The length of the extension shall be equal to the period of delay caused by the wait for the required approvals, as determined by the Board. The developer may apply for the extension either before or after what would otherwise be the expiration date.

4. Before the Secretary of the Board returns any approved subdivision or site plan to the applicant, the applicant shall provide additional copies of the plat or plan as may be necessary in order to furnish copies to each of the following:

- a. Planning Board Secretary.
- b. Township Engineer (in the case of subdivisions only, a map of the plat drawn to the tax map scale of one inch equals 100 feet or one inch equals 400 feet, as directed by the Board Engineer).
- c. Construction Official.
- d. Township Tax Assessor.
- e. Such other township, county or state agencies and officials as directed by the Board.

Section 255-116. Lot Consolidation/Lot Line Adjustment Requirements

A. Purpose

The lot consolidation/lot line adjustment process is an administrative review process in which there are limited requirements to combine multiple lots into 1 parcel or to adjust a common lot line affecting existing parcels. Parcels resulting from these procedures must be consistent with all Zoning Code requirements and other applicable regulations. Lot consolidation is required prior to a building permit being issued. In areas which are not well defined, or where lots are irregular in shape and/or are included in more than 1 plat, the Township may require that lot consolidation occur through the major subdivision platting requirements of this chapter.

B. Qualification

(1) Lot consolidation. Two or more parcels, whether recorded platted lots or not, may only be consolidated into 1 parcel.

(2) Lot line adjustment. A lot line may be adjusted by relocating a common boundary.

(3) Rezoning. If the adjustment or combination would cause 1 of the parcels to have 2 different zoning classifications, the applicant must rezone the property to achieve a consistent zoning classification for the newly created parcel.

(4) Easements. Any easements that become unnecessary as a result of the combination of parcels must be vacated. In addition, new easements must be established where appropriate.

C. Filing and Review of Application

(1) Before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure on such proposed property shall be granted, the owner or authorized agent, shall file an application and secure approval of a lot consolidation or lot line adjustment.

(2) The Board Engineer shall review the application and required information to determine conformance with the Zoning Code, official map of the Township, and this chapter. The Board's Engineer shall give final approval. In reviewing the application, the Board's Engineer may request comments from other of the Board's consultants and may refer the matter to the Development Review Committee, if necessary. Unless a request for additional review time is requested by the Board's Engineer, action on the application shall be made within 60 days.

D. Information required for Lot Consolidation/Lot Line Adjustment

(1) Number of copies required at the time of application. The developer shall submit 5 large scale copies, and 2 reduced scale (11" x 17") copies of the required information to the Board Secretary, who will transmit them to the Board's Engineer.

(2) Required information. The following information shall be submitted along with the application for lot consolidation or lot line adjustment:

(a) A sealed survey prepared by a New Jersey licensed land surveyor for all parcels involved, which includes:

- (i) Scale of not less than 1 inch equals 100 feet;
- (ii) North point indication;
- (iii) Original and proposed lot boundaries;

- (iv) Existing and resulting parcel legal descriptions;
- (v) The location of existing structures on the sites;
- (vi) Proposed driveway locations;
- (vii) Existing and proposed easement locations;
- (viii) Environmental constraints of the site; and
- (ix) Existing and proposed utilities.

(b) A title search showing ownership of the property and any existing deed restrictions.

(c) Metes and bounds description of the new lot;

(d) Additional information, if deemed necessary and required by the Township.

(e) For good cause shown certain requirements may be waived by the Board's Engineer as not being pertinent to the lot consolidation/lot line adjustment being sought.

(3) Staking. The Township may require that the existing and proposed lot corners be staked at the site in such a manner that they are visible from the road for review by the Township and maintained throughout the entire review process.

(4) Lot consolidation agreement. A lot consolidation agreement prepared by the Applicant's attorney for review by the Township Attorney shall be executed by all affected parties and recorded in the Burlington County Clerk's Office.

E. Recording

(1) Deadline. The applicant shall record the appropriate documents in the Office of the Burlington County Clerk within 120 days after the date of approval. If not recorded within the 120-day period, the approval shall be considered void.

(2) Copy to Township. The applicant shall, immediately upon receipt of the recorded document from the Burlington County Clerk, furnish the Township Zoning Officer with a copy of the document(s) showing evidence of the recording and that all conditions of approval have been met.

(3) Building permit. No building permits shall be issued for construction of any structure on any affected lots until the Township has received evidence of the document(s) being recorded by the County.

(4) Fees: At the time of filing a lot consolidation request, the applicant shall submit an escrow fee in an amount shown on the fee schedule of the Codes of Riverside. Such escrow fee shall be sufficient to cover the cost of the review by the Board's engineer and for changes made to the Official Tax Map of the Township of Riverside resulting from the lot consolidation.

§ 255-117. Final subdivision plat and final site plan applications.

A. Procedure. A final plat or final site plan shall be submitted to the Board Secretary within three years after the date of preliminary approval, or any authorized extension thereof. The applicant shall submit to the Planning Board Secretary, at least 30 days prior to the first regularly scheduled meeting of the Joint Land Use Planning Board, as the case may be:

(1) ten (10) completed copies of the appropriate application(s), which includes the checklist(s) pursuant to N.J.S.A. 40:55D-10.3 and the items of information required therein, attached to this chapter as Appendix B.

(2) ten (10) copies of the final subdivision plat and/or site plan at a scale of not less than one inch equals 50 feet, printed on one of the following standard sheet sizes: 8 1/2 x 13, 15 x 21, 24 x 36, 30 x 42. The plat and/or site plan must be signed and sealed by a New Jersey professional engineer and folded into eights with the title block revealed.

(3) 1 reduced-scale copy of the plat or plan printed on 11 x 17 sized paper

(4) A fee in accordance with Chapter 150 of the Codes of Riverside.

(5) An acknowledgment signed by the applicant stating that the applicant is familiar with the procedure set forth herein for submitting and acting upon final site plans and final subdivisions, and agrees to be bound by it.

B. Details required for final site plans.

(1) All details stipulated in § 255-111.A.4.

(2) All additional details required at the time of preliminary approval.

(3) Detailed architectural and engineering data including:

(a) An architect's third angle projection drawing, with total envelope dimensions, of each structure and sign or of a typical structure and/or sign, showing front, side and rear elevations.

(b) Cross sections, plans, profiles and established grades of all streets, aisles, lanes and driveways, including center line geometry and horizontal alignments with bearings, radii and tangents.

(c) Plans and profiles of all storm and sanitary sewers and water mains.

(4) The final submission shall be accompanied by a certificate from the Township Tax Collector that all taxes, assessments and/or municipal liens are paid to date.

§ 255-118. Rights Conferred.

A. Preliminary Approval Rights Conferred. Preliminary approval of a major subdivision or site plan (except as provided in Subsection B of this section) shall confer upon the applicant the following rights for a two-year period from the date of the preliminary approval:

1. That the general terms and conditions on which preliminary approval was granted shall not be changed, including but not limited to use requirements; layout and design standards for streets, curbs and sidewalks, lot size, yard dimensions and off-tract improvements; and, in the case of a site plan, existing natural resources to be preserved on the site; vehicular and pedestrian circulation, parking and loading, screening, landscaping and location of structures; and exterior lighting, both for safety reasons and street lighting, except that nothing herein shall be construed to prevent the township from modifying by ordinance, such general terms and conditions of preliminary approval as relates to public health and safety.

2. That the applicant may submit for final approval, on or before the expiration date of preliminary approval, the whole or a section or sections of the preliminary subdivision plat of site plan.

3. That on or before the expiration of preliminary approval the applicant may apply for and the Planning Board may grant extensions on such preliminary approval for additional periods of at least one year but not to exceed a total extension of two years, provided that if the design standards have been revised by ordinance, such revised standards may govern.

B. Preliminary Approval Rights Conferred-Major Development. In the case of a subdivision or site plan for an area of 1 acre or more, the Joint Land Use Planning Board may grant the rights referred to in Subsection A above for such period of time, longer than two years, as shall be determined by the Planning Board to be reasonable, taking into consideration the number of dwelling units and nonresidential floor area permissible under preliminary approval, economic conditions and the comprehensiveness of the development. The applicant may apply for thereafter, and the Planning Board may thereafter grant, an extension to preliminary approval for such additional period of time as shall be determined by the Planning B to be reasonable, taking into consideration the number of dwelling units and nonresidential floor area permissible under preliminary approval and the potential number of dwelling units and nonresidential floor area of the section or sections awaiting final approval, economic conditions and the comprehensiveness of the development, provided that if the design standards have been revised, such revised standards may govern.

C. The Board shall grant an extension of the period for a time determined by the Board but not exceeding one year from what would otherwise be the expiration date if the developer proves to the reasonable satisfaction of the Board that the developer was barred or prevented, directly or indirectly, from proceeding with the development because of delays in obtaining legally required approvals from other governmental entities and that the developer applied promptly for and diligently pursued the approvals. A developer shall apply for this extension before what would otherwise be the expiration date or the 91st day after the date on which the developer receives the last of the legally required approvals from the other governmental entities, whichever occurs later.

§ 255-119. Time Limit For Decisions.

The Riverside Joint Land Use Planning Board, acting as the Board of Adjustment shall render a decision not later than one hundred twenty (120) days after the date an appeal is taken from the decision of the Construction Code Official or Zoning Officer or the submission of a complete variance application. The time period for subdivision and/or site plan approval shall be governed by the review process for those applications. The failure of the Board to render a decision within such one-hundred-twenty-day period or within such further time as may be consented to by the applicant shall constitute a decision favorable to the applicant.

ARTICLE XII: VARIANCE APPROVAL

§ 255-120. Variance applications.

All applications for variance relief to the Joint Land Use Planning Board not involving any related site plan, subdivision or conditional use approval shall be filed at least 30 days prior to the next regularly scheduled monthly meeting of the Board. The filing shall include 10 copies of any maps and related material; ten completed copies of the appropriate application form(s), which includes the checklist for variances pursuant to N.J.S.A. 40:55D-10.3 attached to this chapter; and the fee in accordance with Chapter 150 of the Codes of Riverside. The Board shall act upon the application as stipulated by law.

§ 255-121. Variance Review and Approval Procedure

A. Purpose. Departures from the literal zoning requirements specified in this Chapter may be granted by the Joint Land Use Planning Board, acting as the Zoning Board of Adjustment, in accordance with the procedures of this Section.

B. Variance Criteria.

1. No variance or other relief may be granted under the terms of this section unless such variance or other relief:

a. Can be granted without substantial detriment to the public good;
and

b. Will not substantially impair the intent and purpose of the zone plan and Part 3 of this chapter.

2. In the case of an application for a use variance pursuant to N.J.S.A. 40:55D-70(d), the applicant shall demonstrate to the satisfaction of the Planning Board, acting as the Zoning Board of Adjustment that, notwithstanding the fact that the proposed use is prohibited in the zoning district, it would not be inconsistent with such prohibition to allow such use on applicant's property. The Planning Board, acting as the Zoning Board of Adjustment shall evaluate all adverse impacts of the applicant's use on adjacent and neighborhood properties, as well as all beneficial effects, and shall not grant the variance unless it concludes, on the basis of clear and specific findings set forth in its resolution, that the benefits outweigh the detriments.

3. Additional standards for approval of use or "d" variances. No use variances shall be granted unless the applicant proves, and Planning Board, acting as the Zoning Board of Adjustment finds that the proposed use is:

a. An "inherently beneficial" use as determined by the courts.

b. The proposed use, if located at the applicant's site, advances the purposes of the zoning plan and because such site is particularly suitable for such use; proof of the general social benefits of the proposed use without reference to its location at the applicant's site will not meet this standards; or

c. The applicant's property is incapable of being used in any manner that conforms with the use regulations for the zoning district in which it is located.

§ 255-122. Variance Approval

A. Duration of Use Variance.

1. Any use variance granted under the terms of this section without concurrent site plan or subdivision approval shall expire one year after the date of approval unless the use is commenced prior thereto or an extension of time is granted by the Planning Board, acting as the Zoning Board of Adjustment.

2. Any use variance granted under the terms of this section together with site plan or subdivision approval shall expire two years after the date of approval unless the use is commenced prior thereto or an extension of time is granted by the Planning Board, acting as the Zoning Board of Adjustment.

3. When the use of a property is abandoned for more than one year, which use was the subject of a use variance, the variance shall be deemed to have lapsed. Thereafter, the use may not be resumed without subsequent Planning Board approval.

B. Duration of Variances Other Than Use Variances.

1. Any variance other than a use variance which has been granted by the Joint Land Use Planning Board acting as the Board of Adjustment shall expire one year after the date of publication of the decision granting the variance, unless the construction for which the variance was granted shall have been commenced.

2. Any variance other than a use variance which has been granted by the Planning Board in conjunction with an approved minor subdivision shall expire 190 days after the date on which the resolution of municipal approval of the minor subdivision is adopted, unless the subdivision shall have been perfected by the filing and recording of a plan or deed as required by law.

3. Any variance other than a use variance which has been granted by the Planning Board in conjunction with an approved major subdivision shall expire upon expiration of the rights conferred by the decision granting subdivision approval, or upon expiration of final approval pursuant to N.J.S.A. 40:55D-54.

4. Any variance other than a use variance which has been granted by the Planning Board in conjunction with approval of a site plan shall expire and shall be treated as having been abandoned on the same date that approval of the site plan shall expire as provided by law.

5. The Planning Board acting as the Zoning Board of Adjustment may for good cause extend the expiration date of a variance other than a use variance for not more than one additional year. Where a variance has been granted in conjunction with a major subdivision or major site plan approval and the applicant, upon application for extension of a variance, proves to the reasonable satisfaction of the Planning Board that applicant was barred or prevented, directly or indirectly, from proceeding with development because of delays in obtaining legally required approvals from other governmental entities and that the applicant applied promptly for and diligently pursued these approvals, the applicant shall be entitled to an extension equal to the period of time applicant was barred or prevented from proceeding with development.

C. Period of Approval.

1. Any variance from the terms of this Chapter hereinafter granted by the Joint Land Use Planning Board, acting as the Zoning Board of Adjustment, pursuant to the authority contained under N.J.S.A. 40:55D-1 et seq., permitting the erection or alteration of any structure or

structures, or permitting the specified use of any premises shall expire by limitation unless said construction or alteration shall have actually been commenced on each and every structure permitted by said variance, or unless such permitted use shall have actually been commenced within one (1) year from the date of entry of the judgment and determination of the Planning Board acting as the Zoning Board of Adjustment, except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the Planning Board to a court of competent jurisdiction until the determination of such appeal or proceeding.

2. In the event that, during the period of approval heretofore or hereafter granted to an application for development, the developer is barred or prevented, directly or indirectly, from a proceeding with the development otherwise permitted under such approval by a legal action instituted by any state agency, political subdivision or other party to protect the public health and welfare or by a directive or order issued by any state agency, political subdivision or court of competent jurisdiction to protect the public health or welfare and the developer is otherwise ready, willing and able to proceed with said development, the running of the period of approval under this chapter or under any ordinance repealed by this chapter, as the case may be, shall be suspended for the period of time said legal action is pending or such directive or order is in effect.

§ 255-123. Conditional use; standards for review; time for decision.

A. All applications for conditional use shall be granted or denied by the Joint Land Use Planning Board pursuant to 255-123.

B. The review by the Planning Board of a conditional use application shall include site plan review. In cases where a conditional use application does not include alteration of the exterior of a building and will not have an impact on parking requirements, the Planning Board may waive site plan submission requirements as provided for in § 255-102.D. The time period for action by the Board on conditional use applications shall apply to such site plan review.

C. If the development requiring conditional use approval deviates from a conditional use specification or standard, thereby requiring approval by the Joint Land Use Planning Board of a variance to allow such deviation, the Board shall grant or deny the requested variance relief.

D. The Planning Board shall grant or deny an application for a conditional use within 95 days of submission of a complete application to the administrative officer of the Board, or within such further time as may be consented to by the applicant.

§ 255-124. Effect of Approvals.

A. Subdivision approval.

(1) When a subdivision is approved by the Board, a notation to that effect, including the date of approval, shall be made on a master copy. At least 10 prints of the plat or plan and any related deed descriptions to be filed with the county recording officer by the applicant shall be signed by the Chairperson and Secretary of the Board, or the Acting Chairperson or Secretary where either or both may be absent. No further approval of the application shall be required and the Secretary of the Board, within 10 days of the date of approval, shall notify the applicant of the Board's action. Additionally, the Secretary of the Board shall forward to the applicant a copy of the approval resolution, adopted in accordance with § 255-113.B, within 10 days of its adoption by the Board.

(2) When a subdivision is disapproved by the Board, the Secretary of the Board, within 10 days of such action, shall notify the applicant of such disapproval. Additionally, the Secretary of the Board shall forward the applicant a copy of the disapproval resolution, adopted in accordance with § 255-113.C, within 10 days of its adoption by the Board, setting forth the reasons for the disapproval.

(3) Within 190 days from the date of approval by the Board of a minor subdivision, a plat map drawn in compliance with the approval and the Map Filing Act, N.J.S.A. 46:23-9.9 et seq., or deed clearly describing the approved minor subdivision is filed by the developer with the county recording officer, the municipal engineer and the municipal tax assessor. Any such plat or deed accepted for such filing shall have been signed by the Chairperson and Secretary of the Board, or the Acting Chairperson or Secretary where either or both may be absent. Unless filed within 190 days, the approval shall expire and will require new Board approval as in the first instance.

(4) The zoning requirements and general terms and conditions, whether conditional or otherwise, upon which minor subdivision approval was granted, shall not be changed for a period of two years after the date of minor subdivision approval by the Joint Land Use Planning Board, provided that the approved minor subdivision shall have been duly recorded.

(5) Within 95 days of approval by the Riverside Joint Land Use Planning Board of a final subdivision plat, the subdivider shall file a copy of same with the Burlington County Clerk. In the event of failure to file within 95 days, the approval of the major subdivision shall expire and any further proceedings shall require the filing of a new application as in the first instance. The Board, for good cause shown, may extend the filing for an additional 95 days.

B. Effect of preliminary approval. Preliminary approval of a subdivision or site plan shall confer upon the applicant the following rights for a three-year period from the date of preliminary approval:

(1) That the general terms and conditions on which preliminary approval was granted shall not be changed, including, but not limited to, use requirements, layout and design standards for streets, curbs and sidewalks, lot size, yard dimensions and off-tract improvements;

(2) That the applicant may submit for final approval, on or before the expiration date of preliminary approval, the whole or a section or sections of the preliminary plat or plan; and

(3) That the applicant may apply for, and the Board may grant, extensions on such preliminary approval for additional periods of at least one year, but not to exceed a total extension of two years, provided that if the design standards have been revised by ordinance, such revised standards may govern.

C. Effect of final approval. Final approval of a subdivision or site plan shall confer upon the applicant the following rights for a period of two years from the date of final approval:

(1) The zoning requirements applicable to the final approval first granted and all other rights conferred upon the developer, whether conditionally or otherwise, shall not be changed.

(2) If the developer has followed the standards prescribed for final approval, the Board may extend the period of protection for extensions of one year each, not exceeding three such extensions.

D. Effective term of use variance approval. Approval of a use variance granted by the Joint Land Use Planning Board acting in its capacity as a Zoning Board of Adjustment shall expire after two years from the date of granting of the variance if no construction, alteration of conversion has commenced within such time.

ARTICLE XIII: GUARANTEES AND OFF-TRACT IMPROVEMENTS

§ 255-125. Guarantees.

A. Performance guarantee estimate.

(1) In cases of an application for development involving large-scale public improvements to be carried out by the developer, the Joint Land Use Planning Board may require that an applicant file a performance guarantee with the Township, pursuant to N.J.S.A. 40:55D-53, to insure the installation of such public improvement on or before a specified date, or before a specified phase of the development project.

(2) A required performance guarantee estimate shall be prepared by the applicant's engineer and submitted to the Township of Riverside Administrator for review and approval,

setting forth all requirements for improvements, as fixed by the Board, and their estimated cost. Prior to final approval by the Board of the application for development, the Township Committee shall pass a resolution either approving or adjusting this performance guarantee.

§ 255-126. Off-tract improvements.

A. Required improvements. As a condition for approval of a subdivision, site plan or conditional use, the applicant may be required to pay his/her pro rata share of the cost of providing reasonable and necessary street improvements or water, sewerage and drainage facility improvements, and any necessary easements therefore located outside the property limits of the subject premises, but indicated in the Township Master Plan and necessitated or required by the construction or improvements within such subdivision or development. Such improvements must be consistent with the Township's Stormwater Management Ordinance. The following criteria shall be utilized in determining the developer's proportionate pro rata monetary share for the necessary off-tract developments:

(1) Improvements to be constructed at the expense of the developer. In cases where the need for an off-tract improvement is created by the proposed subdivision or development and where no other property owners receive a special benefit thereby, as opposed to a mere incidental benefit, the applicant may be required, as a condition of approval and at the applicant's sole expense, to acquire or improve lands outside the tract and dedicate such lands to the Township of Riverside or County of Burlington, or, in lieu thereof, require the subdivider or developer to deposit with the Township a sum of money sufficient to allow the Township to acquire or improve such lands, on conditions it may deem appropriate under the circumstances.

(2) General standards for other improvements. In cases where the need for any off-tract improvement to be implemented now or in the future is necessitated by the proposed development application, and where it is determined that properties outside the development will also be benefited by the improvement, the following criteria, together with the provisions or rules and regulations of the Township or any department thereof, may be utilized in determining the developer's proportionate share of such improvements:

(a) Sanitary sewers. For distribution facilities, including the installation, relocation or replacement of collector, trunk and interceptor sewers and the installation, relocation or replacement of other appurtenances associated therewith, the applicant's proportionate share shall be computed as follows:

[1] The capacity and the design of the sanitary sewer system shall be based on the rules and regulations for the preparation and submission of plans for sewerage systems, New Jersey State Department of Environmental Protection and Township of Riverside sewer design standards, including infiltration standards.

[2] Developer's pro rata share:

[a] The capacity of the existing system to serve the entire improved drainage area shall be computed. If the system is able to carry the total development drainage basin, no improvement or enlargement cost will be assigned to the developer although some charges, including, but not limited to, capacity charges, may be imposed. If the existing system does not have adequate capacity for the total development drainage basin, the prorated enlargement or improvement share shall be computed as follows:

$$\text{Developer's cost} = \frac{\text{Development gpd}}{\text{Total enlargement or improvement cost}} \times \text{Total tributary gpd}$$

[b] If it is necessary to construct a new system in order to develop the subdivision or development, the prorated enlargement share to the developer shall be computed as follows:

$$\text{Developer's cost} = \frac{\text{Development tributary gpd}}{\text{Total project cost}} \times \text{Total tributary gpd to new system}$$

[3] The plans for the improved system or the extended system shall be prepared by the developer's engineer. All work shall be calculated by the developer and approved by the Planning Board's Engineer.

(b) Roadways. For street widening, alignment, channelization of intersections, construction of barriers, new or improved traffic signalization, signs, curbs, sidewalks, trees, utility improvements uncovered elsewhere, the construction or reconstruction of new or existing streets, and other associated street or traffic improvements the applicant's proportionate cost shall be determined as follows:

[1] The applicant's engineer shall provide the Township Administrator, Board's Engineer or Board's Traffic Consultant with the existing and anticipated peak-hour volumes which impact the off-tract acres in question, which volumes shall analyze pedestrian, bicycle and motor vehicle traffic.

[2] The applicant shall furnish a plan for the proposed off-tract improvements, which shall include the estimated peak-hour traffic generated by the proposed development. The ratio of the peak-hour traffic generated by the proposed development to the future peak-hour traffic shall form the basis of the proportionate share. The prorated share shall be computed as follows:

$$\text{Developer's cost} = \frac{\text{Additional peak-hour traffic generated by the development}}{\text{Total peak-hour traffic}} \times \text{Total project cost}$$

Total cost of roadway improvement Future total peak-hour traffic and/or extension

(c) Drainage improvements. For the stormwater and drainage improvements, including the installation, relocation of storm drains, culverts, catch basins, manholes, riprap, or improved drainage ditches and appurtenances thereto, and the relocation or replacement of other storm drainage facilities or appurtenances associated therewith, the applicant's proportionate share shall be determined as follows:

[1] The capacity and design of the drainage system to accommodate stormwater runoff shall be based on a method described in Urban Hydrology for Small Watershed, Technical Release 55, Soil Conservation Service USDA, January 1975, as amended, and shall be computed by the developer's engineer and approved by the Township Engineer.

[2] The capacity of the enlarged, extended or improved system required for the subdivision or development and areas outside of the subdivision or development shall be computed by the developer's engineer and be subject to the approval of the Board's Engineer. The plans for the improved system shall be prepared by the developer's engineer, and the estimated cost of the enlarged system shall be calculated by the Board's Engineer. The prorated share for the proposed development shall be computed as follows:

Developer's cost = Development cfs

Total enlargement or improvement cost of drainage = Total tributary facilities cfs

B. Escrow accounts. Where the proposed off-tract improvement is to be undertaken at a future date, funds required for the improvement shall be deposited to the credit of the Township in a separate account until such time as the improvement is constructed. In lieu of a cash escrow account, developers may present irrevocable letters of credit for the term required, in a form acceptable to the Township Attorney. If the off-tract improvement is not begun within 10 years of the deposit, all monies and interest shall be returned to the applicant or the letter of credit, as the case may be, surrendered. An off-tract improvement shall be considered "begun" if the Township has taken legal steps to provide for the design and financing of such improvements.

C. Implementation of off-tract improvements.

(1) In all cases, developers shall be required to enter into an agreement or agreements with the Township in regard to off-tract improvements, in accordance with this chapter and any other ordinances, policies, rules and regulations of the Township of Riverside, County of Burlington and State of New Jersey, and any departments, authorities or agencies thereto.

(2) Where properties outside the subject tract will be benefited by the improvements, the Township Committee may require the applicant to escrow sufficient funds, in accordance with Subsection B, Escrow accounts, above, to secure the developer's pro rata share of the eventual cost of providing future structural improvements based upon the standards expressed herein.

(3) Where properties outside the subject tract will benefit by the improvements, the Township Committee may determine that the improvement or improvements are to be installed by the Township as a general improvement, the cost of which is to be borne as a general expense.

(a) If the Township Committee shall determine that the improvement or improvements shall be constructed or installed as a general improvement, the Township Committee may direct the Joint Land Use Planning Board to estimate, with the aid of the it's professionals , or such other persons who have pertinent information or expertise, the amount, if any, by which the total cost thereof will exceed the total amount by which all properties, including the subject tract, will be specifically benefited thereby, and the subdivider or developer shall be liable to the Township for such expense.

(4) If the Township Committee shall determine that the improvement or improvements shall be constructed or installed as a local improvement, all or a part of the cost of which is to be assessed against properties benefited thereby in proportion to the benefits conferred by the improvements, in accordance with N.J.SA 40:56-1 et seq., the developer may be required to sign an agreement acknowledging and agreeing to this procedure and, in addition, the Township Committee may require that the developer shall be liable to the Township, in addition to the amount of any special assessments against the subject property for benefits conferred by the improvement or improvements, for the difference between the cost actually incurred and the total amount by which all properties, including the subject tract, are specially benefited by the improvement, as the same may be determined by the Board.

(5) If the Township Committee shall determine that the improvements are to be constructed or installed by the applicant, such agreement may contain provisions, consistent with the standard in this chapter and any other rules, regulations or policies of the Township of Riverside, County of Burlington and State of New Jersey, and any departments, authorities or agencies thereof with jurisdiction therein, whereby the applicant shall be reimbursed by the Township, or otherwise, as a result of any participation fees, connection charges, charges paid in regard to developer's agreements with other applicants and the like, all in accordance with an agreement between the Township Committee and the applicant.

(6) In determining the procedures to be followed in the event of the submission of a list and request from the Joint Land Use Planning Board, the Township Committee shall be guided by the following standards and considerations:

(a) The local trends in regard to the probability of development within the drainage or circulation area in question and the intensity of such development.

(b) The risk and exposure that neighboring areas are subject to in the event that the improvements to be required are delayed.

(c) The extent to which temporary measures may sufficiently alleviate the condition or conditions requiring the off-tract improvement and the likelihood that larger regional or sub-regional facilities will be required in the future to serve the development tract and the general area of the Township in which the same is located.

(d) The extent to which the health, safety and welfare of the residents, both current and future, depend upon the immediate implementation of the off-tract improvement.

ARTICLE XIV DEVELOPMENT REVIEW AND APPROVAL PROCEDURE

§ 255-127. Major Development Requirements

1. Environmental Impact Statement. A major subdivision or major site plan application shall include an Environmental Impact Statement prepared in accordance with § 255-104.

2. Stormwater Management Design Report. A land development application ultimately disturbing more than 5,000 square feet or increasing the impervious surfaces by more than 5,000 square feet shall include a Stormwater Management Design Report prepared in accordance with § 255-148.

§ 255-128. Development Review Committee

The Development Review Committee of the Planning Board shall meet on a regular basis and shall have the following responsibilities.

A. Informal Concept Plan Review. Major developers are encouraged to submit a concept plan for informal review by the Development Review Committee (the "DRC") of the Planning Board prior to making a complete application. The purpose of the informal review is to enable the site designers to confer with the DRC about their design approach at a formative stage. No fee shall be assessed for the informal review with the Development Review Committee and both parties are not bound by any comments made during the concept review process. The

applicant may also request an informal concept plan review by the entire Planning Board of not more than 15 minutes in duration. The required fee for the informal review shall be paid prior to the scheduling of the informal review. The developer shall not be bound by any concept plan for which the review is requested and the Planning Board shall not be bound by any such review.

B. Completeness. The land development application completeness review procedure is discussed in §255-108.C. While the completeness determination is delegated to the Board Engineer, the Engineer may consult with the DRC in making the completeness determination. In addition, any applicant may appear before the DRC to discuss the completeness review decision of the Board Engineer.

C. Submission Waivers. All requests for submission waivers shall be reviewed by the DRC within 45 days of the request pursuant to §255-108.C. The DRC shall decide whether to grant the submission waiver request. An applicant may appeal the decision of the DRC to the full Planning Board. Submission waivers shall only be granted if the item is not necessary to make an informed decision and would involve a significant expense or delay. Waivers shall not be granted for routine plan information requirements.

D. Technical Review. All major subdivision and site plan applications shall be reviewed by the Development Review Committee prior to being heard by the Planning Board. The purposes of the DRC technical review meeting are to provide the applicant with a preliminary technical review of the application; to provide insight on the technical deficiencies of the plan; to consider requests for submission waivers; to offer suggestions and recommendations for the improvement of the plan; and to comment on the acceptability of the plan. The DRC meetings are not a public hearing and need not be advertised. The technical review comments are meant to provide guidance and direction to the applicant but do not constitute a formal review. No minutes or actions are taken on the applications that have been deemed complete.

E. Land Development Issues. The DRC shall discuss relevant land development issues on a continuing basis in conjunction with the Board professionals. These issues shall periodically be presented to the Planning Board for policy decisions.

F. Distribution of Documents.

1. Promptly after the certification of completeness is received from the Board Engineer, the application documents shall be distributed by the Board Secretary to the following:

a. The Planning Board (11 copies each of the minor plat or plan and the application);

b. The Board Planner (one copy each of the minor plat or plan, the application and any protective covenants, easements and/or deed restrictions);

c. The Board Engineer (one copy each of the minor plat or plan, the application and any protective covenants, easements and/or deed restrictions);

d. The Zoning Officer (one copy of the minor plat or plan);

e. The Board Attorney (one copy each of the minor plat or plan, the application and any protective covenants, easements and/or deed restrictions);

2. At the direction of the Planning Board, additional copies of the minor plat or plan and/or other items of submitted information shall be sent to other township, county or state agencies and/or to other professional consultants as may be designated by the Board; and

3. It shall be the applicant's responsibility, unless specifically provided otherwise in this chapter, to submit the required application to any agency (including but not limited to the County Planning Board, the County Board of Health, the Soil Conservation District and the New Jersey State Department of Environmental Protection) having jurisdiction over any aspect of the proposed development.

§ 255-129. Submission Waivers

A. Incompleteness Determination- Waiver Request. An applicant who has been notified that his application is incomplete may request a waiver of one or more of the submission requirements and said request shall be the subject of a resubmitted application treated as a new submission, which shall be acted upon in accordance with § 255-108. The Planning Board shall have 45 days to determine whether to grant the waiver from the date of the resubmission.

§ 255-130. Conditional Approvals.

A. Conditions Precedent.

1. Whenever any application for development is approved subject to specified conditions intended to be fulfilled before the approval becomes effective, such conditional approval shall lapse and become null and void unless all specified conditions, other than those contemplated by N.J.S.A. 40:55D-22b, are fulfilled within 190 days of the date of conditional approval

2. Proof that applications have been filed with all other agencies having jurisdiction over any aspect of the application for development shall forthwith be filed with the municipal agency.

3. The fulfillment of all other conditions precedent shall forthwith be reported, in writing, to the municipal agency, which may cause such reports to be verified in an appropriate

manner. Only upon fulfillment of all conditions shall any subdivision map or site plan be signed or any required building permit, occupancy permit or zoning permit be issued.

4. When all conditions have been fulfilled with respect to any minor or major subdivision, applicant shall, within 30 days of the fulfillment of all such conditions, submit his deed or map for signature in accordance with N.J.S.A. 40:55D-47 or 40:55D-54 or any such approval shall lapse and be of no force and effect; provided, however, that the applicant may, for good cause shown, obtain an extension either before or after the lapse of such thirty-day period within the reasonable exercise of the municipal agency's judgment.

B. Conditions Subsequent.

1. Whenever any application for development is approved subject to conditions, which by their terms are incapable of being fulfilled or are not required to be fulfilled prior to the final approval of the application, the performance of which are not guaranteed by bonds or securities of any type, failure to fulfill any such condition within 6 months from the date of adoption of the resolution memorializing the final approval of the application for development shall be grounds for issuance of a stop-work order by the enforcing official and the withholding of any zoning permit, certificate of occupancy or any other approval until such condition or conditions are fulfilled.

2. Nothing herein contained shall be construed as preventing the Joint Land Use Planning Board from specifying a longer period of time within which any specific condition must be fulfilled, or from granting, upon application not requiring public notice, an extension of time for good cause shown.

3. The fulfillment of all conditions shall be reported, in writing, to the municipal agency which may cause such reports to be verified in an appropriate manner. Only upon fulfillment of all conditions shall any subdivision map or site plan be signed or any required building permit, occupancy permit, zoning permit or other required approval be issued.

§ 255-131. Reservation of Public Areas.

A. Before approving a subdivision or site plan, the Planning Board shall require that streets, public drainageways, flood control basins and public areas, designated for reservations on the Master Plan, must be shown on the plat in locations and sizes suitable to their intended uses. The Planning Board may reserve the location and extent of such streets, ways, basins or areas shown on the plat for a period of up to one (1) year after the approval of the final plat or within such further time as may be agreed to by the developer. Unless during such period or extension thereof the Township shall have entered into a contract to purchase or institute condemnation proceedings according to law for the fee or a lesser interest in the land comprising such streets, ways, basins or areas, the developer shall not be bound by such reservations shown on the plat

and may proceed to use such land for private use in accordance with applicable development regulations. The provisions of this section shall not apply to streets and roads, flood control basins or public drainageways necessitated by the subdivision or land development and required for final approval.

B. The developer shall be entitled to just compensation for actual loss found to be caused by such temporary reservation and deprivation of use. In such instance, unless a lesser amount has previously been mutually agreed upon, just compensation shall be deemed to be the fair market value of an option to purchase the land reserved for the period of reservation, provided that determination of such fair market value shall include but not be limited to consideration of the real property taxes apportioned to the land reserved and prorated for the period of reservation. The developer shall be compensated for the reasonable increased cost of legal, engineering or other professional services incurred in connection with obtaining subdivision approval or site plan approval, as the case may be, caused by the reservation.

C. Upon the submission to the Planning Board of an application for development showing development proposed for an area reserved on the Master Plan, the Planning Board Secretary shall notify the Riverside Township Committee, in writing, of such application and that the Planning Board intends to grant approval for said development in the reserved area unless the Township Committee notifies the Planning Board prior to the date for final approval that it intends to reserve the area in question and will provide compensation to the developer for such reservation. Said notice of intent to reserve shall be in the form of a resolution by the Township Committee. The Township Committee shall thereupon proceed either to reach an agreement with the developer as to the amount of compensation to be paid for such reservation or negotiate a purchase price for said reserved area. Upon the Township Committee arriving at the amount to be paid the developer by way of compensation for reservation or purchase, said amount shall be deposited in escrow for the benefit of the developer.

§ 255-132. Proposed Vacation of Existing Street.

A. Any applicant for development whose plans show a proposed vacation of an existing street shall include with his application to the Planning Board a notice to Township Committee of intent to request vacation of the street. The notice shall be on a form provided by the Planning Board Secretary. Any application for development showing a proposed street vacation that does not include the aforesaid notice shall be deemed incomplete.

B. The Planning Board shall condition preliminary approval of any application for development showing a proposed street vacation on the vacation of such street by formal action of Township Committee.

C. Prior to making application for final land use approval, an applicant proposing vacation of a street shall apply to the Township Committee for vacation of the street and shall amend the final plans in accordance with any ordinance the governing body may adopt on vacation of the street. Such application to the Township Committee, shall be accompanied by the appropriate application fee and professional review escrow, and shall include a legal description of the street proposed for vacation. An application for final land use approval that proposes vacation of a street that is not made in accordance with this section shall be deemed incomplete.

§ 255-133. Establishment and Maintenance of Open Space.

A. The Township may, at any time and from time to time, accept the dedication of land for public use and maintenance or any interest therein required to be set aside, designated and reserved for the use and enjoyment of owners and occupants of land adjoining or neighboring such land as a condition of approval of planned residential development, but such dedication shall not be required by the Planning Board.

B. The developer shall provide for an organization for the ownership and maintenance of any open space for the benefit of owners or residents of a development if said open space is not dedicated to the Township. Such organization shall not be dissolved and shall not dispose of any open space by sale or otherwise, except to an organization conceived and established to own and maintain the open space for the benefit of such development, and thereafter such organization shall not be dissolved nor dispose of any of its open space without first offering to dedicate the same to the township.

C. In the event that such organization shall fail to maintain the open space in reasonable order and condition, the governing body may serve written notice upon such organization or upon the owners of the development, setting forth the manner in which the organization has failed to maintain the open space in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within thirty-five (35) days thereof and shall state the date and place of a hearing thereon which shall be held within fifteen (15) but not less than seven (7) days of the notice. At such hearing, the governing body may modify the terms of the original notice as to deficiencies and may give a reasonable extension of time, not to exceed sixty-five (65) days or any permitted extension thereof, the township, in order to preserve the open space and maintain the same for a period of one (1) 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 governing body 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 fifteen (15) days' written notice to such organization and to the owners of the development, to be held by the governing body, at which hearing such organization and the owners of the development shall show cause why such maintenance by the township shall not, at the election of

the township, continue for a succeeding year. If the governing body shall determine that such organization is ready and able to maintain said open space in reasonable condition, the township shall cease to maintain said open space at the end of said year. If the governing body shall determine such organization is not ready and able to maintain said open space in a reasonable condition, the township 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 governing body in any case shall constitute a final administrative decision, subject to judicial review.

D. The cost of such maintenance by the Township 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 the cost shall become a lien and tax on said properties and be added to and be a part of the tax to be levied and assessed thereon and enforced and collected, with interest, by the same officers and in the same manner as other taxes.

§ 255-134. Exceptions From Requirements; Simultaneous Review and Approval.

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

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

C. The Planning Board shall have the power to review and approve or deny conditional uses or site plans simultaneously with the review for subdivision approval without the developer being required to make further application to the Planning Board or the Planning Board being required to hold further hearings. The longest time period for action by the municipal agency, whether it is for subdivision, conditional use or site plan approval, shall apply. Whenever approval of a conditional use is requested by the developer pursuant to this subsection, notice of the hearing on the plat shall include reference to the request for such conditional use.

D. The Planning Board, acting as the Board of Adjustment, shall also have the power to grant subdivision, site plan or conditional use approval when it is considering use variances. In this regard, the applicant for a use variance may elect to submit a separate application for requesting approval of the variance and a subsequent application for any required subdivision, site plan, or conditional use approval. Any use variance approval for a bifurcated application shall be contingent upon the approval of the subsequent application. When considering a bifurcated use variance application, the Planning Board shall require the submission of sufficient site development information to make an informed decision of the variance application.

§ 255-135. Performance and Maintenance Guaranties; Surveyor's Certification.

A. Before the recording of final subdivision plats or as a condition of final site plan approval, or as a condition of a zoning permit pursuant to § 91-33 of this chapter, the municipal agency may require and shall accept, in accordance with the standards adopted by this chapter for the purpose of assuring the installation and maintenance of on-tract improvements, the following:

1. The furnishing of a performance guaranty in favor of the township in an amount not to exceed one hundred twenty percent (120%) of the cost of installation for improvements it may deem necessary or appropriate, including streets; grading; pavement; gutters; curbs; sidewalks; street lighting; shade trees; surveyor's monuments, as shown on the final map and required by the Map Filing Law, P.L. 1960, c. 141 (N.J.S.A. 46:23-9.9 et seq.); water mains, culverts, storm sewers; sanitary sewers or other means of sewage disposal; drainage structures; erosion control and sedimentation control devices; public improvements of open space; and, in the case of site plans only, other on-site improvements and landscaping. The Township Engineer shall review the improvements required by the municipal agency which are to be bonded and itemize their cost. Said itemization shall be the basis for determining the amount of the performance guaranty and maintenance guaranty required by the municipal agency. The Township Engineer shall forward his estimate of the cost of improvements to the applicant within thirty (30) days of the date of receipt of a request sent by certified mail for said estimate.

2. The furnishing of a maintenance guaranty, to be posted with the governing body for a period not to exceed two (2) years after final acceptance of the improvement in an amount not to exceed fifteen percent (15%) of the cost of the improvement. In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a performance or maintenance guaranty to another governmental agency, no performance or maintenance guaranty, as the case may be, shall be required for such utilities or improvements.

B. The amount of any performance guaranty may be reduced by the governing body, by resolution, when portions of the improvements have been certified by the Township Engineer

to have been completed. The time allowed for installation of the improvements for which the performance guaranty has been provided may be established by the governing body by resolution.

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

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

E. The governing body shall either approve, partially approve or reject the improvements on the basis of the report of the Township Engineer and shall notify the obligor, in writing, by certified mail, of the contents of said report and the action of said municipal agency with relation thereto not later than sixty-five (65) days after receipt of the notice from the obligor of the completion of the improvements. Where partial approval is granted, the obligor shall be released from all liability pursuant to its performance guaranty, except for the improvements not yet approved. Failure of the governing body to send or provide such notification to the obligor within sixty-five (65) days shall be deemed to constitute approval of the improvements, and the obligor and surety, if any, shall be released from all liability pursuant to such performance guaranty.

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

G. The obligor shall reimburse the township for all reasonable inspection fees paid the Township Engineer for the foregoing inspection of improvements.

H. During the construction of any building, no construction shall continue beyond the foundation of the building until such time as the developer or person constructing the building shall provide a certification to the Township of Florence from a licensed surveyor that the building under construction has been properly located in conformance with the approved site plan or, in the case where no site plan approval was required, in conformance with the setback lines governing the premises.

PART 4: DESIGN STANDARDS

All land development applications shall conform to the following land design requirements, standards, principles, and specifications as well as other applicable ordinances of the Township. Developers may request design waivers or exceptions when the application of any particular standard is unreasonable or unwarranted by site conditions. Applicants shall support any waiver request with sufficient information for the Planning Board to determine whether a design waiver is warranted under particular conditions. Design waivers will only be granted if the standard does not apply, the intent of the standard is satisfied in another manner, or there are particular site conditions that make the application of the standard unreasonable.

ARTICLE XV SUBDIVISION/SITE LAYOUT

§ 255-136 Lot Configuration

A. Purpose. The intent of this section is to establish letting design criteria that will result in an orderly pattern of land development in the Township.

B. All lots shall satisfy the minimum area and yard requirements for the applicable zoning district with land situated entirely within Riverside Township. Undersized lots shall not be created except if there are sufficient reasons for the Planning Board to grant a variance without impacting the zone plan.

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

D. All lots shall front upon an approved public street except where private streets are shown on an approved site plan or subdivision plan.

E. Through lots with frontage on two streets shall only be permitted under the following conditions:

1. Where the lot abuts an arterial or major collector street and access to a street of lower importance would improve traffic flow;

2. Where the length of the lot between both streets is of a length that future division of the lot into two lots is improbable; or,

3. Where access will be gained from the street of lower classification and access to the street of higher importance is prohibited on the development plan and in the deed.

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

G. All lots shall be suitable for their intended purpose. The Planning Board may withhold approval of any lots that are not deemed suitable for their intended purposes due to factors such as steep slopes, poor drainage conditions, flooding conditions, unique natural features, or other substantive environmental condition. If the approval of any lot is withheld due to lot suitability concerns, the Planning Board shall specify the reasons for this action in the resolution.

§255-137. Blocks.

A. Purpose. The intent of this section is to establish block design criteria to be applied throughout the Township in major development.

B. Block length, width and acreage within the block's boundary roads shall be sufficient to accommodate the size lot required in that zoning district and to provide for convenient access, circulation control and traffic safety.

C. Residential blocks in excess of one thousand (1,000) feet are discouraged. If blocks of this length are proposed, pedestrian crosswalks or bikeways between lots may be required in locations deemed necessary by the Planning Board. They shall be at least ten (10) feet wide and be straight from street to street. Blocks over one thousand five hundred (1,500) feet in residential areas shall be prohibited.

D. For commercial and industrial uses, block lengths shall be sufficient to meet area and yard requirements for such uses and to provide proper street access and circulation patterns.

E. Block End Planting. In cases where lot and block design results in undesirable sighting down rear property lines from block ends, a landscape screen of evergreen trees not less than six (6) feet in height shall be provided as block ends by the developer. The screen shall be a minimum of thirty (30) feet in length and centered on the rear property line and at six (6) feet from the edge of sidewalk. The screen shall not affect any sight triangles.

§255-138. Natural Features.

A. Purpose. The intent of this section is to preserve the natural features that are present on the development site to the extent possible.

B. Existing Conditions. The existing conditions plan shall identify the important natural features on the proposed development site including, but not limited to, trees, watercourses, wetlands, hilltops, unique natural habitats, and scenic vistas.

C. Trees. Existing trees shall be preserved by the developer to the fullest extent possible. Special consideration shall be given to the layout of the subdivision or land development and the positioning of dwelling or structures to ensure that existing trees are preserved. Special precautions shall also be taken to protect existing trees during the process of

grading lots and roads. On individual lots, care shall be taken to preserve selected trees to enhance soil stability and the landscape treatment of the area.

D. Watercourses. Where a development is traversed by, or abuts, a lake, pond or stream, the boundaries or alignment of said watercourse shall be preserved and shall conform substantially with the natural alignment or boundary.

E. Unique Features. Unique physical features such as historic landmarks, rock outcroppings, hilltop lookouts and similar features shall be preserved if possible. The Planning Board may, after proper investigation, withhold approval of the lotting of such area or areas.

F. Wooded Buffer Strips. Buffer stripes may be required on all wooded tracts around the perimeter or rear of the development. Such buffer strips, however, may be used in calculating the area of individual lots.

G. Replacement of Trees. In the event that any tree which is shown on the approved site plan or subdivision plan as being preserved is removed or killed during development of the property and prior to issuance of a certificate of occupancy, the Zoning Officer shall issue a written order to the owner of the property directing that the tree, including the stump, shall be entirely removed and replaced with one or more trees of equivalent landscape value as determined in accordance with the current International Shade Tree Evaluation Chart. The replacement tree shall have a diameter of not less than two inches measured at a point four feet above the top of the root ball. The number of replacement trees shall be based on the diameter of the destroyed tree with one replacement tree to be provided for each 12 inches or part thereof of diameter of the destroyed tree. At the time that a replacement tree is planted, the owner of the property shall furnish a maintenance guarantee conditioned upon survival of the tree for a period of one year or one full growing season, whichever is longer, in the amount of \$200 per replacement tree.

H. Treatment of Injured Trees. In the event that any tree which is shown on a site plan or subdivision plan as being preserved is injured during development of the property and prior to issuance of a certificate of occupancy, such tree shall be promptly treated in accordance with accepted tree care practices.

§ 255-139. Conservation Easements.

A. Where the Master Plan or Official Map of the Township delineates floodplains, wetlands, and other critical areas, conservation easements shall be delineated on the land development plan. The removal of trees and ground cover within a conservation easement shall be prohibited, except for the following purposes:

- (1) The removal of dead or diseased trees.
- (2) Limited thinning of trees and growth to encourage the most desirable growth.

(3) The removal of trees to allow for structures designed to impound water or in areas to be flooded in the creation of ponds or lakes.

B. Conservation easements shall be shown on the land development plans in such a manner that their boundaries can be accurately determined. The boundary line of any easement shall be monumented at its intersection with all existing or proposed street lines. Such easement dedication shall be expressed on the plat as follows: "Conservation easement granted to the Township of Riverside as provided for in the Land Use Ordinance of the Township of Riverside."

§ 255-140. Monuments.

Monuments shall be the size and shape required by N.J.S.A. 46:23-9.11 and shall be placed in accordance with the statute and indicated on the final plan or plat.

ARTICLE XVI: CIRCULATION DESIGN

§ 255-141. Site Access Design

A. Subdivision Access Design.

1. Subdivisions abutting arterial streets shall provide a marginal service road or reverse frontage lots with planted buffer strips or such other means of separation of through and local traffic as the Planning Board may determine appropriate.

2. No subdivisions showing reserve strips controlling access to streets shall be approved except where the control and disposal of land comprising such strips has been approved by the Planning Board.

§ 255-142. Street Design

A. General Street Design Criteria.

1. All land development shall be served by paved public streets with an all-weather base and adequate crown in accordance with an approved subdivision and/or site plan application. The arrangement of streets that are not shown on the Township Master Plan shall be such as to provide for the appropriate extension of existing streets and should conform with the topography to the extent practicable.

2. Local streets shall be planned so as to discourage through traffic.

3. When land development adjoins land capable of being subdivided or developed, suitable provisions shall be made for optimum access from the remaining or adjoining lands to existing or proposed streets. If there is any question regarding the suitability of access to the remaining or adjoining lands, the Planning Board shall require the applicant to submit a concept plan that demonstrates an acceptable land access arrangement.

B. Street Hierarchy and Design Criteria.

1. All residential streets shall be classified and designed in accordance with the street hierarchy specified in the RSIS.

2. All non-residential streets shall be classified as local streets, minor or major collector roads, or arterial roads in accordance with the definitions of these terms and shall be designed to conform to the following design standards:

Table 2
Road Design Criteria

<i>Design Criteria</i>	<i>Local Street</i>	<i>Minor Collector</i>	<i>Major Collector</i>	<i>Arterial</i>
Design speed (mph)	35	50	60	70
Maximum degree of curve	16°	7.5°	5°	3.5°
Minimum sight distance	240	350	475	600
Minimum center line	0.5%	0.5%	0.5%	0.5%
Maximum center line	8.0%	8.0%	4.0%	4.0%

3. Street Design and Construction Reference Standards. All road design shall be in accordance with:

a. *Standard Specification for a Policy on Geometric Design of Highways and Streets*, American Association of State Highway Officials, 1990 edition; ·

b. *New Jersey Department of Transportation Design Manual-Roadway*; New Jersey Department of Transportation; 1995 edition;

c. *Standard Specifications for Road and Bridge Construction*; New Jersey Department of Transportation; current edition;

d. *Current Manual on Uniform Traffic Control Devices*, Federal Highway Administration, United States Department of Transportation.

C. Street Right-of-Way/Cartway Width

1. In the event that a development adjoins or excludes existing streets that do not conform to widths as shown on the adopted Township Master Plan or Official Map or the street width requirements of this chapter, additional land along either or both sides of the street, sufficient to conform to the right-of-way requirements, shall be dedicated for the location, installation, repair and maintenance of streets, drainage facilities, utilities and other facilities customarily located on street rights-of-way. If the development is along one side only, one-half of the required extra width shall be dedicated and shall be improved, including excavation, base course and surfacing, in accordance with the approved application. Final approval of a

development application shall not be construed as the acceptance of a street or portion thereof dedicated to public use.

2. The right-of-way and cartway width of all residential streets shall conform to the right-of-way and cartway width standards specified in the RSIS as well as the intent of this Ordinance.

3. In all non-residential land development, the minimum public street right-of-way shall be measured from lot line to lot line and shall be in accordance with the following schedule:

Table 3
Right-of-Way/Cartway Width Requirements

Road Class	Right Of Way	Lanes	Lane Width	Shoulder	Cartway
Arterial	66 feet	2	13 feet	10	46 feet
Major Collector	60 feet	2	12 feet	8	40 feet
Minor collector	54 feet	2	12 feet	5	34 feet
Local	50 feet	2	12 feet	3	30 feet

a. Right-of-way and/or cartway width may be required to be more within and approaching intersections.

b. On-street parking shall be prohibited on arterial or major collector roads. If on-street parking is permitted on minor collectors, additional right-of way or cartway may be required.

c. Shoulder areas shall be paved on all classes of roads.

4. The right-of-way for internal roads and alleys in commercial and industrial development shall be determined on an individual basis by the Planning Board and shall in all cases be of sufficient width and design to safely accommodate expected traffic movements and parking and loading needs.

5. A new street that is a continuation of an existing street shall be continued at the same width as the existing street except if there are substantive changes in the road classification and the related design criteria. The design criteria for a new street shall be determined based on the highest classification of any road segment.

D. Street Intersections.

1. Angle of Intersection. Street intersections shall be as nearly at right angles as possible and in no case shall be less than 75°.

2. Approaches. Approaches to all intersections involving collector or arterial roads shall follow a straight line or a curve with a radius of not less than 700 feet for at least 100 feet.

3. Intersecting Streets. No more than two streets shall meet or intersect at any one point.

4. Street Offsets. New intersections along one side of an existing street shall, if possible, coincide with an existing intersection on the opposite side of the street and the centerlines of both intersecting streets shall pass through a common point. Where necessary, street jogs shall be at least 150 feet between right-of-way centerlines.

5. Access to Major Streets. Any development abutting an existing street classified as an arterial or major collector shall be permitted only one new street connecting with the same side of the existing street, except where the frontage is sufficient, more than one street may intersect the arterial or major collector street, provided that the streets shall not intersect with the same side of the existing street at intervals of less than 800 feet.

6. Block Corners. The block corners of intersections shall be rounded at the curbline with the street having the highest radius requirement as outlined below determining the minimum standards for all curblines:

- a. Arterials: 40 feet;
- b. Local streets: 35 feet;
- c. Collectors: 25 feet.

7. Horizontal Curves. A tangent of at least 100 feet long shall be introduced between reverse curves on arterial or collector streets. When connecting street lines deflect from each other at any one point, they shall be connected by a curve with a radius conforming to standard engineering practice as contained in the NJDOT referenced standard.

8. Vertical Curves. Vertical curves shall be designed in accordance with the AASHTO and NJDOT referenced standard.

9. Deceleration Lanes. Where a driveway serves as an entrance to a development providing 100 or more off-street parking spaces and the abutting road is classified as an arterial or collector road, a deceleration lane shall be provided in accordance with the AASHTO referenced standard. The deceleration lane shall be at least 200 feet long and 13 feet in width measured from the abutting road centerline. A minimum curb return radius of forty feet shall be used from the deceleration lane into driveways.

10. Acceleration Lanes. Where a driveway serves right turning traffic from a parking area providing 200 or more parking spaces and the abutting road is classified as an arterial

or collector road, an acceleration lane shall be provided in accordance with the AASHTO referenced standard.

E. Dead End and Cul-de-sac Street Design. Cul-de-sac streets for residential development are governed by RSIS but should be designed in conformance with the following design guidance to the extent practicable. Dead-end streets for non-residential development shall conform to these design criteria.

1. Dead-end or cul-de-sac streets shall only be permitted when loop streets are not feasible and when the applicant demonstrates that such streets will not have an adverse impact on public safety, overall project design, or the provision of municipal services.

2. Cul-de-sac streets shall be no more than 600 feet in length (excluding the turnaround) and shall provide access to no more than 20 dwelling units where such access is to single-family detached dwellings only or to no more than 60 dwelling units where access is to other than single-family detached dwellings.

3. A turnaround shall be provided at the end of the cul-de-sac with a radius of 50 feet on the curbline plus a utility and planting strip of 10 feet around the entire cul-de-sac. The center point for the radius shall be the centerline of the associated street or, if offset, offset to a point where the radius becomes tangent to the right curb line of the associated street.

4. If a cul-de-sac is temporary, the turnaround shall be provided temporarily with provisions for the future extension of the street and reversion of the excess right-of-way to adjoining properties.

F. Driveway Access. Driveways for single and two family structures shall conform to the following standards:

1. The minimum width of a driveway shall be 12 feet.

2. No driveway access shall be permitted on a collector or arterial road on a traffic circle, on a ramp of an interchange; or within 30 feet of an intersection;

3. Driveway grades shall not exceed 10% and shall be designed to prevent bottoming out of vehicles;

4. Concrete aprons shall be provided at the end of all driveways;

G. Street Names. No street shall have a name which will duplicate or so nearly duplicate the name of an existing street name so that confusion results. The continuation of an existing street name shall have the same name. Curvilinear streets shall change their name only at street intersections. The Board reserves the right to approve or name streets within a proposed development.

H. Pavement Design. The pavement materials and construction methods on county and state roads shall conform to the standards of the appropriate jurisdiction. The pavement construction materials and construction methods for Township streets shall conform to the following standards:

1. General. All materials, equipment and methods of construction shall conform to the latest edition of the *Standard Specifications for Road and Bridge Construction* issued by the New Jersey Department of Transportation. Each stage of construction shall be approved by the Township Engineer prior to commencing the next stage.

2. Sub grade or Gravel Base. The subgrade or gravel base shall be in a properly finished condition conforming to the proper line and grade and free of any soft spots or other deficiencies. Within 24 hours prior to the commencement of paving, the subgrade or gravel base course shall be tested by running a roller of a weight as great or greater than that to be used in the paving operation over the entire pavement area. When, in the opinion of the Township Engineer or his representative, such testing results in excessive deformation, the subgrade or gravel base course shall be stabilized in a manner that is satisfactory to the Township Engineer. Adequate underdrains shall be constructed where the normal groundwater table is within two feet of the surface of the sub grade.

3. Subbase. If the sub grade has a California Bearing Ratio (CBR) value of 20 or greater (as determined by the ASTM Bearing ratio of Laboratory Compacted Soils-ASTM Designation D 1883), no subbase course is required. Subgrade soil Types A-1, A-2-4 and A-2-5 as determined by the AASHTO Classification System for soils (AASHTO Designation M 145) will not normally require a subbase course. Subgrade soils of other types will normally require a subbase course of Soil Aggregate Type 2, Class A or B with a minimum thickness of four inches to provide the require CBR value. All subgrades shall be considered poor unless the developer proves otherwise through CBR or soil testing methods or field evaluation of soil classification. All test results shall be submitted to the Township Engineer.

4. Gravel Base Course Construction. When a granular base course is used, it shall be dense graded aggregate conforming to Section 901.08 or soil aggregate designation I-5 conforming to Section 901.09 and shown in Table 901-2 of the NJDOT *Standard Specifications for road and Bridge Construction*. The granular base course shall constructed in full conformance with these specifications.

5. Base Course Thickness. All streets classified as local streets shall have a bituminous stabilized base course four inches thick or in the alternative five inches of a dense graded aggregate and three inches of bituminous stabilized base course on an acceptable subgrade. All streets classified as collector or arterial streets shall have a bituminous stabilized base course five inches thick or in the alternative six inches of a dense graded aggregate and four inches of bituminous stabilized base course on an acceptable subgrade. Greater thicknesses may be required by the Township Engineer when warranted by subgrade conditions.

6. Stabilized Base Course Construction. Bituminous-stabilized base course materials shall conform to Sections 301.02 and 304.02 of the NJDOT *Standard Specifications for Road and Bridge Construction* and the stabilized base course shall be constructed in conformance with those specifications. Upon completion, uniformly selected core samples intact for full thickness of the base course shall be provided at the rate of one sample for every 1,000 square yards of base course, at the expense of the developer. Where deficiencies in required thicknesses are noted, at least two (2) additional cores will be required to determine the extent of the deficiency. When the pavement, as indicated by the core sample, shows a deficiency of 14 inch or more from the required thickness, the Township Engineer, may at his option require direct the developer to remove and replace the bituminous-stabilized base course to the correct thickness or construct an overlay of bituminous concrete to correct the thickness efficiency.

7. Surface Course Materials. Surface course materials shall conform to sections 401.02 and 404.02 of the New Jersey Department of Transportation *Standard Specifications for Road and Bridge Construction* and shall be placed over a properly installed and, where needed, repaired base course. Prior to the construction of the surface course, a tack coat, as specified in the *Standard Specifications*, shall be applied.

8. Surface Course Construction. Upon completion of the surface course, the developer shall provide core samples therefrom in accordance with the procedures outlined above for the base course sampling. The average thickness of the surface course, as determined from the core samples, shall be not less than two inches. When the pavement, as indicated by any core samples, indicates a deficiency of 1A inch or more from the required thickness, the Township Engineer may at his option direct the developer to remove and replace the surface course to the correct thickness or construct an overlay of bituminous concrete, suitable to the Engineer, to correct the thickness deficiency.

9. When a local street is proposed within a development which either ends in a cul-de-sac or loops through the development to provide two intersections with local, collector or arterial streets within the Township, said local street shall not extend across municipal boundaries.

§ 255-143. Off-street Parking and Loading.

A. Purpose. The intent of this section is to ensure that land development provides off-street parking and loading areas that are sufficient to accommodate the traffic generated by the proposed use: efficiently arranged for safe and convenient use; provide for the separation of pedestrian and vehicular movement; ensure public safety and fire protection; and have no adverse impacts on adjacent properties.

B. Access Design.

1. Access Drives. The access drives to off-street parking or loading areas shall be designed to satisfy the following requirements:

a. Access drives shall be limited to a maximum of two (2) drives to any one street and the centerlines of the access drives shall be spaced at least 65 feet apart; except when the width of the property exceeds five hundred feet in length, one access drive shall be permitted for every 250 feet of road frontage;

b. Access drives shall be located at least twenty feet from any property line;

c. Access drives shall be located at least fifty feet, or one-half of the lot frontage, whichever is less, from the street line of an intersecting street;

d. Access drives shall handle no more than two lanes of traffic;

e. The width of the curb cut shall be determined by the type and lanes of traffic; The design basis of curb cuts over 24 feet in width will be carefully reviewed based on the extent and direction of traffic flow with particular attention to curb radii, dividers and curb cut width;

f. Curbing shall either be depressed or have curb radii at the intersection with the public street;

2. Internal Access. The access to off-street parking and loading spaces shall be designed to satisfy the following requirements:

a. Each parking and loading space shall be served by internal onsite driveways designed to enable each vehicle to access the parking or lading space without requiring the movement of another vehicle;

b. Each parking space shall be designed so that vehicles will not encroach on the public right-of-way when backing out of the space;

c. Parking spaces shall be set back at least 15 feet from the right-of-way line;

C. Parking and Loading Area Location.

1. Parking and loading spaces shall be provided off the street and on the same lot as the use being served unless a cooperative arrangement is approved by the Planning Board.

2. No off-street parking space shall have direct access from a street.

3. No off-street loading and maneuvering areas shall be located in any front yard nor require any part of a street.

4. Loading spaces shall abut the building being served and shall be located to directly serve the building for which the space is being provided.

5. No loading and parking spaces shall be located in any required buffer area.

6. Parking spaces located to service residential uses shall be within one hundred fifty (150) feet of the entrance of the building. Parking spaces located to service commercial or industrial uses shall be within three hundred (300) feet of the building entrance.

7. Parking spaces for residential uses may be located in any yards as designated for individual structures within a complex, but parking shall be discouraged from being located in the yard space between the existing public streets and the setback line but, when located within this yard area, shall be set back from the street a minimum of one hundred (100) feet.

8. No parking shall be permitted in designated fire lanes, streets, driveways, aisles, sidewalks or turning areas.

9. Parking spaces for shopping centers may be located in any side or rear yard, and if approved by the Planning Board, the front yard.

10. No more than twenty percent (20%) of the total number of parking spaces required for office buildings (other than offices in a shopping center) may be located in the front yard.

11. No commercial motor vehicle, school bus, dump truck, walk-in van or construction equipment shall be parked or stored anywhere in a Residential zoning district, except when the vehicle is being used in the transaction of business with the owner or occupant of the property. Commercial motor vehicles shall include all commercially licensed vehicles and all trucks or vans with a gross registered weight in excess of eleven thousand (11,000) pounds. The provisions of this subsection shall not apply to the parking or storage of school buses and school vans on public school, private school or parochial school property

D. Minimum Dimensional Standards

1. Off-street Parking Space.

a. Residential. The dimensions of the off-street parking for multi-family residential development shall conform to the RSIS.

b. Non-residential. Off-street parking spaces shall be a minimum of 10 feet wide and 20 feet in length for commercial businesses, visitor areas, or any other locations where high turnover is anticipated. Applicants may petition the Planning Board to reduce the parking space size in low turnover areas such as employee parking but in no case shall off-street

parking spaces be less than 9.5' in width and 18 feet in length. Parallel spaces shall be twenty-five (25) feet long.

c. Handicapped spaces. The design of the handicapped parking shall comply with the requirements of the American with Disabilities Act, Public Law 101-336 and the New Jersey Barrier Free Access Code.

2. Drive Aisles.

a. Residential. The dimensions of the drive aisles in off-street parking areas for multi-family residential development shall conform to the RSIS.

b. Non-residential. The drive aisle width in parking lots serving nonresidential uses shall conform to the following:

Parking Spaces Ten Feet Wide		
Angle of Parking	One-Way Aisle (feet)	Two-Way Aisle (feet)
90°	22	25
60°	18	22
45°	15	22
30°	12	22
Parallel	12	22

3. Off-street Loading. Off-street loading spaces shall have a minimum vertical clearance of fifteen feet and shall be designed in accordance with the following schedule.

Loading Space		Combined Apron and Aisle	
Length (feet)	Width (feet)	90° (feet)	60° (feet)
60	10	72	66
60	12	63	57
60	14	60	54

E. Minimum Off-street Parking Requirements. Adequate off-street parking spaces shall be provided for all residential, commercial, and industrial uses in accordance with the following requirements:

1. The required parking shall be measured exclusive of interior driving lanes and maneuvering areas.

2. When the computation of the number of required parking spaces results in a fraction, such fractions shall be resolved to the next highest whole number.

3. Residential. The number of off-street parking spaces required for residential uses shall be determined based on the RSIS.

4. Non-Residential. The number of parking spaces required for non-residential uses shall be determined by the amount of gross floor area as defined in this chapter or such other measure indicated in Table 4. Where a particular site or facility contains more than one (1) use, the total parking requirements shall be the sum of the component parts, unless indicated otherwise.

5. Handicapped Parking. The number of off-street parking spaces designated for the disabled shall comply with the requirements of the American with Disabilities Act, Public Law 101-336 and the New Jersey Barrier Free Access Code. These spaces are to be included within the total number of parking spaces required for the particular use.

Table 4
Off-street Parking Requirements for Non-Residential Uses

Use	Minimum Off-Street Parking Requirement
Assembly Operation	One Space per 1,000 square feet GFA
Auto Body/Repair	One space per 500 square feet of GFA; Plus one vehicle used onsite
Auto Dealer, New/Used	2.5 spaces per 1,000 square feet of GFA plus 110% of maximum vehicle inventory plus requirement for auto repair area
Bowling Alley	Four spaces per alley
Car Wash, Full Service	Eight spaces per washing lane
Car Wash, Self Service	One per bay plus one per employee
Church/Synagogue/House of Worship	One space per three seats
Commercial recreation, indoor (excluding Bowling Alleys)	One space per 100 square feet of GFA plus one space per employee maximum shift
Commercial recreation, outdoor	One space per 100 square feet of outdoor area used by patrons plus one space per employee
Community Swimming Pool	One space per 15 square feet of pool surface area
Child Day Care Centers	One space per 60 square feet of GFA
Fiduciary Institutions	One space per 250 square feet of GFA
Home Occupation	One space per 250 square feet of net floor area devoted to occupation plus one space per non-resident employee

Use	Minimum Off-Street Parking Requirement
Hospital	One and one-half spaces per bed
Industrial (manufacturing, assembly, manufacturing)	One space per 1,000 square feet of GFA
Library	One space per 300 square feet of GFA
Medical office; Center*	One space per 200 square feet of GFA
Mortuary; Funeral Home	Ten spaces per viewing room (including Chapel)
Night Club	One space per 60 square feet of GFA
Nursing Homes; Assisted Living	0.75 space per bed plus one per employee maximum shift
Personal Service*	One space per 200 square feet of GFA
Professional Office; Center*	One space per 250 square feet of GFA
Research Facility	One space per 800 square feet of GFA
Restaurant. sit down	One space per seats plus one space per employee maximum shift
Restaurant, take-out	One space per 50 square feet of GFA
Retail Store	One space per 200 square feet of GFA
School	Greater of one per employee or 2.5 spaces per classroom
Service Station (fuel only)	0.5 per fill area plus one per employee maximum shift
Service Station (full service)	Four spaces per service bay
Tavern	One space per two seats
Theater (movie; performing arts)	One space per three seat
Veterinary Hospital	Six spaces per examination room
Warehousing; Shipping, receiving	One space per 5,000 square feet of GFA

**Note: The parking standards for these uses does not apply to home occupation uses. (see home occupation standard)*

F. Minimum Off-street Loading Requirements. Adequate off-street loading and

maneuvering space shall be provided for every use. The minimum number of loading spaces shall be based on Table 5. Those uses not listed shall provide sufficient spaces as determined under site plan review:

1. A minimum of one (1) space per use, except that where more than one (1) use shall be located in one (1) building or where multiple uses are designed as part of a shopping center or similar self-contained complex, the number of loading spaces shall be based on the cumulative number of square feet within the building or complex, shall be dispersed throughout the site to best serve the individual uses and shall have site plan approval.

2. There shall be a minimum of one (1) trash/garbage pickup location, separate from the parking and loading areas, located either within or outside of a building in steel-like, totally enclosed containers, located and screened to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts. If located within the building, the doorways may serve both the loading and trash/garbage collection functions. If a container is used for trash/garbage collection functions and is located outside the building, it may be located adjacent to or within the general loading areas, provided that the containers in no way interfere with or restrict the loading and unloading functions.

3. Where any use is located on a tract of at least fifty (50) acres and no portion of a loading area, including maneuvering areas, is closer than two hundred (200) feet to any property line and where the length of the driveway connecting the loading area may be less than the number required by the above schedule provided, the applicant, as part of the site plan application, shall indicate on his site plan and shall document to the Planning Board how the number of spaces to be provided will be adequate to meet the needs of the specific use proposed.

Table 5
Off-street Loading Requirements for Non-Residential Uses

Use	Minimum Off-Street Loading Requirement
Hospital	One space for the first 10,000 square feet of GFA and one space for each additional 100,000 square feet of GFA
Industrial-(manufacturing, assembly, fabrication)	One space for the first 5,000 square feet of GFA and one space for each additional 40,000 square feet of GFA
Mortuary; Funeral Home	One space per 10,000 square feet of GFA
Nightclub	One space for the first 10,000 square feet of GFA and one space for each additional 25,000 square feet of GFA
Restaurant, Sit Down	One space for the first 10,000 square feet of GFA and one space for each additional 25,000 square feet of GFA
Retail Store	One space for the first 10,000 square feet of GFA and one space for each additional 40,000 square feet of GFA

Warehousing, shipping, receiving	One space for the first 5,000 square feet of GFA and one space for each additional 40,000 square feet of GFA
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G. Variances from Minimum Parking or Loading Requirements. The Planning Board may allow an applicant to provide fewer parking or loading spaces for a proposed development than required, upon application for a bulk variance and with public notice in accordance with the following:

1. No variance from parking or loading space requirements shall be approved unless the applicant proves entitlement to such variance in accordance with criteria applicable to bulk variances. The factors to be taken into account by the Planning Board shall include, but not be limited to the following:

- a. Amount of land available on the site to provide parking or loading spaces.
- b. Availability of adjacent land to enlarge the site.
- c. Feasibility of space-conserving alternatives such as underground or aboveground parking.
- d. Adequacy of existing parking on the site.
- e. Severity of existing traffic and traffic congestion at and near the site.
- f. If the applicant also requires a variance to enlarge a nonconforming use or structure, an analysis of the particular benefits to Florence Township to be gained from such enlargement compared with the disadvantages.
- g. Any facts pertaining to the particular site, its existing and proposed use, its history, its needs for parking and loading spaces, and the area surrounding the site.

2. Expert Testimony. The Planning Board may require the applicant to submit written and oral traffic studies, engineering studies, designs, plans or any other form of expert testimony which it deems necessary or helpful in order to reach an informed decision on the matter.

3. Limitation. In the case of vacant or unimproved land, the municipal agency shall not approve an application for development that provides less than seventy-five percent (75%) of the parking or loading spaces required by this chapter. In all other cases, no application for development that provides less than seventy-five percent (75%) of the required parking or loading spaces shall be approved without a showing by the applicant of extraordinary and compelling justification.

4. Landscaped Parking. The applicant shall compensate for any reduction in required parking or loading spaces by providing suitable landscaping, additional drainage or percolation area open space or better aesthetics for the site. If the site permits, an amount of land equal in square footage to that contained in the number of parking or loading spaces not provided by the applicant as a result of bulk variance applied for under this section shall be set aside as "landscaped parking" and specifically noted on the plan. Such "landscaped parking" shall not be built upon nor considered in calculating front, side or rear yard areas or buffer area.

H. Curbs. Off-street parking and loading areas shall be required to have concrete or Belgian block curbing around the perimeter of the parking and loading areas and to separate major interior driveways from parking spaces. Curbing shall also be installed within the parking or loading areas to define segments of the parking or loading areas. Concrete wheel blocks shall be located within designated parking or loading spaces. All curbing shall be located in conjunction with an overall drainage plan. Curbing installed at locations requiring pedestrian or bicycle access over the curbing shall be designed with breaks in the curb height with ramps from the street grade to the sidewalk. The breaks shall be either opposite each traffic lane or no less frequent than one (I) every sixty-five (65) feet along the curb.

I. Drainage. All parking and loading shall have drainage facilities installed in accordance with good engineering practice as approved by the municipal agency engineer. Where subbase conditions are wet, springy or of such nature that surfacing would be inadvisable without first treating the subbase, these areas shall be excavated to a depth of six (6) inches to twelve (12) inches below the proposed finished grade and filled with a suitable subbase material as determined by the Township Engineer. Where required by the Engineer a system of subsurface drains shall be constructed beneath the surface of the paving and connected to a suitable drain. After the subbase material has been properly placed and compacted, the parking area surfacing material shall be constructed.

J. Pavement Design.

1. Base Course- Heavy Traffic Areas. Areas of ingress and egress, loading and unloading areas, major interior driveways and aisles and other areas likely to experience similar heavy traffic shall have the same base course construction as that specified for arterial and collector streets in Section DS7H5&6.

2. Base Course- Light Traffic Areas. Parking space areas and other areas likely to experience light traffic shall have the same base course construction as that specified for local streets in Section DS7H5&6.

3. Surface Course. Parking and loading areas shall have a surface course that conforms to Section DS7H7&8.

K. Buffers. Parking and loading areas for commercial and industrial uses shall be buffered from adjoining streets, existing residential uses or any residential zoning district in accordance with the buffer and screening requirements of this chapter.

L. Landscaping. Landscaping in parking and loading areas shall be shown on the landscaping plan. Trees shall be staggered or spaced so as not to interfere with driver vision, have branches no lower than six (6) feet and be placed at the rate of at least two (2) trees for every ten (10) parking spaces. All areas between the parking area and the building shall be landscaped per approved drawings. Any plant material not surviving for a period of two (2) years shall be replaced with the same or equivalent size species. A majority of the parking area shall be screened from streets by buildings, landscaped berms, natural ground elevation or plantings singularly or in combination.

§ 255-144. Curbs and Gutters.

A. Curbing Requirement. Curbs or curb and gutter shall be provided along all public streets, off-street parking and off-street lading areas unless specifically exempted by RSIS or by a design waiver granted by the Planning Board in accordance with Paragraph D below.

B. Curb Type. The only types of curbing permitted in the Township shall be concrete curb, monolithic curb and gutter, or granite block curbing. Granite block curbing may be required by the Planning Board whenever it would enhance the appearance of a residential, commercial, or industrial development.

C. Curb Construction. All curbing shall be constructed in accordance with the following:

1. Standard monolithic concrete curbs and gutters will be required along the pavement edge of streets in conformance with the Standard Specifications of the New Jersey Department of Transportation, as amended. Class B Concrete shall be used in the construction of the curb and gutter.

2. Expansion joints shall be provided at intervals of 20 feet or when new Construction abuts existing construction. The expansion joints shall be filled with one-half-inch-thick cellular material conforming to the requirements therefore contained in the Standard Specifications of the New Jersey Department of Transportation, as amended to date, to within 1/2 inch of the top and face of the curb and to within 1/4 inch to the top of the gutter. All joints shall extend the full depth of the structure.

3. Finished curbs and gutters shall be true to applicable grades, lines, dimensions and curvatures. Exposed edges shall be neatly rounded to a one-half inch radius. Depressed curb ramps for the handicapped shall be installed at all radii in accordance with the laws of the State of New Jersey. Completed work shall be protected by curing methods

approved by the Township Engineer for at least three days. Damaged, broken or cracked work shall be renewed by the contractor at his expense.

D. Design Waiver. If a developer requests a design waiver from the curb or curb and gutter requirement, the Planning Board shall consider the following guidelines in considering the waiver request:

1. Curbs or curb and gutters shall be required for any commercial or industrial development generating large volumes of vehicular traffic or lying in close proximity to such development and at all street intersections.

2. Curbs or curbs and gutters shall be required in conjunction with any multifamily residential development and with higher density single- or two-family subdivisions having average lot sizes of ½ acre or less.

3. Curbs or curbs and gutters shall be required in any case where, in the opinion of the Township Engineer, low gradients, unusual soil, structural problems or other conditions indicate susceptibility to poor surface water flow or lack of uniformity in shoulder grades.

4. Curbs or curbs and gutters shall be required along existing or proposed municipal streets or roads in conjunction with any proposed development that would otherwise, in the opinion of the Township Engineer, contribute to an adverse drainage condition, soil erosion or watercourse siltation.

§ 255-145. Pedestrian Access Design (Sidewalks/Walkways)

A. Purpose. The purpose of this section is to require the provision of sidewalks and walkways that are necessary for the creation of a pedestrian network throughout the Township. Land development shall be designed to encourage pedestrian activity along public thoroughfares and other appropriate destinations.

B. Sidewalk Requirement. Sidewalks (and related aprons) shall be required along all streets and shall be constructed by the developer in accordance with the following criteria:

1. Existing sidewalks shall be extended throughout all areas of the Township when the roads upon which they are located are extended;

2. Sidewalks shall be provided on both sides of all local streets within residential land developments except when specifically exempted by RSIS.

3. Sidewalk linkages shall be provided throughout all areas of the Township between existing and/or previously approved sidewalks unless specifically waived in specific locations by the Planning Board in accordance with Paragraph D below.

4. Sidewalks may be located in the traditional manner between the proposed edge of the pavement and right-of-way line of the street, or, in the alternative, the Board may require that the sidewalks be set back further from the proposed edge of the pavement and be constructed in a meandering pattern. In such instances, the sidewalks ordinarily will be located both within the street right-of-way and an additional five feet of the ten-foot strip of land adjacent the street right-of-way otherwise provided for the location of underground utilities and street trees where required.

5. When sidewalks are constructed in the traditional manner set back approximately five feet from and parallel to the street right-of-way line, street trees shall be required between the edge of pavement and the sidewalk. However, when the meandering pattern of sidewalk construction is required, trees and shrubs shall be planted in concentrated areas at locations where the sidewalk turns as well as at other locations required and approved by the Planning Board.

C. Sidewalk Construction.

1. Sidewalks, aprons and sidewalks at aprons shall be concrete and shall be constructed in accordance with the Standard Construction Details promulgated by the Township Engineer. Sidewalks shall be at least four feet wide, shall be constructed of Class C Portland cement, and shall adhere to the construction details set forth for curbs in Section DS10 above. Additionally, where subgrade is yielding or otherwise unsatisfactory in the opinion of the Township Engineer, all unsuitable material shall be removed, and suitable material shall be applied until the subgrade is nonyielding to the satisfaction of the Township Engineer.

2. The Joint Land Use Planning Board may permit the use of bituminous concrete sidewalks, according to specifications and subject to approval of the Township Engineer, in low traffic locations outside of public right-of-ways and areas where they would be more conducive to the site design such as walking/jogging paths in common open space areas.

3. Finished sidewalks shall be true to specified lines, grade, dimensions and curvatures. Completed work shall be adequately protected from traffic and the elements.

D. Design Waiver. In those cases where a developer requests a waiver from the requirements of sidewalks as set forth in this section, the Board, in considering such waiver, shall take into account the guidelines that sidewalks should be required in the case

of any development or portion thereof lying in close proximity to school sites and other pedestrian movement generators, including but not limited to recreational facilities, churches, clubs, eating establishments and retail shopping centers. Design waivers shall only be granted for good cause, such as the existence or proposed alternate linkages for pedestrian movement and/or a determination that such specific linkages will not be utilized or other specific reasons.

§ 255-146. Bikeways.

A. **Purpose.** The intent of this section is to require the establishment of bikeways at appropriate locations. Separate bicycle paths and lanes shall only be required where such bike paths or lanes have been shown in the Township master plan or on the official map.

B. **Bicycle Lanes.** Bicycle lanes, where provided, shall be placed in the outside lane of a roadway, adjacent to the curb or shoulder. When on-street parking is provided, the bicycle lane shall be between the parking lane and the outer lane of moving vehicles. Lanes shall be delineated with striping and the appropriate logo.

C. **Bicycle Grates.** Bicycle-safe drainage grates shall be used in the construction of all residential and commercial streets.

D. **Bikeway Construction.** Bikeways shall be constructed in accordance with the latest edition of the New Jersey Department of Transportation's Planning and Design Guidelines for Bicycle Compatible Roadways and Bikeways and the AASHTO Guide [or the Development of Bicycle Facilities].

ARTICLE XVII: GRADING /DRAINAGE

§ 255-147. Grading and Filling.

A. **Purpose.** The regulations of grading and filling promote the protection of environmental interests and protect the rights of adjacent property owners. All grading and filling operations are to be closely reviewed to protect the interests stated.

B. **Design Criteria.** Sites shall be graded and filled in accordance with the following design criteria:

1. All lots where fill material is to be deposited shall have clean fill or topsoil deposited, which shall be graded to allow complete surface drainage of the lot into local storm sewer systems or natural drainage courses.

2. All imported fill shall be analyzed for environmental quality before the material is brought to the site. The test protocol for the imported fill or topsoil soil shall be approved by the Township Engineer.

3. No soil shall be removed from a site unless the soil removal was authorized by the terms of land development approval and the disposition of the soil has been approved by the Township Engineer. Soils that are being excavated and removed from the site must be analyzed for environmental quality except if these soils were included in testing undertaken as part of an environmental site assessment.

4. No regrading of a lot shall be permitted which would create or aggravate water stagnation or a drainage problem on the site or on adjacent properties or which will violate the provisions regulating soil erosion and sediment control, soil removal or floodplains contained in this Chapter.

5. Grading shall be limited to areas shown on approved site plans or subdivisions. Any topsoil disturbed during approved excavation and grading operations shall be redistributed throughout the site.

6. Any land development of property that is below the elevation of the top of curb of the adjacent public street shall require the submission and approval of a site grading plan.

7. All applications for major development shall include cut and fill calculations indicating the estimated quantity of soil to be removed from the site and imported to the site. The Board Engineer shall review the data as part of the development review process to determine if the quantities to be removed or imported can be reduced.

§ 255-148. Stormwater Management Ordinance

A. Purpose. The purpose of this Section is to establish minimum stormwater management requirements and controls for land development in the Township.

B. Applicability. The stormwater management design standards and requirements of this section shall apply to land development that will ultimately disturb more than one acre or increase impervious surfaces by more than 10,890 square feet.

C. Design Objectives. The State of New Jersey has adopted Stormwater Management Regulations (N.J.A.C. 7:8 et. seq.) that establish the design objectives of stormwater management throughout the state. These regulations require the use of nonstructural best management practices (BMPs) and structural BMPs to achieve specific performance standards. The stormwater management design objectives can be summarized as follows:

- Nonstructural BMPs or low impact techniques should be considered for flood control, groundwater recharge, and pollutant reduction before the use of structural BMPs;
- Structural BMPs should be integrated with nonstructural stormwater management measures and proper maintenance plans;
- Multiple stormwater management BMPS may be necessary to achieve the established performance standards for water quality, water quantity, and groundwater recharge.
- Nonstructural measures include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site;
- Source control plans should be developed based upon physical site conditions and the origin, nature, and anticipated loading, of potential pollutants.

D. Technical Guidance. The design engineer shall rely on the following documents for technical guidance in the preparation of the stormwater management system design:

1. *New Jersey Stormwater Best Practices Manual*, as amended, prepared by the New Jersey Department of Environmental Protection.
2. *Stormwater Management Facilities Maintenance Manual*, as amended, prepared by the New Jersey Department of Environmental Protection.
3. *Standards for Soil Erosion and Sediment Control in New Jersey* promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90.
4. *GSR-32 A Method for Evaluating Ground Water Recharge Areas in New Jersey* prepared by the New Jersey Geological Survey.

E. General Design and Performance Standards. Stormwater management measures for land development shall be developed to meet the Stormwater Management Standards of this Section. The Stormwater Management Standards are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and to maintain groundwater recharge in accordance with the following standards.

1. To the maximum extent feasible, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet the specified standards, structural stormwater

management measures necessary to meet these standards shall be incorporated into the design.

2. Residential land development that is regulated under the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21 shall be governed by RSIS except to the extent that the RSIS are superceded by the Stormwater Management Regulations (N.J.A.C. 7:8 et. seq.) that are the basis of this Section.

3. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Environmental Impact Statement, particularly with regard to *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergii* (bog turtle).

F. Stormwater Management Standards. This section contains minimum design and performance standards to control erosion, encourage and control infiltration and groundwater recharge, and to control stormwater runoff quantity and quality impacts.

1. Erosion Control Standard. The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.

2. Groundwater Recharge Standards. The land development shall be designed to provide for groundwater recharge in accordance with the following requirements:

a. Recharge Standard. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations specified in this Section, either demonstrate that the site and its stormwater management measures maintain 100% of the average annual pre-construction groundwater recharge volume for the site or demonstrate that the increase of stormwater runoff volume from pre-construction to post construction for the 2-year storm is infiltrated.

b. Impact. The design engineer shall assess the hydraulic impact of the groundwater recharge measures on the groundwater table and site design so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table so as to cause surficial ponding, flooding of basements, or interference with the proper operation or subsurface sewage disposal systems and other subsurface structures in the vicinity or down gradient of the groundwater recharge area.

c. Exemptions. This groundwater recharge standard does not apply to:

(1) Projects that qualify as "urban redevelopment";

(2) Stormwater from areas of high pollutant loading; (High pollutant loading areas are areas in industrial and commercial developments where solvents

and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than 'reportable quantities' as defined by the United State Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities); and

(3) Industrial stormwater exposed to "source material"; ("Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to industrial activities that are exposed to stormwater.)

3. Stormwater Runoff Standard. In order to control stormwater runoff quantity impacts, the site design shall comply with one of the following requirements:

a. The post construction runoff hydrographs for the 2, 10 and 100 year storm events for stormwater leaving the site do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

b. There is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2, 10, and 100 year storm events and the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area; or

c. The post construction peak runoff rates for the 2, 10 and 100 year storm events are designed to be 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of storm water runoff will not increase flood damage below the point of discharge.

4. Stormwater Runoff Quality Standards. The stormwater management measures shall be designed to reduce the post construction load of total suspended solids (TSS) in stormwater runoff by 80 percent of the anticipated load from the developed site, expressed as an annual average in accordance with the following requirements:

a. Stormwater management measures shall only be required for water quality control if an additional 1/4 acre of impervious surface is being proposed on a development site.

b. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement.

c. Water Quality Calculations. The water quality design storm is defined as 1.25 inches of rainfall in two hours distributed in the manner reflected in Table 6. The calculation of the volume of runoff may take into account the implementation of non-structural and structural stormwater management measures.

<i>Table 6: Water Quality Design Storm Distribution</i>			
Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
0	0.000	65	0.891
5	0.008	70	0.991
10	0.016	75	1.0500
15	0.025	80	1.0840
20	0.050	85	1.1170
25	0.075	90	1.1500
30	0.100	95	1.1750
35	0.133	100	1.2000
40	0.166	105	1.2250
45	0.200	110	1.2334
50	0.258	115	1.2417
55	0.358	120	1.2500
60	0.625		

d. Total Suspended Solid (TSS) Reduction Calculations. The presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual are presented in Table 7. TSS reduction shall be calculated based on the specified removal rates for the BMPs. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the satisfaction of the Board Engineer.

<i>Table 7: TSS Removal Rates for BMPs</i>
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Best Management Practice	TSS % Removal Rate
Bioretention Systems	90
Constructed Stormwater Wetland	90
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	See Section 5.C
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-90

e. If more than one BMP in series is necessary to achieve the required 80% TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (AXB)/100$$

Where:

R = total TSS percent load removal from application of both BMPs, and

A = the TSS percent removal rate applicable to the first BMP

B = the TSS percent removal rate applicable to the second BMP

f. If there is more than one on-site drainage area, the 80% TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average.

g. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the Stormwater Management Standards.

G. Calculation of Stormwater Runoff and Groundwater Recharge. Stormwater runoff and groundwater recharge shall be calculated in accordance with the following:

1. The design engineer shall calculate stormwater runoff using one of the following methods:

a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4- Hydrology and Technical Release 55- Urban Hydrology for Small Watersheds; or

b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.

2. Runoff Coefficients. For the purpose of calculating runoff coefficients and groundwater recharge, the design engineer shall presume that the pre- construction condition of a site or the portion thereof has a wooded land use with good hydrologic condition. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.

4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release-55, Urban Hydrology for Small Watersheds and other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

6. Groundwater recharge shall be calculated in accordance with the New Jersey Geological Survey Geological Survey Report GSR-32 *A Method for Evaluating Groundwater Recharge Areas in New Jersey*, incorporated herein by reference, as amended and supplemented.

H. Stormwater Management Exemptions

1. Exemption. The following linear development projects are exempt from conforming to the Stormwater Management Standards:

- a. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
- b. The construction of an above ground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
- c. The construction of a public pedestrian accessway, such as a sidewalk or trail with a maximum width of 14 feet, provided that the accessway is made of permeable material.

2. Design Waiver. A waiver from strict compliance from the Stormwater Management Standards may be granted for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian accessway, provided that the following conditions are met:

- a. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
- b. The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the Stormwater Management Standards to the maximum extent practicable;
- c. The applicant demonstrates that, in order to meet the Stormwater Management Standards, existing structures currently in use, such as homes and buildings would need to be condemned; and
- d. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands within the upstream drainage area of the receiving stream that would provide additional opportunities to mitigate for the Stormwater Management Standards that were not achievable on-site.

I. Nonstructural Stormwater Management Strategies. To the maximum extent practicable, the Stormwater Management Standards shall be met by incorporating nonstructural stormwater management strategies into the design in accordance with the following:

- 1. The applicant shall identify the nonstructural measures incorporated into the site design in the Stormwater Management Report.
- 2. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures into the site design, the applicant shall identify the strategies considered and provide a basis for the contention that these strategies did not apply.

3. Nonstructural stormwater management measures incorporated into site design shall:

- a. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
- b. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
- c. Maximize the protection of natural drainage features and vegetation;
- d. Minimize the decrease in the "time of concentration" from preconstruction to post construction. ("Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed.)
- e. Minimize land disturbance including clearing and grading.
- f. Minimize soil compaction;
- g. Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
- h. Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;
- 1. Provide other source controls to prevent or minimize the use of exposure of pollutants at the site in order to prevent or minimize the release of those pollutants into stormwater runoff including, but not limited to:
 - a. Site design features that help to prevent accumulation of trash and debris in drainage systems;
 - b. Site design features that help to prevent discharge of trash and debris from drainage systems;
 - c. Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
 - d. When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.

e. Any land area used as a nonstructural stormwater management measure to meet the Stormwater Management Standards shall be dedicated to the Township, subject to a conservation easement filed with the County Clerk, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the Planning Board is maintained in perpetuity.

J. Structural Stormwater Management Measure Standards. Structural stormwater management measures shall be designed in accordance with the following requirements:

1. The structural measures shall be designed to account for existing site conditions, including, environmentally critical areas, wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone).

2. The structural measures shall be designed to minimize maintenance, to facilitate maintenance and repairs, and to ensure proper functioning.

3. Structural measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.

4. Trash racks shall be installed at the intake to the outlet structure and shall be designed in accordance with Paragraph J of this Section.

5. At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of two and one-half inches in diameter.

6. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department.

K. Stormwater Management Basin Safety Standards. Stormwater water management basins shall be designed in accordance with the following requirements to protect public safety;

1. Trash Racks. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet structure to ensure proper functioning of the basin outlets in accordance with the following design requirements:

a. Trash racks shall have parallel bars with one-inch (1") spacing between the bars to the elevation of the water quality design storm. For elevations higher

than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third ($1/3$) the width of the diameter of the orifice or one-third ($1/3$) the width of the weir, with a minimum spacing between bars of one-inch and a maximum spacing between bars of six inches.

b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.

c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.

d. The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/sq. ft.

2. Overflow Gate. An overflow gate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow gate, such gate shall meet the following requirements:

a. The overflow gate shall be secured to the outlet structure but removable for emergencies and maintenance.

b. The overflow gate spacing shall be no less than two inches across the smallest dimension.

c. The overflow gate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/sq. ft.

3. Escape Provisions. Escape provisions means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:

a. If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in, or on, the structure. A freestanding outlet structure may be exempted from this requirement with the approval of the Board Engineer.

b. Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet

above the permanent water surface. See Section 7.E for an illustration of safety ledges in a stormwater management basin.

c. In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than 3 horizontal to 1 vertical.

d. Design Waiver from Safety Standards. A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the Board Engineer that the variance or exemption will not constitute a threat to public safety. This finding shall be included in any resolution of approval.

L. Stormwater Management Measure Maintenance and Repair. All land development shall incorporate a maintenance plan for the stormwater management measures that are to be incorporated into the site design. Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. The design engineer shall submit a maintenance plan for the stormwater management measures for review and approval by the Board Engineer that adheres to the following requirements:

1. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal;

2. The maintenance plan shall identify the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance and equipment replacement, referred to herein as the 'Stormwater System Operator'.

3. If the maintenance plan identifies a Stormwater System Operator other than the developer (for example, a public agency or homeowners' association), the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such Stormwater System Operator under an applicable ordinance or regulation.

4. Maintenance responsibility shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.

5. If the Stormwater System Operator is not a public agency, the maintenance plan and any future revisions shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

6. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to

the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.

7. The Stormwater System Operator shall maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders. The maintenance plan and the required documentation shall be made available, upon request, by any public entity with administrative, health, environmental, or safety authority over the site.

8. The Stormwater System Operator shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.

9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance, the municipality shall so notify the Stormwater System Operator in writing. Upon receipt of that notice, the Stormwater System Operator shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the Township Engineer. If the responsible person fails or refuses to perform such maintenance and repair, the Township may immediately proceed to do so and shall bill the cost thereof to the Stormwater System Operator.

10. The Planning Board shall require the posting of a performance and maintenance bond for all drainage and stormwater management improvements. The Township shall have the option of calling the bond to ensure that any necessary repairs are undertaken during the term of the maintenance bond.

ARTICLE XVIII: LANDSCAPING

§255-149. Landscaping

A. Purpose. The intent of the landscaping plan is to preserve elements of the existing landscape worthy of protection; to improve the overall appearance of the site and the structural elements; and to provide appropriate buffering and screening, where warranted.

B. Landscaping Plan Scope. Landscaping shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, land forms, sculpture, art and the use of building and paving materials in an imaginative and aesthetic manner. Landscaping shall be integrated into building arrangements, topography, parking and buffering requirements. Landscaping plans for major site plan or subdivisions shall be prepared by a certified landscape architect.

C. Landscaping Design Criteria. The general landscaping design criteria to be applied in the Township are as follows;

1. Natural Setting. Landscaping plans shall preserve a natural setting consistent with prevailing community standards. Recognizing that a major community asset lies in the preservation of the natural condition of property, all efforts in the area of landscaping shall be exercised to provide consistent landscaping proposals with existing foliage. Natural topography and vegetation shall be integrated into the landscaping plan;

2. Site Clearing. Every reasonable attempt shall be made to save mature existing trees. Clumps of trees should be saved over single trees. Site disturbance should be minimized where trees are to be preserved. In the event that trees need to be removed, replacement trees will be required.

3. Grading. Slopes in excess of three to one (3:1) shall be avoided unless necessitated by unusual site limitations. All slopes shall be permanently stabilized in an acceptable manner.

4. Off-street Parking/Loading. Off-street parking and loading areas shall be landscaped to separate them from adjacent roadways.

5. Buffers. Site buffers shall be provided around site perimeters. Zone buffers shall be provided wherever non-residential or multi-family residential development abuts single family detached or attached residential neighborhoods. The extent and depth of the buffer will vary depending upon the nature of the use and the adjacent existing or proposed use as indicated in §222-152.C.

6. Screening. Tall dense screens shall be required along nonpenetrable side lines, and rear property lines where commercial or industrial development will abut residences or residential zones. All screening shall be in accordance with §255-152.D.

7. Driveways. The areas adjacent to the driveways shall be planted with low plants or grass. Appropriate low plants include but are not limited to, butterfly bush, Sargent juniper, inkberry, Japanese barberry or shrubby cinquefoil.

8. Other Required Landscaped Areas. Where a development plan indicates raised walkways between opposing rows of cars, areas at the end of bays or, where proposed or required by the municipal agency, specific planting islands are indicated, these areas shall be landscaped. Planting strips may be as narrow as five feet, with a fifteen to twenty-foot width most desirable. All should be raised and protected by permanent concrete curbing.

§ 255-150. Street Trees.

A. Purpose. The intent of this section is to provide for the installation of street trees along all public streets. Where streets are devoid of trees, deciduous street trees shall be installed in accordance with this section. Where street trees are present, the health and suitability of the existing trees shall be evaluated to determine which trees should be retained and replaced.

B. Street Tree Design Criteria. Street trees shall be provided in accordance with the following design criteria:

1. Shade (deciduous) trees shall be planted along both sides of the street within the right-of-way between the sidewalk and curblineline. The width of the planting strip shall be sufficient for the proposed tree species.

2. Street trees shall be planted so as not to interfere with utilities, roadways, sidewalks, sight easements or streetlights. Tree location, landscape design and spacing plan shall be approved by the Planning Board as part of the landscaping plan.

3. Street trees may be planted outside of the right-of-way line if it would prevent conflicts with overhead utility lines on new streets or on streets that are devoid of trees. If trees are to be planted outside of the right-of-way, they shall be planted within a landscaping easement dedicated to the Township no wider than 12 feet.

4. Street trees shall be planted at intervals ranging from 40 to 60 feet but averaging 50 feet on center. The range is meant to enable the tree locations to avoid conflicts and to 'frame' structures. If a street canopy effect is desired, trees may be planted closer together, based on the recommendations of a certified landscape architect.

5. Street trees shall not be located within any defined sight triangle easement of closer than thirty (30) feet from the intersection of the street right-of-way lines.

6. The caliper of the street trees shall be a minimum of two and one-half (2 1/2) inches measured four feet above the ground. The standing height shall be a minimum of ten (10) feet.

7. All trees shall be brought to the site balled and burlapped (or other acceptable means), free from insects and disease, and true to species and variety.

8. Stripping trees of vegetation or changing the grade within the drip line by more than six (6) inches shall not be permitted unless it is demonstrated by the developer that these actions are necessary for proper site design. If these actions cause the existing trees to die, the trees should be replaced with the same species and size up to a maximum caliper of 3 1/2 inches to reestablish the tone of the area and to conform to adjacent lots.

9. Dead or dying trees which have been planted or transplanted based on the requirements of this section shall be replaced by the developer during the next recommended planting season.

10. Landscaping plans shall include a graphic tree-planting detail which shall address the following:

- a. The thinning of branches and foliage by one-third (1/3). The leader shall not be cut.
- b. The staking of a deciduous tree by three (3) stakes. The minimum size of stakes shall be two by three (2 x 3) inches.
- c. The support of tree shall be a double strand of 12-gauge wire. A tree shall be protected from injury due to wire by a rubber hose or acceptable equal.
- d. The trunk shall be protected by a tree wrap.
- e. A tree shall be mulched with three (3) inches of approved organic material.
- f. A three-inch saucer shall be constructed around the planting area.
- g. The top of the burlap shall be untied and removed.
- h. The ball shall rest on compacted soil.
- i. The diameter of the hole shall be two (2) feet larger than the diameter of the ball.

11. Street Tree Species. The species and variety of street trees shown on the Landscaping plan shall be reviewed and approved by the Township Planner. Suitable street tree species recommended for planting on Township streets shall include, but are limited to, those species listed in Table 8.

§255-151. Shade Trees

A. A minimum of three (3) deciduous shade trees, not including street trees, shall be provided on each proposed lot within residential developments. This requirement may be waived by the Planning Board when a building lot contains adequate shade or canopy and measures have been taken to preserve the trees that provide those qualities.

B. Landscape plans shall be prepared by a certified landscape architect and include a planting schedule which describes the quantity, common name, botanical name, size and comments for each species.

C. Ornamental trees need not have straight trunks, but must conform in other respects with the provisions for trees and tree plantings outlined in this section.

§ 255-152. Buffering and Screening.

A. Purpose. The intent of this section is to establish design criteria for the use of buffering and screening.

B. Terms. Buffering refers to the use of a landscaped strip of land to visually separate one use from another or from the street and to mitigate any impacts on adjacent properties. Screening is a method of shielding or obscuring all or a portion of a development site from view using densely planted vegetation, fences, walls, and berms. The two terms are not synonymous since screening refers to a more intense and effective buffer that is used in particular situations.

C. Buffer Area Design Criteria. The landscaping plan shall be designed in accordance with the following buffer area design criteria:

1. No structure, activity, storage of materials or parking of vehicles shall be permitted in a buffer area.

2. Buffer areas shall be developed in an aesthetic manner for the primary purpose of buffering or screening views and reducing nuisance perception (i.e., noise, light) beyond the lot line. The intent of these buffer area design criteria is to provide sufficient design flexibility to achieve effective and visually interesting buffer areas.

3. Site buffers refer to the buffering of similar uses or activities from each other. The purpose of site buffers is to define the limits of the uses and to separate uses. Site buffer widths shall vary depending upon the type of activity. The minimum site buffer width shall be 15 feet or that width specified in the applicable zoning district measured horizontally and perpendicular to lot and street lines. Site buffers shall be designed, planted, graded and landscaped to provide an aesthetically pleasing separation of similar uses. The site buffer width may be increased by the Planning Board to that necessary to achieve the appropriate buffering of the proposed use.

4. Zone Buffers shall be provided along all lot lines and street lines which separate a multi-family residential use (townhouses, apartments, condominiums) or a nonresidential use from an existing single family detached or attached residential dwellings or a district zoned for these units. Zone buffers shall be designed, planted, graded and landscaped to provide an aesthetically pleasing separation of dissimilar uses. In meeting this

standard, the applicant may employ a landscaped berm, fencing or wall screening in landscaped areas or evergreen tree or shrubbery screening in a landscaped area.

5. The location and design of buffers and screens shall consider the use of the portion of the property being screened; the distance between the use and the adjoining property line; the difference in elevations; the type of buffer, such as dense planting, existing woods, a wall or fence; buffer height; buffer width; and other combinations of man-made and natural features. The landscaped buffer shall be designed based on the general guideline that the closer a use or activity is to a property line or the more intense the use, the more effective the buffer area must be in obscuring light and vision and reducing noise beyond the lot.

6. The preservation of natural wooded areas shall be an integral part of all development plans. Natural wooded areas located along a boundary with a residential zone district shall be integrated into the required zone buffer area, provided that the growth is of sufficient density and the area of sufficient width to serve the purpose of a buffer. Additional plants may be required by the Planning Board to supplement the natural wooded areas and to establish an effective buffer.

7. If the Planning Board determines that the landscaping plan does not provide sufficient buffers for the proposed use, the Planning Board may require the development plan to be modified to increase the buffer area, to relocate structures of facilities, or to fundamentally change the landscaping methods to achieve the desired buffering effect.

D. Screening Design Criteria.

1. Screening shall be provided within buffer areas as required in this chapter to provide an effective year-round visual and partial acoustical barrier to conceal the view or sounds of various utilitarian operations and uses from the street or adjacent properties.

2. Screening vegetation shall be so placed that at maturity it will not be closer than three feet to any street or property line. Screening vegetation shall be broken at points of vehicular and pedestrian ingress and egress to assure a clear-sight triangle at all street and driveway intersections.

3. Screening shall consist of the following materials:

a. Solid masonry. A solid masonry wall not less than six feet above ground level.

b. Solid fencing. A solid fencing, uniformly painted or of a naturally durable material such as cedar, cypress or redwood, not less than six feet above ground level and open to the ground to a height of not more than four inches above ground level.

c. Shrubbery.

(1) Low type shrubbery screening may be used in and around parking areas, roadways, or access ways where sight distances for vehicular and pedestrian traffic are a prime consideration. Shrubbery shall be a minimum of three feet high when planted and be of such density as will obscure, throughout the full course of the year, the glare of automobile headlights emitted from the premises.

(2) All other shrubbery for screening shall be a minimum of five feet high at the time of planting.

(3) Dense hedges of shrubbery planted at a maximum of 30 inches on center may be used.

d. Trees. Trees for screening shall be evergreens having a minimum height of five feet above the ground when planted. Trees shall be placed five feet on centers in a single row or five feet on centers in two or more staggered rows with a five-foot separation between rows. Evergreens may be supplemented with deciduous trees having a minimum ten-foot height at time of planting with a minimum caliper of 2 1/2 inches.

e. All plants for screening shall be of a species common to the area, be of balled and burlapped nursery stock, and be free of insects and disease.

f. All landscape plans submitted shall contain the following note and language: "All plant material not surviving for a period of two years shall be replaced with the same or equivalent size species."

*Table 8
Recommended Trees for
Township Streets and Buffer Areas*

Class A. shade trees.
Columnar trees for planting along narrow streets
Acer rubrum f. columnare
Acer rubrum "Scanlon" (Plant Patent 1722).
Broad oval.
October Glory red maple, <i>Acer rubrum</i> , "October Glory."
Japanese Zelkova, <i>Zelkova serrata</i> .
Willow oak, <i>Quercus phellos</i> .
Littleleaf Linden, <i>Tilia cordata</i> .
London plane, <i>Platanus acerifolia</i>
Sweetgum, <i>Liquidambar styraciflua</i> .
Chinese scholar, <i>Sophora japonica</i> , "Regent."
European beech, <i>Fagus sylvatica</i> .
Ash, <i>Fraxinus americana</i> .
Globe shaded trees.

Red maple, <i>Acer rubrum</i> , clonal selection.
Thornless and seedless locusts, <i>Gleditsia tiacanthos inermis</i> ,; Moraine; Shade Master;
Spreading branched trees.
Red oak. <i>Quercus borealis</i> .
Scarlet oak, <i>Quercus coccinea</i> .
Bur oak, <i>Quercus macrocarpa</i> .
Maidenhair tree, <i>Ginkgo biloba</i> , male only
Class B, flowering trees.
Amelanchier canadensis, Shadblow or Sarivs tree.
Cercis canadensis, Redbud.
Chionanthus virginicus, Fringe tree.
Crataegus oxyacantha superba, Crimson cloud hawthorn.
Crataegus phaenopy rum, Washington hawthorn
Crataegus toba, Toba hawthorn
Malus baccata, Siberian crab.
Malus hopa, Hopa crab.
Malus pink perfection (Plant Patent 2912) new hybrid crab.
Prunus kwansan, Kwansan cherry.
Pyrus calleryana bradford, Bradford pear.
Class C. conifers.
Douglas Fir.
White Pine.
Austrian Pine.
Colorado Spruce.

§ 255-153. Fences.

A. Purpose. The intent of this section is to regulate the use of fences. The use of fences is appropriate for site definition and security. However, fences must be located and designed so that they are consistent with the neighborhood scheme and are an asset to the property and the community.

B. No fence shall be erected within the municipality unless the owner of the premises or his representative has first obtained a zoning permit.

C. All fences shall be of quality materials and installed in a good workmanlike manner. All fences shall be maintained by the owner. "Quality materials" means, for purposes of this section, pressure treated wood, chain link, vinyl and/or wrought iron and aluminum. Specifically excluded are materials such as poultry or construction fences. Barbed wire is not permitted in any residential zone.

D. No fences exceeding four feet shall be allowed in the front yard, which shall, for the purposes of this provision, mean the area between the front wall of the building and the street. Any front yard fence, existing at the time of the adoption of this chapter or an amendment thereto, may be continued and may be replaced in the same location with like material in accordance with the provisions of this chapter.

E. Not more than two (2) fences shall be located on any common property provided that no two fences are owned by one individual, property or corporation.

F. Exemptions. The following fences shall be exempt from the requirements of this section, relative to permit, fees, construction or materials:

1. Fences accessory to farm operations, except that the exemption shall not extend to that percentage of farm property set aside for residential purposes as delineated upon the property record cards of the township.

2. Fences accessory to any public facility, park, playground or school premises.

G. Residential Zones. Regulations for fences in residential zones.

1. No fence shall be erected unless the property owner shall have obtained a zoning permit certifying that the fence is in accordance with all applicable zoning regulations. No zoning permit shall be issued unless the applicant has filed the application provided by the Zoning Officer and has attached to the application a survey of the property on which shall be shown the specific location, height and design of the proposed fence.

2. For residential properties which are located on a "corner," a fence not exceeding 72 inches in height above ground level, may be erected along the "secondary street frontage," which, shall for the purposes of this provision, be defined as the area along the street which does not serve as the postal address for the property, provided the property owners first obtain approval of the Development Review Committee of the Joint Land Use Planning Board. No fence on a corner property shall be placed or constructed of materials which, in the determination of the Chief of Police, would create a safety hazard by obstructing the view of vehicular traffic at the intersection. In addition, no fence shall be so placed so that it adversely impacts the sight triangle of any ingress and egress on any adjoining property and it must be installed in such a manner so as to provide a clear-sight triangle at all street and driveway intersections.

4. For residential properties, other than those located on a corner, fences not exceeding six feet in height above the ground level may be erected between the front building line to the side property lines and to the rear of the property (rear yard). They may be of solid construction.

5. No fence shall be located within any alley shown on any plan unless permission has been granted by resolution of the Township Committee and subject to any conditions established by the Township Committee.

6. No permit shall be denied for a fence which will be located in a utility easement area, provided that no fence shall be erected within a drainage swale or where the fence would obstruct the flow of water in the easement area. The responsibility for removing and replacing any fence constructed in a utility easement area shall be on the property owner and, there shall be no liability on the utility holding the easement where the fence is removed in order to provide access to the easement area in accordance with the terms of the easement.

7. Fences shall be installed with the finished side of the fence facing the outward perimeter of the property, with all supporting appurtenances on the inside of the barrier.

H. Nonresidential Zones. Regulations for fences in non-residential zones.

1. Fences shall be no closer than one foot to the township right-of-way.

2. Fences shall not be less than four feet nor more than eight feet in height.

3. Fences shall be installed with the finished side of said fence facing the outward perimeter of the property, with all supporting appurtenances on the inside of the barrier.

4. Barbed-wire fencing must be first approved by the Development Review Committee.

I. Upon discovery of an alleged violation of this section, the Zoning Officer shall serve written notice, either by personal service or certified mail, return receipt requested, to the owner of the fence and/or the owner or lessee of the property where the fence is located, ordering the fence to be brought into conformity with provisions of this chapter, or its removal, within 30 days of the date of the notice. The notice shall include notification that if the fence is not brought into conformity or removed within such time, a summons and/or complaint will be issued.

J. Pool Fences – See Exhibit E, Swimming Pools, Spas and Hot Tubs (International Residential Code 2000, NJ).

ARTICLE XIX: LIGHTING

§ 255-154. Street and Site Lighting.

A. Purpose. The intent of this section is to provide for a street and site lighting plan that adheres to recommended lighting design practices by achieving adequate illumination for the specific land use while not causing adverse site or offsite conditions or excessive operating costs.

B. **Design Criteria.** The intent of these design criteria is to provide guidelines and not rigid standards that may be used in the design of the lighting systems subject to site-specific adjustments. The design objectives of the street/site lighting plan are as follows:

1. To provide adequate lighting to ensure the safe movement of vehicles while avoiding glare or diversionary conditions;
2. To provide adequate lighting to ensure public safety and security;
3. To enhance the visual appearance of the buildings and site;
4. To protect neighboring properties from nuisance glare and to protect the night sky from unnecessary light pollution; and,
5. To promotes energy conservation by the use of efficient lighting fixtures and design.

C. **Illumination Levels.** The Street/Site Lighting design shall have intensities and uniformity ratios that are in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA). Illumination levels are maintained. horizontal footcandles at ground level. The uniformity ratio establishes the relationship between average and minimum illumination values. The recommended intensities for typical applications are as follows:

1. **Light Activity Off-street Parking.** The minimum level of illumination in any residential or light activity off-street parking lot shall be 0.4 footcandles; the uniformity ratio shall be 4:1; and the maximum level of illumination shall be 2.0 footcandles.
2. **High Activity Off-street Parking.** The minimum level of illumination in any high activity commercial off-street parking lot shall be 0.6 footcandles; the uniformity ratio shall be 4:1; and the maximum level of illumination shall be 3.0 footcandles.
3. **Site/Roadway Lighting.** The minimum level of illumination on any public street or development site shall be 0.2 footcandles, the average illumination shall not be less than 0.5 footcandles and the uniformity ratio shall be 6: 1.
4. **Street Intersections.** The minimum level of illumination at all street or entrance/exit drive intersections shall be 1.0 footcandles.
5. **Walkways.** The minimum level of illumination along any walkway that is not part of a parking lot shall be 0.4 footcandles; the uniformity ratio shall be 4:1; and the maximum level of illumination shall be 2.0 footcandles.
6. **Property Line Limit.** The maximum level of illumination at any property line shall not exceed 1.0 footcandles.

7. Maximum Limit. The maximum level of illumination on any residential or commercial site for specific activities where visual tasks are performed (i.e., gas station canopy) or where security is a concern (building entrance) shall not exceed 10.0 footcandles.

8. Uniformity. The recommended illumination levels shall be attained by use of the minimum number of poles that will provide relatively uniform illumination. High uniformity ratios which deter or prevent visual adaption shall be avoided.

D. Street Lighting Standards

1. Street Light Location. Street light standards shall be installed at all street intersections and at other locations deemed necessary by the Planning Board to achieve the illumination standards. Light standards shall be located no more than 350 feet apart along public streets.

2. Site Lighting. Site lighting should be located along streets, parking areas, at intersections and where various types of circulation systems converge or split.

3. Street/Site Lighting Standard Type. Street light standards shall be of a type approved by the Planning Board for that particular use. The style of the lights and light standards shall be consistent with the architectural style of the principal building and area development. Whenever possible, traditional streetlights are to be used in residential districts instead of utility pole mounted cobra head streetlights.

4. Mounting Height. The maximum mounting height of pole-mounted luminaries shall be twenty-five (25) feet except in major shopping centers or at major freeway interchanges.

5. Site Light Standards. Freestanding light standards are to be located and protected to avoid damage from vehicles.

6. Walkways. Sidewalks, pathways, and trails should be illuminated with low or mushroom type standards.

7. Underground Wiring. Whenever this chapter requires the installation of electric utility installations underground, the applicant shall provide for the installation of underground service for street lighting.

E. Luminaries.

1. Sharp cutoff-type luminaries are recommended for the lighting of offstreet parking areas. The luminaries shall be of the type that can be provided with sharp cutoff deflectors or refractors to shield light from the luminaire at angles less than the set cutoff degree angle above nadir (from the vertical) when necessary. The shielding angle shall

be selected to minimize discomforting glare to an observer's eyes from the light source at an angle below the set cutoff. Shielding shall also be employed to prevent spillover of undesirable light to adjoining property.

2. The use of high-pressure sodium luminaires is encouraged. The use of low-pressure sodium luminaires are discouraged except for isolated industrial areas remote from residential and commercial zones where they will not be visible from the traveled way.

3. General illumination of the exterior of buildings, including the roof, is discouraged unless the lighting is properly designed in accordance with IESNA standards.

4. Spotlight-type fixtures attached to buildings are to be avoided.

5. Objectionable spill, to the exterior, of bright and glaring interior building light shall be avoided by the use of low-brightness lenses on interior lighting.

F. Light Pollution or Light Intrusion. Light pollution or intrusion shall be minimized by conformance to the following design standards:

1. Directional lights shall be arranged so as to minimize glare and reflection on adjacent properties.

2. The maximum cutoff angle shall be used to shield light source glare and unwanted light from adjacent properties and motorists approaching on bounding roads and highways.

3. Adequate shielding shall be employed to protect properties, streets and highways from the glare of such illumination, including luminaires for illuminating entrances and driveways for parking areas.

4. Conflicts with lighting of adjacent (parking areas) properties shall be avoided. For example, if one (1) or more adjacent areas with established lighting systems are using mercury-vapor lamps, the submitted area shall conform to the same lamp type, but not necessarily the same type luminaire. However, other HID (high intensity discharge) lamps may be considered when there's ample reason for employing such lamps and ample proof that a suitable method can be employed to reduce color conflict.

5. Security lighting. All parking areas and appurtenant passageways and driveways shall be illuminated for safety and security reasons from sunset to sunrise.

G. Lighting Details. The following information shall be submitted for review and approval of all Street/Site Lighting Plans:

1. The lighting plan shall show existing and proposed streetlights within one hundred (100) feet of the property area to be lighted; location of all poles and luminaries; illumination levels using photometric curve plotting.

2. When warranted by site conditions, the Planning Board Engineer shall require a point-by-point lighting plan showing footcandles of illumination at each point including all canopy, site, street, and building lights. The point-by-point plan shall indicate the minimum, average, and maximum footcandles maintained with a Light Loss Factor (LLF) of 0.75; the uniformity ratio; and the illuminance levels for the proposed activity recommended by the Illuminating Engineering Society of North America (IESNA).

3. Details of the luminaries shall be provided indicating the type and wattage of the lamp, the mounting height, and manufacturer's data.

4. Details of the light standards and manufacturer's data.

5. Pole base and foundation design and details. Anchor bolts shall be in accordance with the manufacturer's recommendations.

6. Photometric data and iso footcandle curves of the luminaire and lamp proposed. Photometric data shall be from an independent testing laboratory. Photometric curves shall be drawn to the same scale as the site plan scale and shall show maintained footcandle levels of illumination. The luminaire data shall include data on light source corrections; Lamp life lumen depreciation factor; Coefficient of utilization; Luminaires dirt depreciation factors; Maintenance factor correction.

ARTICLE XX: UTILITIES

§ 255-155. Water Mains, Culverts, Storm Sewers and Sanitary Sewers.

All such installations shall be properly connected with an approved system and shall be adequate to handle all present and probable future development. The township may require easements or rights-of-way of sufficient width along drainage and utility courses for vehicular access and maintenance needs.

§ 255-156. Public Utilities.

A. All public services shall be connected to an approved public utilities system where one exists.

B. For all major subdivisions and site plans the developer shall arrange with the servicing utility for the underground installation of the utility's distribution supply lines and service connections in accordance with the provisions of the applicable standard terms and conditions incorporated as a part of its tariff as the same are then on file with the State of

New Jersey Board of Regulatory Commissioners, and the developer shall provide the township with three (3) copies of a final plat showing the installed location of these utilities.

C. Lots which abut existing streets where overhead electric or telephone distribution supply lines and service connections have heretofore been installed may be supplied with electric and telephone service from those overhead lines, but the service connections from the utility's overhead lines shall be installed underground.

D. In the case of existing overhead utilities, should a road widening or an extension of service or other such condition occur as a result of the development and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground. An installation under this subsection to be performed by a servicing utility shall be exempt from the provisions of Article XIII, § 91-66, requiring performance guaranties and inspection and certification by the Township Engineer.

E. Where natural foliage is not sufficient to provide year-round screening of any utility apparatus appearing above the surface of the ground other than utility poles, the applicant shall provide sufficient live screening to conceal such apparatus year round.

F. On any lot where, by reason of soil conditions, rock formations, wooded area or other special condition of land, the applicant deems it a hardship to comply with the provisions of this subsection, the applicant may apply to the Planning Board for an exception from the terms of this subsection in accordance with the procedure and provisions of this Chapter..

G. Where overhead lines are permitted as the exception, the alignments and pole locations shall be carefully routed to avoid locations along horizons, avoid clearing swaths through tree areas by selective cutting and a staggered alignment by planting trees in open areas at key locations to minimize the views of the poles and alignments, by following rear lot lines and interior locations and similar design and location considerations to lessen the visual impact of overhead lines.

H. Utility easements. Easements along rear property lines or elsewhere for utility installation may be required in large-scale developments. Such easements shall be at least 15 feet wide and located in consultation with the utility companies or township departments concerned and, to the fullest extent possible, be centered on or adjacent to rear or side lot lines.

ARTICLE XXI: SIGNS

§ 255-157. Signs.

A. Purpose.

The purpose of this chapter is:

1. to regulate the placement of signs in all zones of the Township of Riverside where signs are permitted so as to create an attractive business environment that promotes permitted commercial enterprises with a minimum adverse impact on the zone plan and the community;
2. to create uniform sign rules in all zone areas where signs are permitted so as to reduce obstructions and hazards to pedestrian and auto traffic which might otherwise be caused by indiscriminate placement and use of signs;
3. to create sign definitions to guide the placement of signs in permitted areas in the Township.

The following shall be added to Article II, §255-15 entitled Definitions:

B. Definitions.

ABANDONED SIGN - A sign no longer used for its original intent or a sign on a vacant, unoccupied, or abandoned property.

AWNING OR CANOPY - A roof-like covering (which may be temporary or portable) that projects from the wall of a building for the purpose of shielding building openings from the elements. Under no circumstances can an awning or canopy be opaque so that light can shine through it. Awnings and canopies may extend a maximum of six (6) feet from the exterior wall with the building.

BANNER OR PENNANT SIGN - Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind. National flags, flags of political subdivisions, and symbolic flags not conveying a commercial message of any institution shall not be considered pennant signs or banners for the purpose of this chapter.

BEACON LIGHT – Any light with one or more beams, capable of being directed in any direction or directions or capable of being revolved automatically.

LIGHT REFLECTANCE VALUE (LRV) – The LRV of a color indicates the amount of visible light that a color will reflect. In theory, true black has a LRV of 0% and absorbs all light. While true white has a high reflectance value of 100% and reflects all light. All color samples have an LRV (For example, paint chips contain the LRV on the back of the chip).

ROOF LINE - The juncture of the roof and the perimeter wall of the structure.

SIGN - Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person,

institution, organization, business, product, service, event or location by any means, including words, letters, figure, design, symbols, fixtures, colors, illumination or projected images.

SIGN AREA - The area of a sign which is computed by multiplying the greatest width of the sign face by the greatest height of the sign face. The sign area shall include the sign face and any framing, trim or molding, but shall not include the supporting structure.

SIGN MANAGER - The area or display surface used for the message.

SIGN, ANIMATED OR MOVING - Any sign or part of a sign, which changes physical position by any movement, or rotation or which gives the visual impression of such movement or rotation.

SIGN, AWNING - A sign that is mounted to or painted on, or attached to an awning that is otherwise permitted by this chapter.

SIGN, BENCH - A sign painted on, located on or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public place or roadway.

SIGN, BILLBOARD (aka OFF-PREMISE SIGN) - A free-standing sign which contains a commercial message and which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

SIGN, BUS SHELTER - A sign located in or on a bus shelter, which contains a commercial message and directs attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

SIGN, CANOPY - A sign that is mounted to, painted on, or attached to a canopy that is otherwise permitted by this chapter.

SIGN, CHANGEABLE COPY - A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign.

SIGN, COMMUNITY INFORMATION - A sign which contains messages of civic groups, places of worship, and local special events which direct attention to a place of worship, social or community facility, event, club, or organization.

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

SIGN, CONTRACTOR - Any temporary, on-site sign advertising the name or business of a mechanic, contractor, or artisan performing work on the premises where the sign is placed.

SIGN, DEVELOPER - Any temporary on-site or off-premise sign identifying or directing traffic to a particular site or development under construction for an approved period of time longer than thirty (30) days.

SIGN, DIRECTIONAL AND INFORMATIONAL - Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as “one-way”, “entrance”, and “exit”. Window signs such as those that indicate hours of operation, credit card acceptance, and business affiliations are considered informational signs. No sign with a commercial message legible shall be considered directional or informational.

SIGN, DIRECTORY - Signs listing the tenants or occupants of a building or group of buildings. The respective professions or business activities may also be included as part of the sign.

SIGN, EASEL OR SIGN BOARD – A temporary sign, which is a portable, fixed copy sign mounted on a free standing “A” frame pedestal, sandwich board, or easel frame, which is placed outside a commercial establishment and does not protrude into the public right-of-way. Any easel or sign board must be removed and taken in doors at the close of business each day. Under no circumstances is an easel or sign board permitted to remain outside a commercial structure when it is closed for business.

SIGN, FAÇADE - . See Sign, Wall

SIGN, FREESTANDING - Any immovable sign not affixed to a building.

SIGN, HOLIDAY DECORATION - Temporary signs, in the nature of decorations, clearly incidental to and customarily and commonly associated with any national, local, or religious holiday or observance.

SIGN, HOME OCCUPATION or SIGN, HOME PROFESSIONAL OFFICE - A sign containing only the name and occupation or profession of a permitted home occupation or permitted home professional office as defined in §255-42.D.5.

SIGN, IDENTIFICATION - A sign giving the nature, logo, trademark or other identifying symbol; address; or any combination of the name, symbol and address of a building, business, development, or establishment on the premises where it is located

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

SIGN, INFLATABLE - Any display or object capable of being expanded by air or other gas and used on a permanent or temporary basis to advertise a product or event.

SIGN, MARQUEE - A permanent canopy or structure mounted over the entrance of a building,

bearing a signboard that is mounted, or painted on, or attached and which is otherwise permitted by this chapter.

SIGN, MEMORIAL OR NAMEPLATE - Memorial signs or tablets, names of building and date of erection when cut into any masonry surface, integral to the construction of a building, or when constructed of bronze or other incombustible material mounted on the face of a building, bench, bike rack, planter, pavilion, gazebo, or other structure.

SIGN, MOBILE - Any sign designed to be transported, including signs transported or mounted on a trailer or wheels that do not contain any interior volume for storage or transportation.

SIGN, NEIGHBORHOOD IDENTIFICATION - Signs which identify any type of housing development, by name. No advertising for real estate agents, developers, contractors, builders, architects or others is permitted on Neighborhood Identification Signs.

SIGN, NONCONFORMING - Any sign that does not conform to the regulations of this chapter.

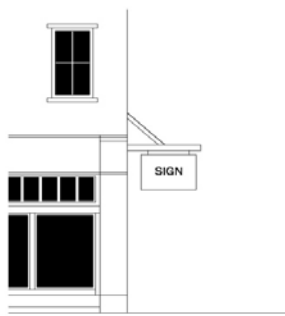
SIGN, OFF-PREMISE. - See Sign, Billboard.

SIGN, PLACARD – A sign made of vinyl, cardboard, paper, plastic, or other similar materials that is either hand drawn or pre-printed and typically supplied by a manufacturer, purveyor, distributor, or similar entity.

SIGN, POLITICAL - A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

SIGN, PORTABLE - A sign that is not permanent, whether affixed to, freestanding on or at a building, structure or the ground.

SIGN, PROJECTING - A sign that is wholly or partly dependent upon a building for support and which projects more than twelve (12) inches from such building.



PROJECTING SIGN
(NOT TO SCALE)

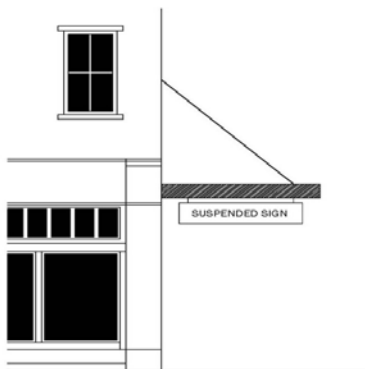
SIGN, PUBLIC UTILITY - A sign pertaining to identification, warning, or other public utility use or location.

SIGN, REAL ESTATE - A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

SIGN, ROOF - A sign mounted on or above the roof of a building. A sign that projects above the top walk or edge of a building with a flat roof, above the eave line of a building with a gambrel, gable, or hip roof, or above the deck line of a building with a mansard roof.

SIGN, SPECIAL EVENT - (see sign, temporary)

SIGN, SUSPENDED - A sign hanging down from a marquee, awning, canopy, porch, or roof overhang that would exist without the sign.



SUSPENDED SIGN
(NOT TO SCALE)

SIGN, TEMPORARY - A sign ordinarily constructed of paper, cloth, canvas, plastic, plywood, or other lightweight material intended to be displayed for a short period of time, normally less

than thirty (30) days, exclusive of “construction signs”, “contractor signs”, and “developer signs.” “Temporary signs” also include any sign, notwithstanding its material construction, designated as “temporary” in this Ordinance.

SIGN, TIME AND TEMPERATURE - A sign or a portion of a sign whose sole purpose is to indicate the time and/or temperature.

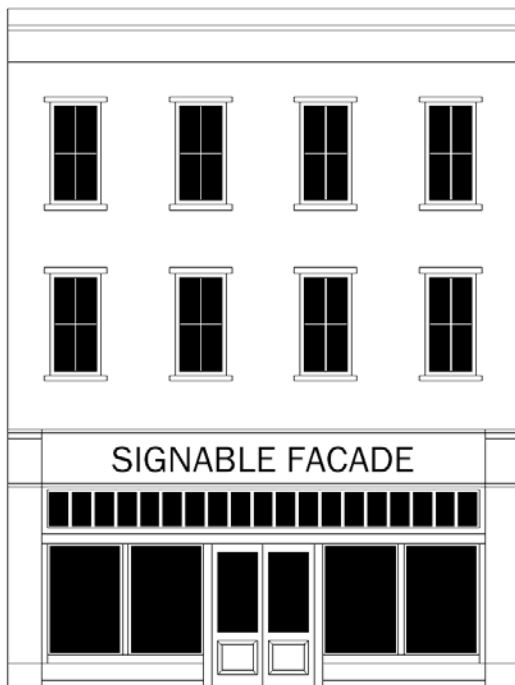
SIGN, TRAILER - Any sign designed to be transported and affixed either temporarily or permanently on any registered trailer typically used in the course of business for deliveries and transport of services, goods, persons, or materials.

SIGN, VEHICLE - A sign affixed or painted on a vehicle or trailer and parked at a specific location for a period of four (4) or more days so that its primary purpose is as a commercial message.

SIGN, WARNING - Any announcement or admonition sign such as, but not limited to “beware of dog,” “private property,” “no trespassing,” “no hunting,” or advising the public of the use of herbicides, pesticides or any other hazardous material.

SIGN, WALL - A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than six (6) inches from such building or structure.

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



SIGNABLE FAÇADE AREA - The rectangular, continuous area on the wall of a building, which extends from the top line of windows and doors on the first floor, and the bottom line of the second floor windows, roof, or cornice above, in an area that is uninterrupted by windows, architectural details, or openings.

TRAILER - A structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy or as a temporary office or for the transport of

materials, goods, or objects.

C. Applicability

(1) All signs within the Township of Riverside shall be subject to the provisions of this section.

(2) No sign shall be placed on, or attached to a building, or erected independently, for any purpose other than to advertise a permitted business or use conducted on the same premises unless specifically permitted or exempted herein.

(3) Jurisdictional permits may be required from the following agencies including, but not limited to, the County of Burlington, the New Jersey Department of Transportation, the New Jersey Department of Environmental Protection, and/or the New Jersey Pinelands Commission.

D. Approvals Required

(1) Each application for development shall include a sign plan depicting a visual rendering of the designed message, trademark, symbol, or insignia, which contains the location, size, dimensions, colors, materials, height above ground, construction, and type of illumination of the proposed sign(s) in accordance with these regulations.

(2) Any sign hereafter erected in Riverside Township, which is exposed to public view, shall conform to the provisions of this Ordinance and any other ordinance or regulation of Riverside Township, the County of Burlington, the State of New Jersey or the Federal government relating to the erection and maintenance of signs. In the event of conflicting regulations, the most restrictive regulation shall prevail.

(3) No existing sign shall be enlarged, rebuilt, replaced, structurally altered, or relocated except in accordance with the provisions of this ordinance.

(4) All signs, whether properly permitted or not, shall be safely and decorously maintained at all times. Failure of the owner or lessee of any premises to safely and decorously maintain any such sign and/or sign structures shall constitute a violation of this ordinance. Such violation may result in the Township removing the sign at the building owner or lessee's expense.

(5) All development applications shall include all proposed signs to be approved by the Riverside Township Planning Board.

(6) In applications where only sign modification is sought and no other site modifications are proposed, any sign exceeding the maximum area, height, or otherwise not in conformance with the requirements of this section shall require application and approval for minor site plan by the Riverside Township Planning Board.

(7) No sign, other than exempt signs, shall be erected without first obtaining an approved zoning application from the Zoning Officer. Applications shall be accompanied by a plan, drawn to scale or dimension, showing details of the sign, type of illumination, type of materials, colors, its size, and location on the building and/or lot. Permits for window signs and changeable copy signs shall be valid as long as there is no change in the sign area, location, and type of such signs that have been authorized by the application.

(8) A building permit from the Construction Official may be required.

(9) Historic District (reserved).

(10) Fees shall be established pursuant to the requirements of Chapter 150 of the Codes of the Township of Riverside.

A. General Provisions

(1) No sign other than street, traffic or similar official signs shall be erected within or project over the right-of-way of any public street, sidewalk, or public promenade, except as hereafter provided.

(2) Street signs shall be in conformance with the New Jersey Department of Transportation Standards and the Manual on Uniform Traffic Control Devices for Streets and Highways, latest edition. The location of street signs shall be determined by the Township Engineer and shall be free from visual obstruction.

(3) No signs shall be erected, altered or replaced which are not in accordance with the standards established in this section.

(4) No sign except traffic signs and those of a duly constituted governmental body or agency shall be erected within the street right-of-way.

(5) No sign shall be placed on any property without the consent of the property owner.

(6) No sign shall be attached to utility poles, public structures, trees, stumps, fence-posts, other signs or sign posts, but shall be free-standing or attached to buildings in accordance with this section, except as otherwise provided herein.

(7) No sign shall be erected so as to project over any property line.

(8) No signs shall be clustered and no Commercial Shopping Center or Office Complex Identification Signs shall contain individual signs for individual tenants except as part of an approved Site Plan or waiver of Site Plan approval by the appropriate municipal agency.

(9) In order to protect the public health and safety signs shall be placed so that there is no visual clutter, conflict or interference with traffic signs or sight triangles.

B. Applicability

1. All signs within the Township of Riverside shall be subject to the provisions of this section.

2. No sign shall be placed on, or attached to a building, or erected independently, for any purpose other than to advertise a permitted business or use conducted on the same premises unless specifically permitted or exempted herein.

3. Jurisdictional permits may be required from the following agencies including, but not limited to, the County of Burlington, the New Jersey Department of Transportation, the New Jersey Department of Environmental Protection, and/or the New Jersey Pinelands Commission.

C. Approvals Required

1. Each application for development shall include a sign plan depicting a visual rendering of the designed message, trademark, symbol, or insignia, which contains the location, size, dimensions, colors, materials, height above ground, construction, and type of illumination of the proposed sign(s) in accordance with these regulations.

2. Any sign hereafter erected in Riverside Township, which is exposed to public view, shall conform to the provisions of this Ordinance and any other ordinance or regulation of Riverside Township, the County of Burlington, the State of New Jersey or the Federal government relating to the erection and maintenance of signs. In the event of conflicting regulations, the most restrictive regulation shall prevail.

3. No existing sign shall be enlarged, rebuilt, replaced, structurally altered, or relocated except in accordance with the provisions of this ordinance.

4. All signs, whether properly permitted or not, shall be safely and decorously maintained at all times. Failure of the owner or lessee of any premises to safely and decorously maintain any such sign and/or sign structures shall constitute a violation of this ordinance. Such violation may result in the Township removing the sign at the building owner or lessee's expense.

5. All development applications shall include all proposed signs to be approved by the Riverside Township Planning Board.

6. In applications where only sign modification is sought and no other site modifications are proposed, any sign exceeding the maximum area, height, or otherwise not in conformance with the requirements of this section shall require application and approval for minor site plan by the Riverside Township Planning Board.

7. No sign, other than exempt signs, shall be erected without first obtaining an approved zoning application from the Zoning Officer. Applications shall be accompanied by a plan, drawn to scale or dimension, showing details of the sign, type of illumination, type of materials, colors, its size, and location on the building and/or lot. Permits for window signs and changeable copy signs shall be valid as long as there is no change in the sign area, location, and type of such signs that have been authorized by the application.

8. A building permit from the Construction Official may be required.

9. Historic District (reserved).

10. Fees shall be established pursuant to the requirements of Chapter 150 of the Codes of the Township of Riverside.

D. General Provisions

1. No sign other than street, traffic or similar official signs shall be erected within or project over the right-of-way of any public street, sidewalk, or public promenade, except as hereafter provided.

2. Street signs shall be in conformance with the New Jersey Department of Transportation Standards and the Manual on Uniform Traffic Control Devices for Streets and Highways, latest edition. The location of street signs shall be determined by the Township Engineer and shall be free from visual obstruction.

3. No signs shall be erected, altered or replaced which are not in accordance with the standards established in this section.

4. No sign except traffic signs and those of a duly constituted governmental body or agency shall be erected within the street right-of-way.

5. No sign shall be placed on any property without the consent of the property owner.

6. No sign shall be attached to utility poles, public structures, trees, stumps, fence-posts, other signs or sign posts, but shall be free-standing or attached to buildings in accordance with this section, except as otherwise provided herein.

7. No sign shall be erected so as to project over any property line.

8. No signs shall be clustered and no Commercial Shopping Center or Office Complex Identification Signs shall contain individual signs for individual tenants except as part of an approved Site Plan or waiver of Site Plan approval by the appropriate municipal agency.

9. In order to protect the public health and safety signs shall be placed so that there is no visual clutter, conflict or interference with traffic signs or sight triangles.

E. Exemptions. The following signs shall be permitted in any zone without prior approvals

(1) One (1) real estate sign per street frontage advertising the sale, lease, or rent of the premises upon which the sign is located, which sign shall not exceed six (6) square feet. These signs shall be set back five (5) linear feet from all property lines. The sign must be mounted so that the top of the sign is no more than thirty-six (36) inches above the ground. For sale and sold signs shall be removed within 30 days of the completion of business being advertised. Temporary directional real estate signs may be temporarily erected to advertise an "Open House", provided such signs are erected for a period not to exceed forty-eight (48) consecutive hours in three (3) consecutive days and provided they are immediately removed following the event they advertise.

(2) One (1) temporary construction sign of architects, engineers, real estate agencies, and/or corporations on the lot(s) to which it relates. The content of such sign shall consist of an architectural or engineering plan or rendering, contact names and phone numbers and other details of the project for marketing purposes. Said signs shall not exceed three (3) feet high by four (4) feet wide or twelve (12) square feet. In addition, said signs must be removed within seven (7) days of the issuance of the final construction department certificate of occupancy of the project to which the sign relates. It must be mounted so that the top of the sign is no more than

forty-eight (48) inches above the ground, supported by four (4) inch by four (4) inch posts. The sign shall not be located in any sight triangle and shall be set back five (5) linear feet from all property lines.

(3) One (1) temporary contractor sign per contractor shall be permitted only during the period when the mechanic, contractor, or artisan is actively performing work on the lands or premises where the sign is placed. The sign shall not exceed three (3) square feet in area, and shall not be more than three (3) feet above the ground measuring from the ground to the top of the sign. The sign shall not be located in any sight triangle and shall be located five (5) linear feet from all property lines.

(4) Decorations for a recognized federal or state officially designated holiday or observance, whether religious or secular, provided that they do not create a traffic or fire hazard, and provided that said signs are erected not more than thirty (30) days prior and removed within thirty (30) days after the holiday.

(5) Official municipal, county, state or federal governmental signs.

(6) Political and personal opinion signs shall be permitted throughout the Municipality. Political signs and personal opinion signs shall be permitted prior to any municipal, County, State or National election or referendum and shall be removed within seven (7) days after the event they advertise. Political signs and personal opinion signs shall not exceed nine (9) square feet and shall not be attached to trees or utility poles. Personal Opinion signs not related to an election or referendum, shall not exceed nine (9) square feet and may not be placed for more than 14 consecutive days. All signs identified in this subsection shall be setback five (5) linear feet from any property line.

(7) To enhance public safety, premises identification signage shall provide approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers should contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be in accordance with the International Property Maintenance Code as designated by the Governing Body in Chapter 209 of the Codes of the Township of Riverside. Signs denoting the name and address of the occupants of the premise shall not exceed two square feet in area.

(8) Cornerstone, Memorials, tablets or nameplate signs shall not exceed 2 square feet and shall be masonry, bronze, or other durable material. These signs are associated with historic and civic significance and shall be limited to identification and date of construction of buildings, persons present at dedication or involved in Development and construction, or significant historical events relating to the premises or development.

(9) Temporary garage sale or yard sale signs placed by individuals who have obtained a yard sale permit, if required pursuant to Chapter 199. Such signs may not exceed three (3) square feet; may not be erected more than seven (7) days prior to such sale; and must be removed within 48-hours after the sale.

(10) Flags of the United States of America, any of the individual States of the United States, the County, or the municipality, any foreign nation, and/or any other flag adopted and sanctioned by an elected legislative body or competent jurisdiction, provided that such flag shall not exceed twenty-five (25) square feet and shall not be flown from a pole that exceeds 35

feet in height. Flags shall be higher than seven (7) feet from the sidewalk elevation or adjacent grade, whichever is less. These flags may be illuminated. Other flags shall be considered freestanding signs and shall be governed by such regulations that may apply in the zoning district in which such flag is located. Flying of flags shall comply with applicable state and federal law.

(11) The following firmly affixed or attached signs will be permitted in any public, quasi-public, commercial, or industrial districts without prior approvals:

a) Change in the copy of a changeable sign, so long as the copy is not offensive and is consistent with generally accepted community standards, or a changeable time and temperature sign, once a permit for the sign has been issued.

b) A Restaurant menu when displayed in a glass case affixed to the exterior building wall for that purpose, or when displayed on a easel or sandwich board sign located in close proximity to the restaurant entrance located on private property. The area of the easel or sandwich board sign or display case shall not exceed the menu size by more than thirty (30) percent. Under no circumstances can these signs impede pedestrian flow.

c) Directional and Informational window signs including hours of operation, credit card acceptance, and business affiliations are considered informational signs, and are not included in the 25% maximum permitted window sign area. These signs shall be legible from adjacent drive aisles and walkways and shall not exceed a total of 6 inches in height as measured by a rectangle around the sign and shall not exceed a total of 4 signs.

d) Flags for holiday decoration, and for other decoration and to indicate a business is open shall be permitted, provided that such flag shall not exceed twenty-five (25) square feet and shall not be flown from a pole that exceeds 35 feet in height. Flags shall be higher than seven (7) feet from the sidewalk elevation or adjacent grade, whichever is less, measured from the ground to the bottom of any such flag. These flags may be illuminated with a downward light fixture with not more than 100 watts of incandescent light or other light sources of comparable wattage. Under no circumstances can these signs impede pedestrian flow or be displayed when the enterprise is not open.

e) Bus shelter signs.

f) Public utility signs.

g) One internally illuminated sign using the text “open” or “closed” shall be permitted if LED lights or other similar low energy lights are utilized.

F. General Sign Design Guidelines.

(1) The design of any sign shall complement the design of its host building or site or the overall character of the zone district. Signs should be designed and painted by professional sign makers or experienced graphic artists. Each sign shall be designed in accordance with the following standards. All signs shall have a consistent sign design throughout a particular project. The sign design shall include style of lettering, construction, material, type of pole or standard (wood or metal), masonry, size and lighting. If free standing, or mounted to a wall, the design shall also include a description and detail of the manner in which it will be affixed to the ground or wall, showing type of hardware (if wall mounted) or details of anchorage (if ground mounted). Color of letters and background should be carefully considered in relation to the color of the

material of the buildings or where the signs are proposed to be located. Signs shall be a subordinate, rather than a predominate feature of a sign plan.

(2) Appearance. Signs shall be compatible with their surroundings. Signs for businesses in a common building, shopping, office, or industrial center shall be compatible with each other. Signs shall relate to and complement their surroundings. Signs attached to the same building shall be the same shape, color and height, regardless of individual business ownership or tenancy in the building.

(3) Materials. High-quality materials will ensure that a sign will look attractive, reduce maintenance costs, and last. Sign materials and finished textures shall complement the building materials where the sign is to be placed. Permanent signs shall be made of either wood, high-density foam simulating wood, medium-density overlay and finished plywood, brass, copper, or bronze. Generally, signs made of inferior grade unfinished wood and plastic are inappropriate and are discouraged. Matte cotton and mixed fabrics shall be used for awning signs. Plastic and lexan materials shall be used for internally illuminated signs, but not for exterior awnings or canopies.

(4) Placement. Signs shall be designed and placed so that they integrate with the building without obscuring important architectural features or storefront windows. On buildings where it exists, signs shall be placed in the SIGNABLE FAÇADE AREA. Signs shall be mounted so as to minimize damage to historic building facades. Sign supports shall be finished with architectural details to complement the sign, such as ornamental iron or brass supports and/or routed wood posts and edges to provide detail and relief. Window and door signs shall avoid cluttering and blocking views. Freestanding signs shall be placed so as to appear most visible to pedestrian and vehicular traffic, without obstructing movement or sight triangles.

(5) Letter Heights and Font style. Lettering and character typefaces should match the scale of the building and size of the sign. Consideration shall also be given to any adjacent roadway speed limits and whether pedestrians are in the area. Commercial messages applying to the business entity in words or symbols shall be legible from sidewalks and streets. Taglines and mottoes shall not be required to be legible from sidewalks and streets. In no case shall any letter height exceed ten (10) inches or twenty-six (26) centimeters.

(6) Color. Colors influence a sign's legibility, character, and general appearance. A sign's colors shall be compatible with the style and color scheme of the building and its neighbors. Color schemes shall be kept simple, limited to two or three colors, not garish and based on a host building's painted exterior detailing, such as window trim and cornices. Earth tones, primary colors, and pastels are appropriate and can be designed with subtle combinations and variations. Fluorescent, luminescent, and iridescent colors and tones shall only be used for traffic safety signs. No sign's color scheme shall clash with neighboring business signs. Signs with a strong color contrast are more legible. A sign with a dark background will make lighter lettering more visible with less glare. Because storefront windows usually appear dark, window signs should be done in light colored paint or gold leaf.

(7) Lighting. Decorative light fixtures, such as gooseneck, hooded, historic reproduction, and alcove fixtures, are encouraged that are complimentary to the design of building, sign, and/or site. Signs should be evenly lit with no isolated bright or dark spots. No

substantial light or glare may be directed or reflected onto adjacent streets or properties. Internally illuminated signs shall use LED lights to the extent feasible and lettering should be channel set.

(8) Energy Conservation. The energy efficiency of lighting and electrical power shall be considered for all sign designs and constructions.

G. Specific Design Standards

(1) All height limitations shall be measured from the average surrounding grade to the top or bottom of the sign, as is specified, or its supporting structure.

(2) Where any sign, flag, or banner is located over a walkway, sidewalk, pedestrian way, or other public area, the bottom of the sign, flag, or banner shall be at least seven (7) feet above grade level of the pedestrian area.

(3) Signs shall be located outside of sight triangles. If signs must be placed in the sight triangle, they shall not obstruct the area between 30 inches and 120 inches above the centerline grade of the street or driveway and shall not be erected in any public rights-of-way.

(4) Externally illuminated signs shall be arranged to reflect the light and glare away from adjoining lots and streets to prevent glare or blinding effects upon motor vehicle traffic and so as not to cause a nuisance to neighbors of the area. All exterior lighted signs shall be shielded or have translucent fixtures to prevent glare. The external light source shall be focused down when the initial output exceeds 200 lumens, and not upwards towards the sky.

(5) An application for an externally illuminated sign must include a lighting fixture catalogue cut or manufacturer's product description sheet with isolux or lumens specifications and mounting information. It shall indicate the lighting intensity (lumens) that would be generated by any lighting devices shining onto the sign and the rest of the property and neighboring properties and the lumens that would be projecting from any illuminated signs as part of the sign plan. (This information is part of the manufacturer's data sheet.) Externally illuminated signs consisting of three or fewer one-hundred-watt incandescent light bulbs, or other light sources of comparable wattage including, but not limited to, compact fluorescent lights of comparable wattage, or LED lights of comparable wattage shall be exempt from submitting a lumens plan. In no instance shall the lighting intensity of any sign, whether resulting from internal illumination or external illumination, exceed 20 footcandles when measured with a standard light meter perpendicular to the face of the sign from a distance measured one foot from the face of the sign.

(6) Signs shall provide 70% contrast between letters and logos and background or field and have dark background or field with lighter lettering to reduce glare and nuisance and to provide enhanced readability. To compute the required color contrast, obtain the Light Reflectance Value (LRV) from the paint sample. Lighter colors have higher LRV and the LRV of light colors for sign text shall not be less than 45. The darker background color shall be lower than 45. Subtract the lower LRV from the higher LRV. Divide the answer by the higher number. Change the number to a percentage and in order for it to meet the identified criteria the number cannot be below 70%.

For example,

Light Color LRV = 50

Dark Color LRV = 15

$50 - 15 = 35$

$35 / 50 = 0.70$ (70%)

(7) The sign area of two-sided signs shall be computed using one (1) side of the sign.

(8) The area of wall signs shall be computed as follows:

a) For signs that are composed of letters and/or numbers and/or symbols but which have no visible or identifiable box type structure, the area of the initial letter, number or symbol shall be first calculated by drawing a box around the initial letter, number, or symbol and multiplying the height by the length of the box. A box shall then be drawn around the remainder of the sign and the height of this box shall be multiplied by the length. The results of the areas of the two boxes shall be added together to arrive at the area of the sign.

b) For signs with an identified box structure, the sign area shall be computed by multiplying the height by the length of the sign box.

(9) Wall signs shall be located on the lintel of commercial buildings, which extends horizontally across the top of the storefront. No sign shall obscure important architectural details of the building. (See signable façade area)

(10) Wall, marquee, projecting, awning, canopy, suspended, and other applied or affixed signs shall be located between the top line of windows or doors on the first floor, and the bottom line of the second floor windows, roof, or cornice above, in an area that is uninterrupted by windows, architectural details, or openings.

(11) Wall signs shall not project beyond the roof or sides of the building. Wall signs may not project more than six (6) inches beyond the front surface of the building.

(12) Attached wall signs shall be affixed parallel to the wall to which they are attached, and the face of the sign shall project no more than nine (9) inches from the surface of the wall, except that perpendicular signs may be permitted in a particular zone.

(13) Prohibited Signs

(a) All signs not expressly permitted or exempt from regulation are prohibited.

(b) No sign of any type shall be permitted to obstruct sight triangles for driving vision, pedestrian or vehicular traffic, traffic signals, traffic directional and identification signs, walkways, entrances, exits, fire escapes, doorways, other places of business, 48" wide sidewalks, or other signs or windows of the building on which they are located, or in any way affect the safety of the public. The Township of Riverside is authorized to remove any such sign at the

expense of the permittee or owner of the property upon which it is located or person or entity responsible for erecting the sign.

(c) Billboard or Off-Premise Signs. The purpose of this section is to promote the unique scenic beauty of Riverside. Specifically N.J.A.C. 16:41C entitled Roadside Sign Control and Outdoor Advertising, prohibits billboards and off-premise signs adjacent to scenic areas and in residential areas. Inasmuch as there are no highways located in or adjacent to the Township and, since residential districts are located in proximity to commercial districts and industrial districts, no billboard and/or off-premise signs shall be permitted in the Township of Riverside. This prohibition extends to any billboard type sign intended to be mounted on the roof of any building. "Developer's" signs as permitted in this section are exempt from this provision.

(d) Commercial vehicles or trailers displaying signage shall not be permitted as signage on any lot or street. Commercial vehicles or trailers displaying signage shall not be parked on a public street in front of the applicable business, or parked on-site in a front yard setback, except for the limited purpose and time period for loading and unloading. Where parking is located only in the front of a building or lot, the signage vehicles and/or trailers shall be parked in the spaces or areas furthest from the street. Nothing herein prohibits a property owner from parking a work vehicle on his/her own property.

(e) Additional prohibited signs include but are not limited to:

- (1) Changeable copy signs, except as otherwise permitted in this Ordinance;
- (2) Neon or gas tubing attached to facades and roof lines to accentuate architectural elements;
- (3) Beacons or search lights;
- (4) Tethered balloons and/or inflatable and/or inflating nylon objects and signs and similar products;
- (5) Signs using red, yellow, and green lights which mimic the operation of any traffic control signal;
- (6) Signs using words such as "stop", "look", "danger", which may constitute a traffic hazard or interfere with the free flow of traffic;
- (7) Roof signs or signs mounted on the roof;
- (8) Signs painted directly onto buildings;
- (9) Pennants, except as may be permitted elsewhere in this Ordinance;

- (10) Strings of light (not including holiday lighting and decorations);
- (11) Inflatable signs;
- (12) Animated, illusionary, or moving signs;
- (13) Mobile signs;
- (14) Mechanical or electrical signs employing devices to revolve, flash or display movement or the illusion of movement, except for time and temperature signs as provided elsewhere in this Ordinance;
- (15) Internally illuminated plastic, lexan or vinyl awning and canopy signs;
- (16) Internally illuminated box, wall, projecting and suspended signs;
- (17) Signs which present lewd language or graphic sexual depictions;
- (18) Bench signs; and
- (19) Hand drawn and/or pre-printed cardboard, plastic placards and/or temporary signs affixed to windows, doors, bollards, poles, sign supports or other permanent or temporary fixtures, except as otherwise specified in this Ordinance. Flyers in support of local events are permitted, but must be removed at the conclusion of the event.
- (20) Banners, except those permitted by action or resolution of the Governing Body.

H. Developer Signs.

(1) Applicability. All zoning districts.

(2) One on-site temporary developer sign for projects that have received final site plan or subdivision approval from the Riverside Township Planning Board shall be permitted. The sign shall identify the project and shall be shown on the final site plan or subdivision map. The sign area shall not exceed sixteen (16) square feet and the sign height shall not exceed four (4) feet above the adjacent ground level, measured from the finished grade to the bottom of the sign. The sign shall be located outside of sight triangles and shall be located behind the street line by a minimum of five (5) linear feet. Once construction is completed, and prior to the release of sureties, or when the project is dormant for three (3) months or longer, the on-site temporary sign shall be removed. Failure to timely remove the sign shall be a violation of this Ordinance and may be removed by the Township of Riverside at the Developer or lot owner's expense.

(3) Off-premise developer signs directing traffic to a development site, sales office, model homes or similar development shall require a change of use application or site plan exemption by the appropriate Riverside Township jurisdictional board. Prior to submission of the application, the applicant shall obtain outside agency approvals or a letter of no interest from a

jurisdictional agency other than the Township of Riverside who may have any such interest, including but not limited to, the New Jersey Department of Transportation, the County of Burlington, and/or the Department of Environmental Protection. Developer signs located along a right of way with three or more travel lanes shall not exceed sixteen (16) square feet in area and the sign height shall not exceed four (4) feet in height measured from the ground to the bottom of the sign. Developer signs located along a street with two lanes or less shall not exceed four (4) square feet in area and the sign height shall not exceed four (4) feet in height measured from the ground to the bottom of the sign. The sign shall be located outside of sight triangles and shall be located behind the street line by a minimum of five (5) linear feet.

I. Directional signs

Directional signs shall be permitted on sites where necessary to safely and effectively convey persons to their intended destination. Directional signs shall be required as part of a site plan application, waiver or approval by the jurisdictional reviewing body. The number of directional signs shall be limited to the number necessary to achieve this goal. Directional signs shall be consistent with each other and the site's other signage, and shall be limited to six (6) square feet in area and four (4) feet in height. The signs shall not be used for advertising purposes.

J. Public and Quasi-public Uses

(1) Community event signs sponsored by a civic organization, club, municipality or house of worship shall be permitted.

(2) Community event signs shall be no larger than two (2) feet by three (3) feet and no higher than four (4) feet, measured from the ground to the bottom of the sign.

(3) Community event signs shall be setback at least five (5) feet from any street or property line, and such signs may only be erected within fourteen (14) days to the event it advertises and must thereafter be removed within three (3) days of the conclusion of the event.

(4) Community event signs shall be constructed of durable weatherproof materials and have suitably designed copy and graphics. The Municipality reserves the right to reject signs which are incongruous to the neighborhood where it is proposed to be placed or which might pose a health and safety hazard, or which may otherwise be prohibited by this chapter.

(5) Community event signs are exempt from permit filing as long as the event has been approved by the Township Committee.

(6) A house of worship may have a total of two (2) signs displayed on the property, which shall not exceed a total of thirty-two square feet. One sign may be an identification sign and one sign may be a changeable copy sign. If only one sign is erected, such sign shall not exceed a total of sixteen (16) square feet. Any wall sign must otherwise conform to the design standards set forth in this Ordinance. Any free-standing sign shall also conform to the design standards set forth in this Ordinance and must not be placed any higher than four (4) feet, measured from the finished grade to the bottom of the sign. Any freestanding sign must also be placed at least five (5) linear feet behind any property line.

(7) Public utility signs shall be permitted, which include warnings, locations, and other required direction information in order to protect public safety.

K. All Residential Districts and Uses located in Riverside.

(1) A permitted Home Professional Office or approved Home Occupation may have one sign not to exceed four (4) square feet in area or be higher than four (4) feet above surrounding grade level measured from the ground to the bottom of the sign. The sign shall not extend beyond a vertical plane five (5) linear feet from all property lines displayed on the property. Where a permitted building housing a Home Occupation is located within six (6) feet of the front lot line or the street line one (1) projecting sign may be used in lieu of a small freestanding sign outlined above. The projecting sign shall not exceed four (4) square feet in area. The projecting sign shall be permitted to be located between an imaginary line drawn perpendicular to the top of any first or ground floor windows and/or doors and the top of the floor of the second floor.

(2) No other displays or changes in façade that alter the residential character of the building shall be permitted in any residential district.

(3) Neighborhood Identification Signs shall not exceed twenty-four (24) square feet in area and shall not project more than 18 inches above ground level and shall not exceed six (6) feet in height.

(4) The minimum permitted letter height applying to the trading entity and its logo and not including taglines and mottoes shall be a minimum of four (4) inches and a maximum of eight (8) inches.

(5) No window signs shall be permitted in residential businesses.

L. Commercial Districts and Uses except Automotive Service Stations.

(1) All Building signs

a) A total of two non-exempt signs totaling no more than 50 square feet shall be permitted to be mounted to buildings and may include the following:

(2) Wall Signs and marquee signs as defined

a) Wall and marquee sign area shall not exceed one (1) square foot in area for each linear foot of frontage of the establishment to which it relates.

(3) Projecting or suspended signs as defined

a) Projecting or suspended signs with a display area not greater than four (4) square feet, shall be permitted under a canopy for each storefront or business service having an individual public entrance from the exterior of the building.

b) Projecting or suspended signs may be provided over the sidewalk if the bottom of the sign is a minimum of seven (7) feet above the surrounding grade, measured from the finished grade to the bottom of the sign.

c) Projecting signs may not project more than thirty (30) inches from the exterior wall of the building.

d) Suspended signs may not extend farther away from the exterior wall of the building than the structure from which it is supported. In no case shall the suspended sign be greater than one (1) foot from the exterior wall of the building. (?)

e) The minimum permitted letter height applying to the trading entity and its logo, not including taglines and mottoes, shall be two (2) inches to a maximum of six (6) inches.

f) Projecting signs shall contain only the name and type of the business but may also include the location address.

(4) Window Signs

a) One etched or painted permanent window sign shall be permitted in one storefront window of any retail or commercial business, providing it does not exceed twenty-five (25) percent of the window area.

(5) Awning or canopy sign

One awning or canopy sign shall be permitted on the awning or canopy provided that the maximum letter height does not exceed eighteen (18) inches. Opaque matte cotton and opaque mixed fabric awnings may be illuminated, consisting of three or fewer one-hundred-watt incandescent light bulbs, or other light sources of comparable wattage, including but not limited to compact fluorescent lights of comparable wattage, or LED lights of comparable wattage. Such lighting shall be exempt from submitting a lumens plan. Awnings and canopies are permitted to encroach upon the sidewalk up to eight (8) feet; except the bottom of the awning or canopy shall be located seven (7) feet above surrounding adjacent finished grade level.

(6) Changeable copy signs

a) Changeable copy signs are permitted and shall not exceed 1 square foot in area for each 5 linear foot of frontage of the establishment to which it relates.

b) The minimum permitted letter height applying to the trading entity and its logo, not including taglines and mottoes, shall be a minimum of four (4) inches and a maximum of ten (10) inches.

c) Copy signs shall conform to all other requirements of this Ordinance.

d) Directory signs

Directory signs shall be permitted in relation to each building provided the directory is no more than six (6) square feet in area and four (4) feet in height as measured from the finished grade to the bottom of the sign. The principal commercial message letter height should be visible from drive aisles and sidewalks and shall be a minimum of two (2) and a maximum of six (6) inches in height. Commercial tag-lines shall not have a minimum letter height requirement.

(7) Neon or gas tubing signs are permitted and subject to the following conditions:

a) No neon or gas tubing sign may revolve, flash, or display movement or

the illusion of movement.

b) Neon or gas tubing signs may be installed in windows but shall not exceed ten (10) percent of the total window area. The area of neon signs is calculated by creating a rectilinear area around the sign and calculating the sign area within the rectilinear space.

c) Neon and gas tubing signs are prohibited in any lot of the commercial district directly across the street from residential districts as shown on the official zoning map,

d) All neon or gas tubing signs are required to have an initial outlet of less than 200 lumens.

(8) Temporary Signs

a) A portable swinger, "A" frame, or sandwich sign that can be no larger than five (5) square feet when utilized to advertise daily specials, special events, restaurant menu specials and the like, providing the sign is only displayed when the establishment is open for business. These signs cannot be lighted. Changeable copy lettering is permitted for daily specials only. These signs should advertise the name of the business entity and daily specials. These signs shall not advertise the name of products, manufacturers, or purveyors. Under no circumstances shall these signs impede pedestrian flow or be displayed when the enterprise is not open.

b) Temporary window signs shall not exceed twenty-five percent (25) percent of the total storefront window area, and shall be promptly removed upon termination of the sale or event, and shall not be displayed for longer than thirty (30) days.

c) Temporary banner signs on buildings shall be permitted fourteen (14) days prior to an approved event and shall be removed no later than three (3) days after the event. These signs shall not exceed twenty (20) square feet. These signs must be firmly affixed to the façade or the building and must be at least seven (7) feet above the adjacent sidewalk elevation as measured from the sidewalk to the bottom of the sign and no higher than the second habitable floor of the building.

M. Industrial Districts and Uses

Each Industrial use shall be permitted 1 square foot of wall and freestanding sign area for each 2 linear feet of frontage of the establishment to which it relates.

N. Maintenance.

(1) The General Requirements of the International Property Maintenance Code 2006 or later as adopted by the Riverside Township governing body shall apply.

(2) All signs shall be maintained in a safe, presentable and in good structural condition at all times. As used in this section, sign maintenance shall include, but is not limited to, the replacement of defective parts or landscaping, painting, repainting and cleaning. The owner of any property on which a sign is located, and any person responsible for the maintenance of the

sign, shall be equally responsible for the condition of the area in the vicinity of the sign and shall be required to keep this area clean, sanitary, and free from noxious or offensive substances, rubbish, and flammable waste materials. If the sign at anytime fails to comply with adequate safety standards, the Zoning Officer or Code Enforcement Officer shall require its repair or removal within thirty (30) days.

(3) The property owner shall be responsible for maintaining all signs erected on a tax lot. This maintenance shall include, but is not limited to, repainting, repairing and cleaning, as necessary. No sign shall be permitted to exhibit:

- a) Excessive chipped or peeling paint or lettering;
- b) Damaged or broken lettering or signboard;
- c) Illegible material due to fading, obliteration, or other condition;
- d) Dirty, torn, broken, or otherwise damaged awning, canopy, projecting sign, or other sign support structure;
- e) Damaged or inoperative lighting.

- (4) If the Zoning Officer or Code Enforcement Officer determines that any sign is in a state of disrepair so as to no longer be reasonably capable of presenting its message, is a danger to the public health or public safety, or is determined to be abandoned, the Zoning Officer or Code Enforcement Officer shall give written notice of the condition of the sign to the owner of the sign and to the owner of record of the offending tax lot. The property owner shall thereafter have thirty (30) days to repair or remove said sign. If said sign is not satisfactorily repaired or removed within the thirty-day period, the Zoning Officer or Code Enforcement Officer may thereafter take such actions as are permitted pursuant to this Chapter.

O. Abandonment. A sign is considered abandoned when one of the following occurs:

- 1. The business to which the sign relates has been permanently closed;
- 2. The business to which the sign relates has been temporary closed for more than 180 days; or
- 3. The sign owner and/or the tax lot owner have failed to respond to a notice from the Zoning Officer or Code Enforcement Officer that the sign is in disrepair within ten (10) consecutive business days;
- 4. Abandoned signs and their supporting structures shall be removed within 30 days. The Township may thereafter take such actions as are permitted, pursuant to this Chapter.

P. Permits, Fees

1. All signs, excluding those specifically exempted within this section, shall require an approved application from the Zoning Officer and any and all applicable permits from the Construction Code Official. The applicant shall furnish the Zoning Officer with the necessary information from which to determine whether the subject sign meets the requirements of this section.

2. Individual signs placed within a multiple sign structure subsequent to its installation shall require a separate permit.

3. Where the erection of a sign has not been completed within six (6) months after the date of issuance of an approved application, the application shall become null and void. The Zoning Officer shall have the discretion to grant a reasonable continuation of time after this six month period where unavoidable conditions prevented the initiation of, or completion of, work within the prescribed time period. Failure to complete the installation within six (6) months, without an approved extension, shall require reapplication by the sign applicant.

4. Fees shall be established pursuant to the requirements of Chapter 150 of the Codes of the Township of Riverside.

5. Notwithstanding the provisions of this section, the Township Committee in its absolute and sole discretion, or by contract or agreement, may provide advertising for any business, organization or use, when such advertising is deemed to be in furtherance of the public good, health, safety and/or general welfare.

Q. Enforcement

(1) If the Zoning Officer or Code Enforcement Officer shall find that any sign regulated herein is unsafe, insecure, in need of repair, equipped with flashing or blinking lights, or otherwise in violation of this Ordinance, the Zoning Officer or Code Enforcement Officer shall give written notice to the sign owner and the tax lot owner, if different from the sign owner, or to the respective attorney(s). If the owner fails to remove, alter or repair the sign within thirty (30) days after such notice, the Zoning Officer or Code Enforcement Officer may initiate further action as provided in this section in order to abate or remedy the violation.

(2) Upon failing to comply with the violation notice from the Zoning Officer or Code Enforcement Officer within the time specified, the Zoning Officer or Code Enforcement Officer is authorized to cause the removal of the sign, and any expense incidental thereto shall be paid by the permittee or owner of the property upon which the sign is located.

R. Violations and penalties.

See Chapter 2, Violations, of the Codes of the Township of Riverside.

PART 5: ADMINISTRATION

**ARTICLE XXII
Enforcement**

§ 255-158. Enforcement

A. The Zoning Officer shall administer and enforce the zoning provisions of this chapter and shall be responsible for issuing zoning permits. No zoning permit shall be issued unless the proposal complies with this chapter. A zoning permit shall be issued prior to the issuance of a construction permit by the Construction Official.

B. No certificate of occupancy for a new use of an existing structure shall be issued unless there is an approved zoning permit. All changes in occupancy of an existing structure which do not involve residential uses shall require a zoning permit which shall certify that the use complies with zoning laws of the township. Prior to the issuance of a zoning permit for a change in occupancy, the Construction Official shall issue a certificate of continued occupancy which certifies that the building structure and premises conform with the Uniform Construction Code of the State of New Jersey.

C. It shall be the duty of the Zoning Officer, with the advice of the Township Engineer or Planning Board Engineer, and Planning Board Planner to enforce the provisions of subdivision and site plan approvals.

D. A zoning permit shall be issued or denied within ten (10) days of the date of a complete submission, and the work shall be commenced within one (1) year after the issuance of the permit as provided in this chapter; otherwise, the permit shall be void.

§ 255-159. Enforcement Official

A. The duty of administering and enforcing the provisions of this chapter is hereby conferred upon the Zoning Officer who shall have such powers as are conferred on him in accordance with its literal terms. The Zoning Officer shall not have the power to permit any construction or any use or change of use which does not conform to this chapter. The Zoning Officer shall be appointed by the Township Committee.

B. The duties of the Zoning Officer shall be:

1. To examine all applications for construction, use and sign permits.
2. To issue permits only for construction, uses and signs which are in accordance with the regulations of this chapter and other applicable ordinances as may be subsequently amended.
3. To record and file all applications for zoning permits with the accompanying plans.
4. To issue permits for conditional uses only after such uses and buildings are approved by the Planning Board.
5. To issue all necessary stop orders.

6. To inspect nonconforming uses, buildings and signs.
7. Upon the request of the governing body, to present to such body facts, records and any similar information on specific requests to assist such body in reaching its decision.
8. To give written notice of violation.
9. To sign written complaints against violators in Municipal Court.
10. To cause any building, plans or premises to be inspected or examined and order in writing the remedying of any conditions found to exist in violation of this chapter.
11. To enter any building or premises during the daytime in the course of his duties, with the permission of the owner.

C. Enforcement Authority. Pursuant to N.J.S.A. 40:55D-18, the Zoning Officer shall have the authority to institute an appropriate action or proceeding to prevent any unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use in violation of this Chapter. This authority shall include the ability to restrain, correct or abate such violation; to prevent the occupancy of any building structure or land; and to prevent any illegal act, conduct, business or use.

§ 255-160 Filing of Zoning Complaints.

A. Whenever a violation of this chapter occurs, or is alleged to have occurred, any person may file a written and signed complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Officer. He shall record promptly such complaint, immediately investigate and take action thereon as provided by this chapter.

B. If the Zoning Officer shall find that any of the provisions of this chapter are being violated, he shall notify, in writing, the person responsible for such violations, indicating the nature of the violation and order the action necessary to correct it.

§ 255-161 Issuance of Permits.

This ordinance shall be enforced by the designated Zoning Officer of the Township. No permit of any kind as provided in this chapter shall be granted by him for any purpose except in compliance with the provisions of this Chapter, a decision of the Planning Board, or a ruling by the courts.

§ 255-162 Violations and Penalties.

A. Violations. Failure to secure the required zoning permit or building permit previous to the erection, construction, alteration or addition to a building shall be a violation of this chapter. Structures erected without a permit or not in conformity with this chapter shall be removed.

B. Notice of Violation. When written notice of a violation of any provision of this chapter has been served by the Zoning Officer on the owner, owner's agent, occupant, contractor or builder, such violation shall be discontinued and/or removed immediately.

C. Fines and Penalties. Any person, firm or corporation violating any provisions of this chapter shall for each violation upon conviction thereof, be subject to one (1) or more of the following; a fine not exceeding one thousand dollars (\$1,000); a term of imprisonment not exceeding ninety (90) days; or a period community service not exceeding ninety (90) days. Each day that a violation is permitted to exist shall constitute a separate offense.

ARTICLE XXIII

Certificates and Permits

§ 255-163 Building Permits.

All building permits shall be issued in accordance with the provision of the Building Code of the Township of Riverside. No building permit shall be issued for any new structure or any modification to an existing structure unless a zoning permit has been issued by the Zoning Officer.

§ 255-164 Zoning Permits.

A. Zoning Permit Requirement. A zoning permit shall be required prior to the erection or structural alteration of any building, structure or portion thereof and prior to the use or change in use of a building or land, and prior to the change or extension of a nonconforming use.

B. Application for Permit. Application for permits, including temporary permits, shall be made in writing to the Zoning Officer on such forms as may be furnished by the Township. No permit shall be considered complete or permanently effective until the Zoning Officer has certified that the work meets all the requirements of applicable codes and ordinances.

C. Plot Plans for Zoning Permit. All applications for zoning permits shall be accompanied by three (3) copies of a true and accurate plot plan drawn to scale, showing the location and size of each building to be erected upon each lot, the actual dimension of each lot to be built upon and such other information as may be necessary to enable the Zoning Officer to determine whether the proposed structure and use of land will conform to the provisions of this chapter. The Zoning Officer shall keep a record of all applications for zoning permits and a record of all permits issued with a notation of all special conditions involved.

He shall also file and safely keep copies of all plans submitted and the same shall become a part of the records of his office for the use of the Township Committee and other officials of the township.

D. Issuance of Zoning Permit. Zoning permits shall be granted or refused within ten (10) days after the written application has been filed with the Zoning Officer. Upon completion of the erection or alteration of any building or portion thereof authorized by any permit, and prior to occupancy or use, the holder of such permit shall notify the Zoning Officer of such completion. No permit shall be considered complete or permanently effective until the Zoning Officer has certified that the work has been inspected and approved as being in conformity with the provisions of this chapter and other applicable ordinances.

E. Expiration of Permits. No permit for the erection, razing, change, alteration or removal of buildings shall be valid or effective after one (1) year from the date of issuance thereof and shall thereafter be void, unless the work authorized by such permit shall have been substantially commenced within one (1) year from the date of issuance and proceeded with due diligence. If, however, the applicant has been delayed in proceeding with the work for which the permit was granted by reason of any reasonable cause not due to his own negligence, the permit may be renewed without additional cost to the applicant.

§ 255-165 Conditional Use Permits.

Application for any conditional use permit as permitted under the provisions of this chapter shall be made to the Planning Board Secretary. The Board Secretary shall forward the plans submitted in connection with the application to the professional staff for its report thereon as to the application effect on the comprehensive planning of the Township. Once the application is deemed complete, the Board Secretary shall schedule a hearing on the matter. The Planning Board may hold public hearings on the application prior to receipt of the report and recommendation referred to above, but may not finally act until the recommendation and report are received. Subject to the above, the Planning Board shall hear the application in the same manner and under the same procedure as it is empowered by law and ordinance to hear such cases and make exceptions to the provisions of Part 2, Zoning. The Planning Board may thereafter direct the Board Secretary to issue such permit if, in its judgment, any one (1) of such cases will not be detrimental to the health, safety and general welfare of the township and is deemed necessary for its convenience. In approving any such application, the Planning Board may impose any conditions that it deems necessary to accord the reasonable application of applicable standards as provided in this Chapter and may deny any such application but only in accordance with said standards.

§ 255-166 Temporary Use Permits.

A. Temporary Use Permits. It is recognized that it may be necessary in accordance with the purpose of the chapter to permit temporary activities for a limited period of time, which activities may be prohibited by other provisions of this chapter. If such uses are of such a nature and are so located that at the time of petition they will:

1. In no way exert a detrimental effect upon the uses and land and activities normally permitted in the zone.

2. Contribute materially to the welfare of the township, particularly in a state of emergency, under conditions peculiar to the time and place involved, then the Planning Board may, subject to all requirements for the issuance of special permits elsewhere specified, direct the Zoning Officer to issue a permit for a period not to exceed six (6) months. Such period may be extended not more than once for an additional period of six (6) months.

§ 255-167 Certificates of Occupancy.

A. Certificates of occupancy shall be issued in accordance with the procedures set forth by the Township Committee.

B. New uses. No building shall be occupied or used until such time as a certificate of occupancy is issued by the Zoning Officer, after determination that the building, structure or use is in conformance with the provisions of this chapter.

C. Existing uses. Upon written request from the owner, tenant, occupant or purchaser under contract, the Zoning Officer, after inspection, shall issue an occupancy permit for a use legally existing at the time this chapter is made effective, certifying the extent and kind of use and any other such existing use which conforms to the provisions of this chapter.

D. Change of use. No owner, tenant or other person shall use or occupy any building or structure after the use of such building or structure is changed after the passage of this chapter without first procuring an occupancy permit, provided that an occupancy permit, once granted, shall continue in effect so long as there is no change in use, regardless of change in tenancy or occupancy.

§ 255-168 Certificates Showing Approval.

A. The prospective purchaser, prospective mortgagee or any other person interested in any land which forms part of a subdivision may apply in writing to the Township Clerk for the issuance of a certificate certifying whether or not such subdivision has been approved by the Planning Board. Such application shall contain a diagram showing the location and dimensions of the land to be covered by the certificate and the name of the owner thereof.

B. The Township Clerk shall make and issue such certificate within fifteen (15) days after the receipt of such written application and the fee therefore. Said Officer shall keep a duplicate copy of each certificate, consecutively numbered, including a statement of the fee charged, in a binder as a permanent record of his or her office.

c. Each such certificate shall be designated a "certificate as to approval of subdivision of land" and shall certify:

1. That there exists in the Township a duly established Planning Board and that there is an ordinance controlling subdivision of land adopted under the authority of the Municipal Lane Use Law of 1975, Chapter 291.

2. Whether the subdivision, as it relates to the land shown in said application, has been approved by the Planning Board and, if so, the date of such approval and any extensions and terms thereof, showing that subdivision of which the lands are a part is a validly existing subdivision.

3. Whether such subdivision, if the same has not been approved, is statutorily exempt from the requirement of approval as provided within the Municipal Lane Use Law.

D. The fee for such certificate is indicated on the Township Fee Schedule.

§ 255-169 Period of Approval.

In the event that, during the period of approval heretofore or hereafter granted to an application for development, the developer is barred or prevented, directly or indirectly, from proceeding with the development otherwise permitted under such approval by a legal action instituted by any state agency, political subdivision or other party to protect the public health and welfare or by a directive or order issued by any state agency, political subdivision or court of competent jurisdiction to protect the public health or welfare, and the developer is otherwise ready, willing and able to proceed with said development, the running of the period of approval under this chapter or under any ordinance repealed by this chapter, as the case may be, shall be suspended for the period of time said legal action is pending or such directive or order is in effect.

§ 255-170. Conditional Approval.

A. In the event that a developer submits an application for development proposing a development that is barred or prevented, directly or indirectly, by a legal action instituted by any state agency, political subdivision or any other party to protect the public health and welfare or by a directive or order issued by any state agency, political subdivision or court of competent jurisdiction to protect the public health and welfare, the Planning Board shall process such application for development in accordance with this chapter, and if

such application for development complies with the requirements of this chapter, the Planning Board shall approve such application, conditioned on removal of such legal barrier to development.

B. In the event that development proposed by an application for development requires an approval by a governmental agency other than the Planning Board, the Planning Board shall in appropriate instances, condition its approval upon the subsequent approval of such governmental agency, provided that the municipal agency shall make a decision on any application for development within the time period provided in this chapter or within an extension of such period as has been agreed to by the applicant, unless the municipal agency is prevented or relieved from so acting by the operation of law.

§ 255-171 Inspections.

No zoning permit required by this chapter shall be issued by the Zoning Officer until he shall have made such examination of the application and plot plan and such inspection of the property as are necessary to enable him to determine whether the proposed structure or use of land will conform to the provisions of this chapter. No certificate of occupancy required by this Article shall be issued until the Construction Official and Zoning Officer have made such inspection as is necessary to determine whether the erection or alteration of the building or structure has been completed in conformity with the provisions of this chapter, or that the proposed use of occupancy of land will conform to the provisions of this chapter. It shall be the duty of the Construction Official and Zoning Officer, upon request of the owner, to make an inspection at any stage of the erection or alteration of a building or structure for the purpose of determining whether such erection or alteration is being made in conformity with the Uniform Construction Code and the provisions of this chapter, but the failure of the Construction Official or the Zoning Officer to make any such inspection shall not in any manner entitle such owner to a certificate of occupancy if such erection or alteration when completed does not conform to the Uniform Construction Code or the provisions of this chapter.

ARTICLE XXIV

Fees

§ 255-172 Fee Schedule.

A. Fee for Copies of Certificates of Occupancy. No fee shall be charged for an original certificate of occupancy as required herein; but for each copy of an original certificate, there shall be a charge of one dollar (\$1), which shall be remitted to the Township Treasurer by the issuing officer in accordance with the manner of reporting and payment as is generally provided.

B. Filing Fees and Escrow Funds. At the time of submitting an application for site plan approval, subdivision approval, bulk variance, use variance or conditional use permit, the applicant shall comply with the following provisions.

1. The applicant shall execute a form of agreement with the Township of Riverside agreeing to pay all application fees, professional charges and any other cost of fee related to the processing and review of his or her application, including, but not limited to, the cost of site inspections and appeals by the applicant, if necessary.

2. Payment of fees and escrow.

a. The applicant shall pay application fees and the applicant shall deposit in cash a certain sum with the Planning Board Secretary to be placed in escrow by the township to cover the cost of professionals employed by the Planning Board to make reviews and inspections of the applications and plans submitted as well as site inspection, if necessary, in accordance with the Township Fee Schedule.

b. Applicants for site plan and major subdivision plan approval must receive both preliminary and final approval.

c. In the event that an application is denied, certified incomplete or withdrawn by the applicant and the application is subsequently resubmitted or a second application is submitted by the same applicant for the same use and on the same site as the original application within sixty (60) days of the denial, incomplete certification or withdrawal, then a new escrow amount must be submitted with such application in accordance with the Fee Schedule. If an application is refiled after the application has been denied without prejudice, no new application fee need be submitted. Upon receipt of a formal, written request, the Planning Board reviewing the application may recommend to the governing body that the unencumbered balance of the original escrow be refunded to the applicant or credited toward the escrow amount required for any subsequent application or resubmitted application.

d. Sums not utilized in the review and inspection process or other costs of administration shall be returned to the applicant. If additional sums should be deemed necessary, the applicant shall be notified of the required additional amount and shall add such sum to the escrow within fourteen (14) days of the date of said notice.

e. Within thirty (30) days of the Planning Board's adoption of a resolution memorializing its approval or denial of an application for development or the conclusion of an appeal, the township professionals shall submit final vouchers for services performed in connection with the application or appeal to the Chief Financial Officer of the township.

3. Dispute of Escrow Charges. In the event that an applicant wishes to dispute the charges made by a professional for services rendered to the municipality for the

review of a development application, the applicant shall notify the Township Administrator in writing with copies to the chief financial officer, the Planning Board and the professional. The Township governing body or its designee, shall attempt to remediate the disputed charges within a reasonable time period. If the matter is not resolved to the satisfaction of the applicant, the applicant may appeal the matter to the county construction board of appeals any charge to an escrow account or deposit made by any municipal professional or consultant pursuant to N.J.S.A. 40:55D-53.2a. Any such appeal shall be filed within 45 days of the receipt of the informational copy of the professionals voucher or, if the informational copy is not received, within 60 days of the receipt of the municipal statement of activity against the deposit or escrow account. An applicant may file an appeal for an ongoing series of charges by a professional during a period not exceeding six months. The county construction board of appeals shall hear the appeal and render a decision thereon, within 10 business days of the submission of the appeal unless such time is extended by the applicant.

4. Within forty-five (45) days of the Township's Engineer's completion of inspection of improvements installed at the behest of the applicant, the Board Engineer shall submit a voucher for services which shall be processed in accordance with the preceding subsection.

5. Fees of professionals employed by the Planning Board shall be those determined annually by the Board. The fee schedules of the professionals should indicate whether clerical and related support services are included in the professional rate structure or charged separately.

ARTICLE XXV

Repealer, Severability and Effective Date

§ 255-173 Repealer.

All ordinances inconsistent with or in conflict therewith are hereby repealed.

§ 255-174 Severability.

If any section, subsection or paragraph of this chapter shall be declared to be unconstitutional, invalid, or inoperative in whole or in part by a court of competent jurisdiction, such section, subsection or paragraph shall to the extent that is not unconstitutional, invalid or inoperative remain in full force and effect, and no such determination shall be deemed to invalidate the remaining sections, subsections or paragraphs of this chapter. To this end, the provisions of each section, subsection, paragraph of this chapter are hereby declared to be severable.

§ 255-175 Effective Date.

This ordinance shall take effect twenty (20) days subsequent to passage and publication according to law.

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Exhibit A

**RIVERSIDE TOWNSHIP
PLANNING BOARD**

237 S. Pavilion Avenue
P.O. Box 188
Riverside, New Jersey 08075-0188

Meghan Jack, Secretary
Phone: (856) 461-0284
Fax: (856) 461-5878
E-mail: meghanjack@comcast.net

PLANNING BOARD APPLICATION FORMS

(This packet does not include the required submission requirements checklists. In order to obtain a copy of the submission requirements checklist, you may contact the Board's secretary.

Anyone with any questions regarding this application packet may contact the Board's secretary during normal business hours (Monday – Friday 8:30 a.m. – 3:30 p.m.), as listed above.

**RIVERSIDE TOWNSHIP
PLANNING BOARD**

**APPLICATION FORMS
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Riverside Township Planning Board
Rules & Adopted Policies
Adopted: January 9, 2012

I. Submitting An Application

- A. The following documentation is to be submitted to the Board Secretary to file an application
1. Completed application forms with original signatures – including pages 7-16, 20, 21, 23, 24 & 25.
 2. Ten (10) sets of full sized plans in accordance with the Township Submission Requirements Checklist (a copy of which is available separate from this package) and the Riverside Township Ordinances.
 3. One (1) reduced sized copy of the plan (11"x17").
 4. A PDF electronic copy of the plan to be submitted either by CD or e-mail to the Board Secretary. If this requirement can not be accomplished by the applicant, the applicant may request a waiver from this requirement; however, in that case, the applicant is required to provide a total of twelve (12) sets of full-sized plans.
 5. Ten (10) copies of any additional required reports in accordance with the Township Submission Requirements Checklist.
 6. A PDF file copy of any additional required reports in accordance with the Township Submission Requirements Checklist (either by CD or e-mail). If this requirement can not be accomplished by the applicant, the applicant may request a waiver from this requirement; however, in that case, the applicant is required to provide a total of twelve (12) sets of the reports.
 7. Required application fees and escrow deposit (in accordance with page #17-19).
 8. The Board reserves the right to request additional paper copies of any application forms, plans, reports, photos, etc, for an application in the event it is determined additional hardcopies are necessary to allow the Board to properly review the application.
- B. In addition to filing the required application forms and supporting documentation to the Board Secretary, it is the applicant's responsibility to provide copies of the application, plans and all supporting documentation to all of the Board's professionals (listed on page #26). Failure to do so may result in the delay of the scheduling of the applicant's public hearing.
- C. No application will be scheduled for a public hearing until the application has been reviewed and deemed complete by the Board's professional staff.

Riverside Township Planning Board
Rules & Adopted Policies
Adopted: January 9, 2012

- D. An application must be deemed complete at least 15 days prior to a scheduled hearing date.
- E. All revisions to an application, plans or supporting documentation must be submitted at least 15 days prior to a scheduled hearing date. All revisions must also be provided by the applicant directly to all of the Board's professional staff. Failure to do so may result in the application being continued until the next available meeting date.
- F. If an application has been deemed incomplete and the applicant wishes to request submission waivers from the Board, the request must be made in writing to the Board at least seven (7) days prior any meeting date. The application will not be scheduled for their public hearing until the issues dealing with completeness have been addressed (either by the granting of the submission waiver by the Board or the applicant submitting the required information).
- G. Applicant is required to provide the following proof of any required notice for all applications requiring notices in accordance with the Municipal Land Use Law and Riverside Township ordinances.
 - 1. Applicant is required to provide a copy of list of property owners within 200' (Tax Assessor's List – See page #22 for form to request list) a minimum of ten (10) days prior to appearing before the Board for their scheduled public hearing.
 - 2. Applicant is required to provide a copy of a notice that was provided to property owners and/or other agencies within 200' prior to appearing before the Board for their scheduled public hearing.
 - 3. Applicant is required to provide the original certified mail receipts and/or signatures for property owners notified within 200' prior to appearing before the Board for their scheduled public hearing.
 - 4. Applicant is required to provide the original affidavit of service (see page #24 for form) prior to appearing before the Board for their scheduled public hearing.
 - 5. Applicant is required to provide the original affidavit of publication from the Burlington County Times prior to appearing before the Board for their scheduled public hearing. (See page #23 for a generic form to send to newspaper for publication)

Riverside Township Planning Board
Rules & Adopted Policies
Adopted: January 9, 2012

II. Meetings

A. Regular Meetings

1. All Planning Board meetings shall begin at 7:00 pm, in the Riverside Township Municipal Building located at 1 W. Scott Street, Riverside, New Jersey unless otherwise noted or adopted by separate resolution.
2. All Planning Board meetings are held in accordance with the Open Public Meetings Act.
3. A copy of the agenda of the meeting shall be posted on the township website.
4. It is recommended to all applicants providing exhibits for review at a scheduled hearing that the exhibits be available prior to the start of the meeting.
5. The Board or the Board's Chair may modify the agenda at any time in accordance with the rules and regulations of the Board and the Open Public Meetings Act.
6. All Planning Board meetings shall conclude at 11:00 pm. Any remaining items on the agenda will be continued until the next regular scheduled meeting. The Board, at their discretion may extend the meeting past 11:00 pm, by a motion, if sufficient reasons exist to extend the meeting.
7. The Planning Board may decide to request the presence of a court reporter for any given hearing. If the applicant or other party wishes to request a transcript of that hearing the party making the request shall pay the full expense of preparing the transcript. A \$100.00 deposit is required at the time the request is made and the balance is due when the transcript is completed and final bill is received. A copy of the transcript will not be provided until the required balance has been paid by the party that made the request.
8. No public hearing will be held for any applicant having delinquent taxes, escrow account or outstanding requested escrow payment.
9. Any applicant or witness testifying before the Board is required to provide their name (with correct spelling) and address and be sworn in for their testimony. If the witness is testifying as an expert, the witness must provide their credentials for acceptance.

B. Special Meetings

1. An applicant or a Board member may request a special meeting. A special meeting can only be established by the Board as a result of an approval from the Chair and Vice-Chair of the Board.

Riverside Township Planning Board
Rules & Adopted Policies
Adopted: January 9, 2012

2. An emergency special meeting may be called by the Board Chair.
3. All special meetings are to be held in compliance with the Open Public Meetings Act.
4. All special meetings are to comply with the same rules and regulations of a regular meeting were applicable.
5. Any applicant requesting a special meeting shall pay all out-of-pocket expenses incurred by the Board in holding such a meeting, including, but not limited to, the cost of meeting attendance for all Board professionals and the advertisement costs for holding a special meeting.
6. The Board may require the applicant to provide additional public notice to the public for any requested special meetings.
7. The starting time and time limit for the special meeting shall be set by the Board or the Board Chair.

III. Amendments

- A. The Board reserves the right to amend their rules and adopted policies at any time. However, any changes made must be approved by the Board, by motion at a public meeting and must be included in the written version available to the public in order to become valid.

**TOWNSHIP OF RIVERSIDE
ADMINISTRATIVE OFFICES
P.O. Box 188
237 S. PAVILION AVENUE
RIVERSIDE, NEW JERSEY 08075-0188**

The application, with supporting documentation, must be filed with the Secretary of the Board and must be delivered to the professionals for review. No application will be scheduled before the board until the application has been deemed complete by the professional staff. All application forms must either be typed or clearly printed in ink - if the application form is illegible it will be returned.

To be completed by Township staff only

Date Filed _____ Application No. _____
Planning Board _____ Technical Review _____
Application Fees _____ Escrow Deposit _____
Scheduled for: Completeness Review _____ Hearing _____

1. SUBJECT PROPERTY

Location: _____
Tax Map: Page _____ Block _____ Lot _____
Page _____ Block _____ Lot _____
Dimensions: Frontage _____ Depth _____ Total Area _____
Zoning District _____

2. APPLICANT

Name _____
Address _____

Telephone Number _____ Fax Number _____
Email _____

Applicant is a:

Corporation _____ Partnership _____ Individual _____

3. DISCLOSURE STATEMENT

Pursuant to R.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with R.S. 40:55-48.2, that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed.
(Attach pages as necessary to comply fully.)

Name _____
Address _____ Interest _____

Name _____
Address _____ Interest _____

Name _____
Address _____ Interest _____

Name _____
Address _____ Interest _____

4. IF OWNER BE OTHER THAN THE APPLICANT, PROVIDE THE FOLLOWING INFORMATION ON THE OWNER(S)

Name of owner(s) _____
Address _____
Telephone _____ Email _____

5. PROPERTY INFORMATION:

Restrictions, covenants, easements or association by-laws (existing or proposed) on the property:

Yes (attach copies) _____ No _____ Proposed _____

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present use of the premises (be specific): _____

6. Applicant's Attorney _____
Address _____

Telephone Number _____
Fax Number _____ Email: _____
7. Applicant's Engineer _____
Address _____

Telephone Number _____
Fax Number _____ Email: _____
8. Applicant's Planning Consultant _____
Address _____

Telephone Number _____
Fax Number _____ Email: _____
9. Applicant's Traffic Engineer _____
Address _____

Telephone Number _____
Fax Number _____ Email: _____
10. Applicant's Agent (if any) _____
Address _____

Telephone Number _____
Fax Number _____ Email: _____
11. List any other Expert who will submit a report or who will testify for the Applicant:
(Attached additional sheets as may be necessary):
- Names _____ Field Of Expertise _____
Address _____

Telephone Number _____
Fax Number _____ Email _____

12. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

Subdivision:

_____ Minor Subdivision Approval

_____ Subdivision Approval (preliminary)

_____ Subdivision Approval (final)

Number of lots to be created _____
(including remainder lot)

Number of additional new dwellings to be created (if residential) _____

Site Plan:

_____ Minor Site Plan Approval

_____ Preliminary Site Plan Approval (Phases if applicable) _____

_____ Final Site Plan Approval (Phases if applicable) _____

_____ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet) _____

Total number of proposed dwelling units _____

Existing number of employees _____

Number of Additional employees with proposal _____

_____ Request for Waiver from Site Plan Review and Approval

Reason for request: _____

_____ Informal Review Note: If applicant is requesting an informal hearing before the Planning Board without filing a formal application for site plan or subdivision then the applicant should use the simplified application form for an informal presentation. A copy of the simplified application can be obtained by contacting the Board's Secretary.

_____ Appeal decision of an Administrative Officer (R.S. 40:55D-70a(1))

_____ Map or Ordinance Interpretation of Special Question (R.S. 40:55D-70b)

_____ Variance Relief (hardship) (R.S. 40:55D-70c(1))

_____ Variance Relief ('flexible c') (R.S. 40:55D-70c(2))

_____ Variance Relief (unpermitted structure or use; expansion of a non-conforming use; deviation from a specification or standard pertaining solely to a conditional use; increase in permitted floor area ratio; increase in permitted density; deviation in maximum permitted height of a principal structure more than 10' or 10%) (R.S. 40:55D-70d)

_____ Conditional Use Approval (R.S. 40:55D-67)

_____ Direct issuance of a permit for a structure in a bed of a mapped street, public drainage way or flood control basin (R.S. 40:55D-34)

_____ Direct issuance of a permit for a lot lacking street frontage (R.S. 40:55D-35)

13a. Section(s) of Ordinance from which a variance is requested: _____

13b. Provide detailed description of all variances being requested (i.e. New building with front setback of 20' instead of required 50' setback) (Attach additional pages as needed).

14. Exceptions (R.S. 40:55D-51) and Waivers Requested of Development Standards and/or Submission Requirements: (Attach additional pages as needed)

15. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, location within the State and within 200 feet in all directions of the property which is the subject of the this application. This notice must specify the sections of the Ordinance from which the relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled for the hearing.

An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

16. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: (attach pages as needed)

17. Is a public water line available? _____

18. Is public sanitary sewer available? _____

19. Does the applicant propose a well and septic system? _____

20. In the event that any new lots are being proposed, attach a certification from the Tax Assessor designating the appropriate block and lot numbers.

21. Are any off-tract improvements required or proposed? Yes _____ No _____

If the answer is yes, describe the improvements

22. Is the subdivision to be filed by deed? Yes _____ No _____

Is the subdivision to be filed by plat? Yes _____ No _____

23. What form of security does the applicant propose to provide as performance and maintenance guarantees?

24. I certified that I have read and understand the attached list of rules and adopted policies (adopted January 9, 2012) of the Planning Board and agree to be bound by those adopted policies.

Date

Applicant

Date

Witness

25. Other approvals, which may be required and date plans submitted:

	YES	NO	DATE PLANS SUBMITTED
Riverside Sewerage Authority	_____	_____	_____
Burlington County Health Department	_____	_____	_____
Burlington County Planning Board	_____	_____	_____
Burlington County Soil Conservation District	_____	_____	_____
NJDEP	_____	_____	_____
Sewer Extension Permit	_____	_____	_____
Sanitary Sewer Connection Permit	_____	_____	_____
Stream Encroachment Permit	_____	_____	_____
Waterfront Development Permit	_____	_____	_____
Wetlands Permit	_____	_____	_____
Tidal Wetlands Permit	_____	_____	_____
Potable Water Construction Permit	_____	_____	_____
Other	_____	_____	_____
NJ Department of Transportation	_____	_____	_____
Public Service Electric and Gas Company	_____	_____	_____

Please note it is the applicant's responsibility to obtain all necessary approvals from all agencies having jurisdiction in this matter.

26. Certification signed by the Tax Collector verifying that all taxes due on the subject property have been paid. (See page # 25)
27. List of Maps, reports and other material accompanying the application (attach additional pages as required for complete listing).

It is the responsibility of the applicant to mail or deliver copies of the application form and all supporting documents to the members of the Board’s professional staff (Engineer, Planner and Solicitor of the Board to which the application is submitted. Additionally, the applicant must also provide copies directly to the Township Fire Official) for their review. No application will be scheduled for a public hearing until the application has been reviewed and deemed complete by the Board’s professional staff. Any required revisions must be submitted at least 15 days prior to a scheduled meeting date. Failure to comply may result in the delay in scheduling a hearing or having an application continued until the next available meeting.

Quantity	Description of Item
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

28. The applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant’s professionals:

Applicant’s Professional	Reports Requested
_____ Attorney	_____
_____ Engineer	_____
_____	_____
_____	_____

CERTIFICATIONS

29. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am the Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

(If the applicant be a corporation, this part must be signed by the authorized corporate officer. If the applicant be a partnership, this must be signed by a general partner).

Sworn to and subscribed before me this

_____ day of _____, 20_____

NOTARY PUBLIC

SIGNATURE OF APPLICANT

30. I Certify that I am the owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

(If the owner be a corporation, this part must be signed by the authorized corporate officer. If the owner be a partnership, this part must be signed by the general partner.)

Sworn to and subscribed before me this

_____ day of _____, 20_____

NOTARY PUBLIC

SIGNATURE OF OWNER

31. I understand that my deposit of \$_____ has been deposited in an escrow account. In accordance with the Ordinance of the Township of Riverside, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums should be deemed by the Board Secretary to be necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

Date

Signature of Applicant

32. Completed W-9 form with Tax ID # or social security #. (See page #16)
33. Required application and escrow fees. (See pages #17 - 19)
34. Completed and signed escrow agreement. (See page #20)
35. Property address certification signed by Riverside Tax Assessor or 911 Coordinator for all subdivision applications and site plan applications requiring new address designations. (See page #21)

Request for Taxpayer Identification Number and Certification

Give form to the
requester. Do NOT
send to the IRS.

Please print or type	Name (If joint names, list first and circle the name of the person or entity whose number you enter in Part I below. See instructions on page 2 if your name has changed.)	
	Business name (Sole proprietors see instructions on page 2.)	
	Please check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other	
	Address (number, street, and apt. or suite no.)	
	City, state, and ZIP code	Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN) Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). For sole proprietors, see the instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see How To Get a TIN below. Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.	<div>Social security number + OR Employer identification number + </div>	List account number(s) here (optional)
Part II For Payees Exempt From Backup Withholding (See Part II instructions on page 2)		

Part III Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.

Certification instructions.—You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because of underreporting interest or dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, the acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (Also see Part III instructions on page 2.)

Sign Here	Signature	Date
-----------	-----------	------

Section references are to the Internal Revenue Code.

Purpose of Form.—A person who is required to file an information return with the IRS must get your correct TIN to report income paid to you, real estate transactions, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA. Use Form W-9 to give your correct TIN to the requester (the person requesting your TIN) and, when applicable, (1) to certify the TIN you are giving is correct (or you are waiting for a number to be issued), (2) to certify you are not subject to backup withholding, or (3) to claim exemption from backup withholding if you are an exempt payee. Giving your correct TIN and making the appropriate certifications will prevent certain payments from being subject to backup withholding.

Note: If a requester gives you a form other than a W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

What Is Backup Withholding?—Persons making certain payments to you must withhold and pay to the IRS 31% of such

payments under certain conditions. This is called "backup withholding." Payments that could be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

If you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return, your payments will not be subject to backup withholding. Payments you receive will be subject to backup withholding if:

- You do not furnish your TIN to the requester, or
- The IRS tells the requester that you furnished an incorrect TIN, or
- The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
- You do not certify to the requester that you are not subject to backup withholding under 3 above (for reportable

interest and dividend accounts opened after 1983 only), or

- You do not certify your TIN. See the Part III instructions for exceptions.

Certain payees and payments are exempt from backup withholding and information reporting. See the Part II instructions and the separate **Instructions for the Requester of Form W-9**.

How To Get a TIN.—If you do not have a TIN, apply for one immediately. To apply, get **Form SS-5**, Application for a Social Security Number Card (for individuals), from your local office of the Social Security Administration, or **Form SS-4**, Application for Employer Identification Number (for businesses and all other entities), from your local IRS office.

If you do not have a TIN, write "Applied For" in the space for the TIN in Part I, sign and date the form, and give it to the requester. Generally, you will then have 60 days to get a TIN and give it to the requester. If the requester does not receive your TIN within 60 days, backup withholding, if applicable, will begin and continue until you furnish your TIN.

Township of Riverside

237 S. Pavilion Avenue

P.O. Box 188

Riverside, NJ 08075-0188

Telephone: (856) 461-0284

Fax: (856) 461-5878

Email: meghanjack@comcast.net

MEMO

TO: To All Interested Parties

FROM: Meghan Jack, Secretary
Planning Board

RE: Riverside Township Land Use Application Fees

DATE: February 5, 2009

Please be advised that any application filed before either the Riverside Township Planning Board require filing and escrow fees in accordance with the fee schedule, attached hereto.

All fees are due to this office at the time the application is filed. If an applicant wishes to post the required fees by check, they must include **separate checks** to cover the filing fee and the required escrow fees. All checks are to be made payable to "Riverside Township".

Additionally, please take notice that the filing fees are a one time, **nonrefundable** flat fee. Escrows fees are used to cover the costs of the Riverside Township Professional Staff for their review and out of pocket expenses for the application. Also, an applicant may be required to post additional escrow money prior to appearing before the Board or at anytime thereafter to cover the costs of the Board's Professional's invoices.

RIVERSIDE TOWNSHIP FEE SCHEDULE
LAND USE APPLICATIONS
FILING FEES
PURSUANT TO RESOLUTION 2011-#116

A. Filing Fees:

Concept Site/Subdivision Plan/Technical Review	\$100.00
Minor Site Plan	\$100.00
Major Site Plan (Preliminary)	\$200.00
Major Site Plan (Final)	\$200.00
Minor Subdivision Plan	\$100.00
Major Subdivision Plan (Preliminary)	\$200.00
Major Subdivision Plan (Final)	\$200.00
Conditional Use Application	\$200.00
Variance Application (Bulk)	\$100.00
Variance Application (Use & Other)	\$200.00
Appeals	\$100.00
Interpretations	\$100.00
Certificate of Subdivision Approval	\$50.00
Zoning Use Permit Application	\$25.00
Inspection of Site Improvements	5% of performance guarantee or \$500.00, whichever is greater
Tax Map Updates:	
1 to 4 Lots	\$300.00 per Lot
5 to 10 Lots	\$200.00 per Lot
11 or more Lots	\$175.00 per Lot

RIVERSIDE TOWNSHIP FEE SCHEDULE
LAND USE APPLICATIONS
ESCROW FEES
PURSUANT TO RESOLUTION 2011-#116

B. Escrow Fees

Concept Site/Subdivision Plan/Technical Review	\$500.00
Minor Site Plan	\$1500.00; \$150.00/ac
Major Site Plan (Preliminary)	\$200.00/d.u.; \$3000 minimum
Major Site Plan (Final)	\$100.00/d.u.; \$1500.00 minimum
Minor Subdivision Plan	\$1500.00
Major Subdivision Plan (Preliminary)	\$2000.00; \$250.00 per lot
Major Subdivision Plan (Final)	\$2000.00; \$100.00 per lot
Conditional Use Application	\$1500.00
Variance Application (Bulk)	\$1000.00 first; \$100.00 each additional (R)
R-Residential; C-Commercial	\$1500.00 first; \$100.00 each additional (C)
Variance Application (Use & Other)	\$1000.00 (R)
R-Residential; C-Commercial	\$1500.00 (C)
Appeals	\$1000.00
Interpretations	\$1000.00

RIVERSIDE TOWNSHIP ESCROW AGREEMENT

I understand that the sum of \$_____ has been deposited in the escrow account in accordance with the Ordinance of the Township of Riverside. This account has been established to cover the cost of professional services (including but not limited to legal, engineering, planning and other expenses) associated with the review of the application and related materials, consideration of the application, decision with respect to the application, and the memorialization and publication of the decision.

Sums not utilized in this process will be returned to the applicant, however, the applicant must send written notice by certified mail to the chief financial officer of the municipality and the approving authority, and to the relevant municipal professionals, that the application or the improvements, as the case may be, are completed. After the receipt of such notice, the professional shall render a final bill to the chief financial officer of the municipality within 30 days, and shall send a copy simultaneously to the applicant. The chief financial officer of the municipality shall render a written final accounting to the applicant on the uses to which the deposit was put within 45 days of receipt of the final bill. Any balances remaining in the deposit or escrow account, including interest in accordance with section 1 of P.L. 1985,c.315 (c.40:55D-53.1), shall be refunded to the developer along with the final accounting.

Should additional funds be deemed necessary, I understand that I will be notified of the required additional amount and shall add this sum to the escrow account within fifteen (15) days of the notice.

Furthermore, all applicants will receive a monthly statement from the financial institution to which the escrow money was deposited.

I further understand that, upon written request, I am entitled to receive a statement of charges paid from the account and the basis for those charges. If the applicant has any objection, dispute or exception to any charge, the applicant should notify in writing the governing body with copies to the chief financial officer, the approving authority and the professional with 45 days from receipt of the informational copy of the professionals voucher, in accordance with 40:55D-53.2a.

I further understand that failure to pay the reasonable costs of the review of application will result in the delay of the receipt of the final approvals and permits until such payment is made.

Date

Signature

Position

Name

Address to sent all account correspondence to:

Tax I.D. or Social Security #: _____

For official use only

Block _____ Lot _____

File # _____

Cc: Township Treasurer

**RIVERSIDE TOWNSHIP
PROPERTY ADDRESS CERTIFICATION**

All applications, which include a subdivision, a site plan for a new building or a new home, must submit a property address certification from the Riverside Township Tax Assessor at the time of filing.

Applicant's Name _____

<u>Proposed Block #</u>	<u>Proposed Lot #</u>	<u>Proposed Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby certify that the above properties are acceptable as the Riverside Township Tax Certification. Certification by this office does not negate the approval of Post Office or the Burlington County 911 office.

Carl Cicali, Tax Assessor

Date

**TO: Carl Cicali, Tax Assessor
Riverside Township**

Request of list of property owners within 200 feet of the property listed below:

Block: _____ **Lot:** _____ **Qual.:** _____

Requested by: _____

Address: _____

Phone # _____

Please note: Assessor’s office has 10 days to process this request.

A \$10.00 fee is due at the time request is made.

Thank you.

NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER

TOWNSHIP OF RIVERSIDE
PLANNING BOARD

TAKE NOTICE that the undersigned has applied to the Planning Board of the Township of Riverside, Burlington County, New Jersey for an interpretation/variance from the terms of the Chapters and Sections _____ of the Zoning Ordinance so as to permit _____

_____ for the premises located at _____ and a public hearing has been ordered for _____, 20____ at _____ p.m. in the Municipal Building, 1 W. Scott Street, Riverside, New Jersey.

This notice is given by the applicant by order of the Riverside Township Planning Board.

Applicant

Dated: _____

(Affidavit of Publication Required)

State of New Jersey:

_____ of full age, being duly sworn
according to law, on his oath deposes and says that he resides at _____

at least ten days prior to hearing, give personal notice to all property owners within 200 feet of the property affected by appeal number _____ located at _____

Notices were also served upon:

() 1. The Clerk of the Township of Riverside
() 2. County Planning Board
() 3. The Director of the Division of State and Regional Planning
() 4. The Department of Transportation
() 5. The Clerk of Adjoining Municipalities

A copy of said notices are attached hereto and marked as "Exhibit A".

Notice was also published in the official newspaper of the municipality as required by law.

Attached to this affidavit and marked "Exhibit B" is a list of owners of property within 200 feet of the affected property who were served, showing the lot and block numbers of each property as same appear on the municipal tax map, and also a copy of the certified list of such owners prepared by the Tax Assessor of the Municipality, which is marked "Exhibit C".

There is also attached a copy of the proof of publication of notice in the official newspaper of the municipality, which is marked "Exhibit D".

(Signature of Applicant)

Sworn and subscribed to
before me this _____
day of _____
20_____.

Township of Riverside

237 S. Pavilion Avenue

P.O. Box 188

Riverside, NJ 08075-0188

Telephone: (856) 461-0284

Fax: (856) 461-5878

PROPERTY TAX CERTIFICATION

TO: Meghan Jack, Secretary
Planning Board

FROM: Nancy Elmeaze
Riverside Township Tax Collector

RE: Block _____

Lot(s) _____

Street Address _____

Property Owner _____

Please be advised that the property taxes for the above referenced property are:

_____ Current

_____ Delinquent (Amount: \$ _____)

(Signature)

(Date)

**RIVERSIDE TOWNSHIP
PLANNING BOARD
PROFESSIONAL STAFF**

PLANNING BOARD SOLICITOR: Louis Cappelli
Florio Perrucci Steinhardt & Fader, L.L.C.
Attorneys at Law
108 Euclid Street
Woodbury, NJ 08096
856-853-5530

PLANNING BOARD ENGINEER: Anthony LaRossa
Birdsall Services Group
1101 Laurel Oak Road, Suite 160
Voorhees, NJ 08043
856-783-1900 x6701

PLANNING BOARD SECRETARY: Meghan Jack
Riverside Township
237 S. Pavilion Avenue
P.O. Box 188
Riverside, NJ 08075-0188
(856) 461-0284
(856) 461-5878
meghanjack@comcast.net

Please take notice: It is the applicant's responsibility to submit copies of the application, plans and all other supporting documentation to the Board Solicitor, Engineer and Planner for review. Failure to submit the required documents to the professionals will result in the delay of scheduling before the Board. No application will be scheduled before the Board until the application has been deemed complete by the Board's professional staff.

Additionally, it is the applicant's responsibility to submit a copy of the application and plans to the Township Fire Official:

Robert Yearly
Riverside Township
237 S. Pavilion Avenue
P.O. Box 188
Riverside, NJ 08075-0188

Telephone: (856) 461-8552

**RIVERSIDE TOWNSHIP
PLANNING BOARD
PUBLIC NOTICE**

BE IT RESOLVED that notice is hereby given by the Riverside Township Planning Board that the Regular Meetings will be held the second Monday of each month in 2012. Dates of the monthly meeting are as follows:

January 9, 2012	July 9, 2012
February 13, 2012	August 13, 2012
March 12, 2012	September 10, 2012
April 9, 2012	October 8, 2012
May 14, 2012	November 12, 2012
June 11, 2012	December 10, 2012

All such meetings of Riverside Township Planning Board will be held 7:00 p.m. at the Riverside Municipal Building located at 1 West Scott Street. Formal official action may be taken.

The 2013 Reorganization Meeting will be held on January 14, 2013 at 7:00 p.m. at the Riverside Municipal Building located at 1 West Scott Street with the Regular Scheduled Meeting immediately following.

**E
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B
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B**

Exhibit B

**Riverside Township
Minor Subdivision Plat Checklist**

Name of Applicant _____

Instructions

1. This checklist relates to the submission of minor subdivision plan applications. If your application will require a variance, conditional use, or site plan, applications for these components must also be submitted.
2. You must address each of the items listed on the checklist in your application submission. If your plans do not include an item, you will be deemed incomplete.
3. Non-applicable. You may only indicate that a particular item is non-applicable (N/A) for the items which clearly do not apply to your application. If the item is applicable, you will be deemed incomplete.
4. Waiver requests. You may request that a specific item be waived by marking the appropriate "waiver requested" box and by providing written justification for the request. A determination of any waiver request will be made based upon the written justification. Waivers will only be granted for good and specific reasons and for information that is not necessary for the Board's subdivision approval determination. Please be advised that applications that request waivers will not be deemed complete unless the Board grants the waivers requested.
5. Complete/Incomplete Applications. Please be advised that applications will not be heard by the Board until they have been deemed complete. Applications will not be scheduled and public notices should not be issued or published until the application is deemed complete by the Planning Board. Incomplete applications have no legal status. The time for a decision will only commence when an application is deemed complete.
6. *The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding area. Such information shall include but not be limited to drainage calculations and traffic analyses; provided however, that no application shall be declared incomplete for the lack of such additional information.*

General Application Requirements

Check	
	Completed Application Form
	Completed Checklist(s)
	Escrow fee and completed escrow agreement
	Certificate from the Township Tax Collector that all taxes and assessments are paid to date.
	Copies of any existing/proposed protective covenants or deed restrictions applying to the land being developed
	Evidence of the submission of the applications for other agency approvals having jurisdiction

Minor Subdivision Plan Requirements

Check	
A.	Professional Preparation
1.	Minor Subdivision Plans shall be drawn by a professional engineer and/or land surveyor licensed to practice in the State of New Jersey provided that all engineering data shall be signed and sealed by a professional engineer and all surveying data shall be signed and sealed by a professional land surveyor.
B.	Plan Format
1.	Appropriate Plan Scale not less than one inch equals 50 feet submitted on one of four of the following standard sheet sizes: 8½ inches by 13 inches; 15 inches by 21 inches; 24 inches by 36 inches; or 30 inches by 42 inches. All plan sheets shall be folded into eighths with the title block revealed.
2.	Overall Subdivision Plan at a scale not less than 1"=100' is required if more than one sheet is required to show the entire tract being subdivided at the specified scale; the overall subdivision plan shall show the entire Site and contain a key map indicating the sheets on which the various sections are shown;
3.	Title Block on each sheet in accordance with N.J.S.A 45:8-36 including the following information: (a) Subdivision Name (b) Township of Riverside, Burlington County, (c) Name, title, address and telephone number of the developer; (d) Name, title, address, telephone number, signature, seal, license number of professional who prepared the plan; (e) Name, title and address of the owner or owners of record; (f) Scale (written and graphic); (g) Date of original preparation and of each subsequent revision thereof
4.	North Arrow on each sheet.
C.	Title Sheet
	Each major subdivision plan shall show the following information on the title sheet:
1.	Key Map at a scale of one inch equals not more than 400 feet showing the following information:. (a) Zoning districts and boundary delineations; (b) Streets and roads (c) Streams, water bodies and watercourses (d) Property lines; Block/lot designations
2.	Signed Owner's Certification indicating that the owner has given consent for the application.
3.	Approval Signature Lines for Chairman; Secretary; and Board Engineer.
4.	Zoning Comparison Table comparing each proposed lot with all applicable zoning provisions
D.	Subdivision Plan
	The Subdivision Plan drawing shall show the following information:
1.	Tract Acreage and area to be disturbed (to the nearest tenth of an acre)
2.	Names of all property owners and lot and block numbers within 200 feet of the extreme limits of the tract
3.	Tax sheet, block and lot number(s) of the lot(s) being subdivided and designations for proposed lots;
4.	Tract boundary and subdivision lines; bearings and distances of each lot; number of lots;
5.	Existing and proposed structure locations, height and size; fences; accessory structures
6.	Existing and Proposed street and lot layout with dimensions correct to scale, showing that portion proposed for development in relation to the entire tract and existing lot lines to be eliminated.
7.	Existing and Proposed easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements will be controlled and to whom they will be granted.
8.	Permanent monuments shall be shown, in accordance with the Map Filing Law, N.J.S.A. 46:23-9.9 et seq.
9.	Dimensions necessary to confirm conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios for each proposed lot.
10.	Street Plans including width of cartway and right-of-way; sight triangles curb radii, and related information
11.	Access Plan indicating the means of vehicular access and egress from public streets, location of driveways, sidewalks, fire lanes and curb cuts; channelization; acceleration and deceleration lanes; signalization; and other proposed devices needed to prevent a difficult traffic situation; location and design of any off-street parking or loading area, showing the size and location of bays, aisles and barriers, curbing and paving specifications;
12.	Street Profiles and Cross Sections, on same or separate sheet, of all existing and proposed streets within and abutting the tract and related street construction details;

E.	Existing Conditions Plan. A minor subdivision application shall clearly indicate the existing conditions on the site. The existing site conditions should be shown on a separate Existing Conditions Plan or may be shown on another required drawing if they can be clearly represented.
1.	Man-made and Natural Features , such as bridges, wetlands, treed areas, high points, marshes and depressions, both within the tract and within 100 feet of its boundaries. A Letter of Interpretation (LOI) from the NJ DEP shall be submitted for all delineated wetlands.
2.	Watercourse and water bodies within the tract and within 200 feet of the tract shall be shown
3.	Trees or groups of trees with <i>dbh</i> > 12 inches; Indicate location and species of these trees with an indication of whether they are to be preserved or removed;
4.	Existing topographic contours shall be shown as a dashed line at intervals of one foot where slopes are less than 5%; intervals of two feet where slopes are shown between 5% and 10%; and at intervals of five feet where slopes exceed 10%. All contour information shall be related to United States Geological Survey datum.
5.	Existing structures and their uses , within the tract and within 100 feet of its boundary, showing existing front, rear and side yard setback distances and an indication of whether the structures and uses will be retained or removed.
6.	Existing easements and rights-of-way ; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements are controlled and to whom they were granted.
7.	Existing utility structures including location and size of all pipes and structures including water and sewer mains, valves, hydrants, gas transmission lines and high-tension power lines on the tract and within 100 feet thereof;
F.	Stormwater Management/Grading Plan A minor subdivision application shall include a grading plan that clearly indicates existing and proposed site grading. The grading plan can be combined with the Utilities Plan or the Subdivision Plan to reduce the number of drawings provided that the information is clearly represented.
1.	Existing Topographic contours from the Existing Conditions Plan shall be shown as screened or dashed lines
2.	Proposed contours shall be shown as a solid line at intervals of one foot where slopes are less than 5%, intervals of two feet where slopes are shown between 5% and 10% and at intervals of five feet where slopes exceed 10%. All contour information shall be related to United States Geological Survey datum.
3.	Stormwater management facilities including all existing and proposed storm sewer lines within or adjacent to the tract, showing profile, size and slope of the lines, direction of flow; location of each catch basin, inlet, manhole, culvert, headwall and utility lines, including pipe size and grades; detention and retention basins or other water or soil conservation or drainage devices; conservation easements; stream encroachment lines;
4.	Drainage Area to each inlet or cross drain; pre-developed and post-developed shed plan; weighted runoff coefficient for each area used in the computations;
5.	Test boring data including logs, percolation rates and water levels
6.	Cross sections and Details , on same or separate sheet, of watercourses and/or drainage swales showing the extent of the floodplain, top of bank, normal water levels and bottom elevations at the locations required by the Board Engineer; Basin cross sections every 50 feet at right angles to the long access of the basin, each extending 75 feet beyond the top of the rim of the basin on each side;
G.	Utilities Plan. A minor subdivision application shall include a Utilities Plan that clearly indicates existing and proposed utilities. The Utilities Plan may be combined with another required plan provided that the information is clearly presented.
1.	Existing utility structures including location and size of all pipes and structures including water and sewer mains, valves, hydrants, gas transmission lines, power distribution lines on the tract and within 100 feet thereof.
2.	Proposed utility improvements including location and size of proposed water and sewer mains, connections to gas, telephone and electrical utility systems; If private utilities are proposed, they shall comply fully with all township, county, state and federal regulations.
4.	Fire Protection Plan indicating location of fire lanes, hydrants, code designation of structures; fire protection practices; fire flow data;
3.	Profiles and Details of existing/proposed sanitary sewage facilities and water mains with proposed connections.

H.	Landscaping Plan. A minor subdivision application shall include a Landscaping Plan that indicates the existing vegetative conditions, areas that are to be protected or preserved, and proposed landscaping. The Landscaping Plan may be combined with another required drawing provided that the information is clearly presented.
1.	Location of all proposed plantings, screening and buffering,
2.	Planting Legend listing the botanical and common names, sizes, and total quantity of each plant keyed to the plan.
3.	Proposed contours in landscaped areas;
I.	Lighting Plan. A minor subdivision application shall contain a street lighting plan to indicate the existing and proposed lighting conditions. The Lighting Plan may be combined with the Landscaping Plan to reduce the number of drawings.
1.	Outdoor lighting location, height, direction of illumination, power, and type including details of lighting poles and luminaries, hours and time of lighting;
2.	Photometric contours for each light fixture;
J.	Soil Erosion and Sediment Control Plan. A minor subdivision application shall include a Soil Erosion and Sediment Control Plan prepared in accordance with N.J.S.A. 4:24-39 et seq. if it will disturb more than 5,000 square feet.
1.	Soil Erosion and Sediment Control Plan as required by N.J.S.A. 4:24-39 et seq. and in accordance with the Burlington County Soil Conservation District.
2.	Notes and Details of Soil Erosion and Sediment Control Plan
K.	Architectural Plans A minor subdivision application shall include architectural drawings of the proposed structures prepared by a licensed architect;
1.	Building elevations (typical) of the proposed dwellings or structures;

Riverside Township
Preliminary Major Subdivision Plat Checklist

Name of Applicant _____

Instructions

1. This checklist relates to the submission of preliminary major subdivision applications. If your application will require a variance, conditional use, or site plan, applications for these components must also be submitted.
2. You must address each of the items listed on the checklist in your application submission. If your plans do not include an item, you will be deemed incomplete.
3. Non-applicable. You may only indicate that a particular item is non-applicable (N/A) for the items which clearly do not apply to your application. If the item is applicable, you will be deemed incomplete.
4. Waiver Requests. You may request that a specific item be waived by marking the appropriate "waiver requested" box and by providing written justification for the request. A determination of any waiver request will be made based upon the written justification. Waivers will only be granted for good and specific reasons and for information that is not necessary for the Board's subdivision approval determination. Please be advised that applications that request waivers will not be deemed complete unless the Board grants the waivers requested.
5. Complete/Incomplete Applications. Please be advised that applications will not be heard by the Board until they have been deemed complete. Applications will not be scheduled and public notices should not be issued or published until the application is deemed complete by the Planning Board. Incomplete applications have no legal status. The time for a decision will only commence when an application is deemed complete.
6. *The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding area. Such information shall include but not be limited to drainage calculations and traffic analyses; provided however, that no application shall be declared incomplete for the lack of such additional information.*

General Application Requirements

Check	
	Completed Application Form(s)
	Completed Checklist(s)
	Certificate from the Township Tax Collector that all taxes and assessments are paid to date.
	Escrow fee and completed escrow agreement
	Environmental Impact Statement
	Drainage Calculations for Stormwater Management System
	Copies of any existing/proposed protective covenants or deed restrictions applying to the land being developed
	Evidence of the submission of the applications for other agency approvals having jurisdiction

Preliminary Major Subdivision Plat Requirements

Check	
A.	Professional Preparation
1.	Major Subdivision Plats shall be drawn by a professional engineer and/or land surveyor licensed to practice in the State of New Jersey provided that all engineering data shall be signed and sealed by a professional engineer and all surveying data shall be signed and sealed by a professional land surveyor.
B.	Plat Format
1.	Appropriate Plat Scale not less than one inch equals 50 feet submitted on one of four of the following standard sheet sizes: 8½ inches by 13 inches; 15 inches by 21 inches; 24 inches by 36 inches; or 30 inches by 42 inches. All plan sheets shall be folded into eighths with the title block revealed.
2.	Overall Subdivision Plat at a scale not less than 1"=100' is required if more than one sheet is required to show the entire tract being subdivided at the specified scale; each detail sheet shall contain a key map indicating the relation of the sheet to the entire tract;
3.	Title Block on each sheet in accordance with N.J.S.A 45:8-36 including the following information: (a) Subdivision Name (b) Township of Riverside, Burlington County, (c) Name, title, address and telephone number of the developer; (d) Name, title, address, telephone number, signature, seal, license number of professional who prepared the plan; (e) Name, title and address of the owner or owners of record; (f) Scale (written and graphic); (g) Date of original preparation and of each subsequent revision thereof
4.	North Arrow on each sheet.
C.	Title Sheet
	Each preliminary major subdivision application shall show the following information on the title sheet:
1.	Key Map at a scale of one inch equals not more than 400 feet showing the following information:. (a) Zoning districts and boundary delineations; (b) Streets and roads (c) Streams, water bodies and watercourses (d) Property lines; Block/lot designations
2.	Signed Owner's Certification indicating that the owner has given consent for the application.
3.	Approval Signature Lines for Chairman; Secretary; and Board Engineer.
4.	Zoning Comparison Table comparing each proposed lot with all applicable zoning provisions
D.	Preliminary Major Subdivision Plat
	The Preliminary Major Subdivision Plat shall show the following information:
1.	Tract Acreage and area to be disturbed (to the nearest tenth of an acre)
2.	Names of all property owners and lot and block numbers within 200 feet of the extreme limits of the tract
3.	Tax sheet, block and lot number(s) of the lot(s) being subdivided and designations for proposed lots;
4.	Tract boundary and subdivision lines; bearings and distances of each lot; number of lots;
5.	Existing and Proposed Structures indicating the location, height and size of all structures including all accessory structures (fences, garages, trash enclosures) and showing structures to be constructed, removed and retained within the tract and within 100 feet of its boundary as well as all applicable front, rear and side yard setback distances;
6.	Existing and Proposed Streets including width of cartway and right-of-way; sight triangles, curb radii, curve data, and all related street plan information;
7.	Existing and Proposed easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements will be controlled and to whom they will be granted.
8.	Permanent monuments shall be shown, in accordance with the Map Filing Law, N.J.S.A. 46:23-9.9 et seq.
9.	Existing and Proposed Site Access Information indicating the means of vehicular access and egress from public streets; the location of driveways, sidewalks, fire lanes and curb cuts; channelization; acceleration/deceleration lanes; signalization; and other proposed traffic control devices; and the location and design of any off-street parking or loading area showing the size and location of bays, aisles and barriers; curbing and paving details/specifications;
10.	Street Profiles and Cross Sections , on same or separate sheet, of all existing and proposed streets within and abutting the tract and related street construction details;
11.	Dimensions necessary to confirm conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios for each proposed lot.

E.	<p>Existing Conditions Plan. A major subdivision application shall clearly indicate the existing conditions on the site. The existing site conditions should be shown on a separate Existing Conditions Plan or may be shown on another required drawing if they can be clearly represented.</p>
1.	<p>Man-made and Natural Features, such as bridges, wetlands, treed areas, high points, marshes and depressions, both within the tract and within 100 feet of its boundaries. A Letter of Interpretation (LOI) from the NJ DEP shall be obtained and cited and all delineated wetlands shall be defined by metes and bounds;</p>
2.	<p>Watercourses/bodies, and floodplains within the tract and within 100 feet of its boundary shall be shown; The basis of the floodplain delineation shall be indicated.</p>
3.	<p>Existing Vegetation Information indicating the location of all trees or groups of trees with a dbh in excess of 12 inches; and the location and species of trees to be preserved and removed;</p>
4.	<p>Existing Topographic Contours shall be shown as a dashed line at intervals of one foot where slopes are less than 5%; intervals of two feet where slopes are shown between 5% and 10%; and at intervals of five feet where slopes exceed 10%. All contour information shall be related to United States Geological Survey datum.</p>
5.	<p>Existing Structures/Uses, within the tract and within 100 feet of its boundary, showing existing front, rear and side yard setback distances and an indication of whether the structures and uses will be retained or removed;</p>
6.	<p>Existing easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements are controlled and to whom they were granted.</p>
7.	<p>Existing utility structures including location and size of all pipes and structures including water and sewer mains, valves, hydrants, gas transmission lines and high-tension power lines on the tract and within 100 feet thereof;</p>
F.	<p>Stormwater Management/Grading Plan A major subdivision application shall include a grading plan that clearly indicates existing and proposed site grading. The grading plan can be combined with the Utilities Plan or the Subdivision Plan to reduce the number of drawings provided that the information is clearly represented.</p>
1.	<p>Existing Topographic contours from the Existing Conditions Plan shall be shown as screened or dashed lines</p>
2.	<p>Proposed contours shall be shown as a solid line at intervals of one foot where slopes are less than 5%, intervals of two feet where slopes are shown between 5% and 10% and at intervals of five feet where slopes exceed 10%. All contour information shall be related to United States Geological Survey datum.</p>
3.	<p>Stormwater management facilities indicating the location, size, profile, slope, and flow direction of all existing and proposed storm sewer lines, catch basins, inlets, manholes, culverts, headwalls, (including rim elevations and inverts); detention/retention basins and any other water/soil conservation or drainage devices; and any 100 year floodplain; stream encroachment lines; or conservation easements within or adjacent to the tract;</p>
4.	<p>Drainage Plan Information showing the pre-developed and post-developed drainage shed plan; the drainage area to each inlet or cross drain; and the weighted runoff coefficient for each area used in the drainage computations;</p>
5.	<p>Test boring data including logs, percolation rates and water levels</p>
6.	<p>Cross sections and Details, on same or separate sheet, of watercourses and/or drainage swales showing the extent of the floodplain, top of bank, normal water levels and bottom elevations at the locations required by the Board Engineer; Basin cross sections every 50 feet at right angles to the long access of the basin, each extending 75 feet beyond the top of the rim of the basin on each side;</p>
G.	<p>Utilities Plan. A major subdivision application shall include a Utilities Plan that clearly indicates existing and proposed utilities. The Utilities Plan may be combined with another required plan provided that the information is clearly presented.</p>
1.	<p>Existing utility structures including location and size of all pipes and structures including water and sewer mains, valves, hydrants, gas transmission lines, power distribution lines on the tract and within 100 feet thereof.</p>
2.	<p>Proposed utility improvements including location and size of proposed water and sewer mains, connections to gas, telephone and electrical utility systems; If private utilities are proposed, they shall comply fully with all township, county, state and federal regulations.</p>
4.	<p>Fire Protection Plan indicating location of fire lanes, hydrants, code designation of structures; fire protection practices; fire flow data;</p>
3.	<p>Profiles and Details of existing/proposed sanitary sewage facilities and water mains with proposed connections.</p>

H.	<p>Landscaping Plan. A major subdivision application shall include a Landscaping Plan that indicates the existing vegetative conditions, areas that are to be protected or preserved, and proposed landscaping. The Landscaping Plan may be combined with another required drawing provided that the information is clearly presented.</p>
1.	Location of all proposed plantings, screening and buffering,
2.	Planting Legend listing the botanical and common names, sizes, and total quantity of each plant keyed to the plan.
3.	Proposed contours in landscaped areas;
I.	<p>Lighting Plan. A major subdivision application shall contain a street lighting plan to indicate the existing and proposed lighting conditions. The Lighting Plan may be combined with the Landscaping Plan to reduce the number of drawings.</p>
1.	Outdoor lighting location, height, direction of illumination, power, and type including details of lighting poles and luminaries, hours and time of lighting;
2.	Photometric contours for each light fixture;
J.	<p>Soil Erosion and Sediment Control Plan. A major subdivision application shall include a Soil Erosion and Sediment Control Plan prepared in accordance with N.J.S.A. 4:24-39 et. seq.</p>
1.	Soil Erosion and Sediment Control Plan as required by N.J.S.A. 4:24-39 et seq. and in accordance with the Burlington County Soil Conservation District.
2.	Notes and Details of Soil Erosion and Sediment Control Plan
K.	<p>Architectural Plans A major subdivision application shall include architectural drawings of the proposed structures prepared by a licensed architect;</p>
1.	Building elevations (typical) of the proposed dwellings or structures;

**Riverside Township
Final Major Subdivision Plat Checklist**

Name of Applicant _____

Instructions

1. This checklist relates to the submission of final major subdivision applications. If your application will require a variance, conditional use, or site plan applications, these components must also be submitted.
2. You must address each of the items listed on the checklist in your application submission. If your plans do not include an item, you will be deemed incomplete.
3. Non-applicable. You may only indicate that a particular item is non-applicable (N/A) for the items which clearly do not apply to your application. If the item is applicable, you will be deemed incomplete.
4. Waiver Requests. You may request that a specific item be waived by marking the appropriate "waiver requested" box and by providing written justification for the request. A determination of any waiver request will be made based upon the written justification. Waivers will only be granted for good and specific reasons and for information that is not necessary for the Board's subdivision approval determination. Please be advised that applications that request waivers will not be deemed complete unless the Board grants the waivers requested.
5. Complete/Incomplete Applications. Please be advised that applications will not be heard by the Board until they have been deemed complete. Applications will not be scheduled and public notices should not be issued or published until the application is deemed complete by the Planning Board. Incomplete applications have no legal status. The time for a decision will only commence when an application is deemed complete.
6. *The Board reserves the right to require additional information before granting final approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding area. Such information shall include but not be limited to drainage calculations and traffic analyses; provided however, that no application shall be declared incomplete for the lack of such additional information.*

General Application Requirements

Check	
	Completed Application Form(s)
	Completed Checklist(s)
	Certificate from the Township Tax Collector that all taxes and assessments are paid to date.
	Escrow fee and completed escrow agreement
	Environmental Impact Statement approved by Board Planner and Engineer
	Drainage Calculations for Stormwater Management System approved by Board Engineer
	Preliminary Subdivision Plat approved and signed by Board Officials and Board Engineer
	Copies of any existing/proposed protective covenants or deed restrictions applying to the land being developed
	Evidence of the submission of the applications for other agency approvals having jurisdiction
	Certification from Township Engineer that required improvements have been installed or bonds posted

Final Major Subdivision Plat Requirements

Check	
A.	Professional Preparation
1.	Major Subdivision Plats shall be drawn by a professional engineer and/or land surveyor licensed to practice in the State of New Jersey provided that all engineering data shall be signed and sealed by a professional engineer and all surveying data shall be signed and sealed by a professional land surveyor.
B.	Plat Format
1.	Appropriate Plat Scale not less than one inch equals 50 feet submitted on one of four of the following standard sheet sizes: 8½ inches by 13 inches; 15 inches by 21 inches; 24 inches by 36 inches; or 30 inches by 42 inches. All plan sheets shall be folded into eighths with the title block revealed.
2.	Overall Subdivision Plat at a scale not less than 1"=100' is required if more than one sheet is required to show the entire tract being subdivided at the specified scale; each detail sheet shall contain a key map indicating the relation of the sheet to the entire tract;
3.	Title Block on each sheet in accordance with N.J.S.A 45:8-36 including the following information: (a) Subdivision Name (b) Township of Riverside, Burlington County, (c) Name, title, address and telephone number of the developer; (d) Name, title, address, telephone number, signature, seal, license number of professional who prepared the plan; (e) Name, title and address of the owner or owners of record; (f) Scale (written and graphic); (g) Date of original preparation and of each subsequent revision thereof
4.	North Arrow on each sheet.
C.	Title Sheet
Each final major subdivision application shall show the following information on the title sheet:	
1.	Key Map at a scale of one inch equals not more than 400 feet showing the following information: (a) Zoning districts and boundary delineations; (b) Streets and roads (c) Streams, water bodies and watercourses (d) Property lines; Block/lot designations
2.	Signed Owner's Certification indicating that the owner has given consent for the application.
3.	Approval Signature Lines for Chairman; Secretary; and Board Engineer.
4.	Zoning Comparison Table comparing each proposed lot with all applicable zoning provisions
D.	Final Major Subdivision Plat
The Final Major Subdivision Plat shall show the following information:	
1.	Tract Acreage and area to be disturbed (to the nearest tenth of an acre)
2.	Names of all property owners and lot and block numbers within 200 feet of the extreme limits of the tract
3.	Tax sheet, block and lot number(s) of the lot(s) being subdivided and designations for proposed lots;
4.	Tract boundary and subdivision lines; bearings and distances of each lot; number of lots; <i>All dimensions of the exterior boundaries of the subdivision shall be balanced and closed.</i>
5.	Existing and Proposed Structures indicating the location, height and size of all structures including all accessory structures (fences, garages, trash enclosures) and showing structures to be constructed, removed and retained within the tract and within 100 feet of its boundary as well as all applicable front, rear and side yard setback distances;
6.	Existing and Proposed Streets including width of cartway and right-of-way; sight triangles, curb radii, curve data, and all related street plan information;
7.	Existing and Proposed easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements will be controlled and to whom they will be granted.
8.	Permanent monuments shall be shown, in accordance with the Map Filing Law, N.J.S.A. 46:23-9.9 et seq.
9.	Existing and Proposed Site Access Information indicating the means of vehicular access and egress from public streets; the location of driveways, sidewalks, fire lanes and curb cuts; channelization; acceleration/deceleration lanes; signalization; and other proposed traffic control devices; and the location and design of any off-street parking or loading area showing the size and location of bays, aisles and barriers; curbing and paving details/specifications;
10.	Street Profiles and Cross Sections, on same or separate sheet, of all existing and proposed streets within and abutting the tract and related street construction details;
11.	Dimensions necessary to confirm conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios for each proposed lot.

12.	File Plat. The final subdivision plat shall conform to the requirements of the map filing law. All bearings and dimensions for each proposed lot shall be balanced and closed. Concrete monuments shall be shown at each exterior outbound.
13.	Phasing Plan. A phasing plan showing the phases of construction that is related to the bond estimate shall be submitted unless the entire project will be constructed in one phase.
E.	Existing Conditions Plan. A major subdivision application shall clearly indicate the existing conditions on the site. The existing site conditions should be shown on a separate Existing Conditions Plan or may be shown on another required drawing if they can be clearly represented.
1.	Man-made and Natural Features , such as bridges, wetlands, treed areas, high points, marshes and depressions, both within the tract and within 100 feet of its boundaries. A Letter of Interpretation (LOI) from the NJ DEP shall be obtained and cited and all delineated wetlands shall be defined by metes and bounds;
2.	Watercourses/bodies, and floodplains within the tract and within 100 feet of its boundary shall be shown; The basis of the floodplain delineation shall be indicated.
3.	Existing Vegetation Information indicating the location of all trees or groups of trees with a <i>dbh</i> in excess of 12 inches; and the location and species of trees to be preserved and removed;
4.	Existing Topographic Contours shall be shown as a dashed line at intervals of one foot where slopes are less than 5%; intervals of two feet where slopes are shown between 5% and 10%; and at intervals of five feet where slopes exceed 10%. All contour information shall be related to United States Geological Survey datum.
5.	Existing Structures/Uses , within the tract and within 100 feet of its boundary, showing existing front, rear and side yard setback distances and an indication of whether the structures and uses will be retained or removed;
6.	Existing easements and rights-of-way ; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements are controlled and to whom they were granted.
7.	Existing utility structures including location and size of all pipes and structures including water and sewer mains, valves, hydrants, gas transmission lines and high-tension power lines on the tract and within 100 feet thereof;
F.	Stormwater Management/Grading Plan A major subdivision application shall include a grading plan that clearly indicates existing and proposed site grading. The grading plan can be combined with the Utilities Plan or the Subdivision Plan to reduce the number of drawings provided that the information is clearly represented.
1.	Existing Topographic contours from the Existing Conditions Plan shall be shown as screened or dashed lines
2.	Proposed contours shall be shown as a solid line at intervals of one foot where slopes are less than 5%, intervals of two feet where slopes are shown between 5% and 10% and at intervals of five feet where slopes exceed 10%. All contour information shall be related to United States Geological Survey datum.
3.	Stormwater management facilities indicating the location, size, profile, slope, and flow direction of all existing and proposed storm sewer lines, catch basins, inlets, manholes, culverts, headwalls, (including rim elevations and inverts); detention/retention basins and any other water/soil conservation or drainage devices; and any 100 year floodplain; stream encroachment lines; or conservation easements within or adjacent to the tract;
4.	Drainage Plan Information showing the pre-developed and post-developed drainage shed plan; the drainage area to each inlet or cross drain; and the weighted runoff coefficient for each area used in the drainage computations;
5.	Test boring data including logs, percolation rates and water levels
6.	Cross sections and Details , on same or separate sheet, of watercourses and/or drainage swales showing the extent of the floodplain, top of bank, normal water levels and bottom elevations at the locations required by the Board Engineer; Basin cross sections every 50 feet at right angles to the long access of the basin, each extending 75 feet beyond the top of the rim of the basin on each side;
G.	Utilities Plan. A major subdivision application shall include a Utilities Plan that clearly indicates existing and proposed utilities. The Utilities Plan may be combined with another required plan provided that the information is clearly presented.
1.	Existing utility structures including location and size of all pipes and structures including water and sewer mains, valves, hydrants, gas transmission lines, power distribution lines on the tract and within 100 feet thereof.
2.	Proposed utility improvements including location and size of proposed water and sewer mains, connections to gas, telephone and electrical utility systems; If private utilities are proposed, they shall comply fully with all township, county, state and federal regulations.

4.	Fire Protection Plan indicating location of fire lanes, hydrants, code designation of structures; fire protection practices; fire flow data;
3.	Profiles and Details of existing/proposed sanitary sewage facilities and water mains with proposed connections.
H.	Landscaping Plan. A major subdivision application shall include a Landscaping Plan that indicates the existing vegetative conditions, areas that are to be protected or preserved, and proposed landscaping. The Landscaping Plan may be combined with another required drawing provided that the information is clearly presented.
1.	Location of all proposed plantings, screening and buffering,
2.	Planting Legend listing the botanical and common names, sizes, and total quantity of each plant keyed to the plan.
3.	Proposed contours in landscaped areas;
I.	Lighting Plan. A major subdivision application shall contain a street lighting plan to indicate the existing and proposed lighting conditions. The Lighting Plan may be combined with the Landscaping Plan to reduce the number of drawings.
1.	Outdoor lighting location, height, direction of illumination, power, and type including details of lighting poles and luminaries, hours and time of lighting;
2.	Photometric contours for each light fixture;
J.	Soil Erosion and Sediment Control Plan. A major subdivision application shall include a Soil Erosion and Sediment Control Plan prepared in accordance with N.J.S.A. 4:24-39 et. seq.
1.	Soil Erosion and Sediment Control Plan as required by N.J.S.A. 4:24-39 et seq. and in accordance with the Burlington County Soil Conservation District.
2.	Notes and Details of Soil Erosion and Sediment Control Plan
K.	Architectural Plans A major subdivision application shall include architectural drawings of the proposed structures prepared by a licensed architect;
1.	Building elevations (typical) of the proposed dwellings or structures;
2.	Architectural design drawing of each proposed building.

Riverside Township
Minor Site Plan Checklist

Name of Applicant _____

Instructions

1. This checklist relates to the submission of minor site plan applications. If your application will require a variance, conditional use, or subdivision, applications for these components must also be submitted.
2. You must address each of the items listed on the checklist in your application submission. If your plans do not include an item, you will be deemed incomplete.
3. Non-applicable. You may only indicate that a particular item is non-applicable (N/A) for the items which clearly do not apply to your application. If the item is applicable, you will be deemed incomplete.
4. Waiver Requests. You may request that a specific item be waived by marking the appropriate "waiver requested" box and by providing written justification for the request. A determination of any waiver request will be made based upon the written justification. Waivers will only be granted for good and specific reasons and for information that is not necessary for the Board's subdivision approval determination. Please be advised that applications that request waivers will not be deemed complete unless the Board grants the waivers requested.
5. Complete/Incomplete Applications. Please be advised that applications will not be heard by the Board until they have been deemed complete. Applications will not be scheduled and public notices should not be issued or published until the application is deemed complete by the Planning Board. Incomplete applications have no legal status. The time for a decision will only commence when an application is deemed complete.
6. *The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding area. Such information shall include but not be limited to drainage calculations and traffic analyses; provided however, that no application shall be declared incomplete for the lack of such additional information.*

General Application Requirements

Check	
	Completed Application Form
	Completed Checklist(s)
	Escrow fee and completed escrow agreement
	Certificate from the Township Tax Collector that all taxes and assessments are paid to date.
	Copies of any existing/proposed protective covenants or deed restrictions applying to the land being developed
	Evidence of the submission of the applications for other agency approvals having jurisdiction

Minor Site Plan Requirements

Check	
A. Professional Preparation	
1.	Minor Site Plans shall be drawn by a professional engineer and/or land surveyor licensed to practice in the State of New Jersey provided that all engineering data shall be signed and sealed by a professional engineer and all surveying data shall be signed and sealed by a professional land surveyor.
B. Plan Format	
1.	Appropriate Plan Scale not less than one inch equals 50 feet submitted on one of four of the following standard sheet sizes: 8½ inches by 13 inches; 15 inches by 21 inches; 24 inches by 36 inches; All plan sheets shall be folded into eighths with the title block revealed.
2.	Composite Site Plan at a scale of 1"=100' is only required if more than one sheet is required to show the entire site; each detail sheet shall include a key map showing its relation to the whole tract.
3.	Title Block on each sheet in accordance with N.J.S.A 45:8-36 including the following information: (a) Tract Name (b) Township of Riverside, Burlington County, (c) Name, title, address and telephone number of the developer; (d) Name, title, address, telephone number, signature, seal, license number of professional who prepared the plan; (e) Name, title and address of the owner or owners of record; (f) Scale (written and graphic); (g) Date of original preparation and of each subsequent revision thereof on each sheet;
4.	North Arrow on each sheet.
C. Title Sheet	
Each minor site plan application shall show the following information on a separate title sheet or on the Site Plan drawing:	
1.	Key Map at a scale of one inch equals not more than 400 feet showing the following information: (a) Zoning districts and boundary delineations; (b) Streets and roads (c) Streams, water bodies and watercourses (d) Property lines; Block/lot designations
2.	Signed Owner's Certification indicating that the owner has given consent for the application.
3.	Approval Signature Lines for Chairman; Secretary; and Board Engineer.
4.	Zoning Comparison Table comparing proposed development with all applicable zoning provisions
D. Site Plan	
The Site Plan drawing for a minor site plan application shall show the following information on one or more sheets. All existing site information shall be clearly distinguished from proposed site development:	
1.	Tract Acreage and area to be disturbed (to the nearest tenth of an acre)
2.	Names of all property owners and lot and block numbers within 200 feet of the extreme limits of the tract
3.	Tax sheet, block and lot number(s) of the lot(s) to be developed
4.	Tract boundary line (heavy solid line) and existing/proposed property lines within the tract;
5.	Existing and Proposed Structures indicating the location, height and size of all structures including all accessory structures (fences, garages, trash enclosures) and showing structures to be constructed, removed and retained within the tract and within 100 feet of its boundary as well as all applicable front, rear and side yard setback distances;
6.	Existing and Proposed Streets including width of cartway and right-of-way; sight triangles, curb radii, and related street information
7.	Existing and Proposed Easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements will be controlled and to whom they will be granted.
8.	Existing and Proposed Site Access Information indicating the means of vehicular access and egress from public streets, location of driveways, sidewalks, fire lanes and curb cuts; location and design of any off-street parking or loading area, showing the size and location of bays, aisles and barriers, curbing and paving specifications;
9.	Existing Man-made and Natural Features , such as bridges, watercourses, floodplains, wetlands, treed areas, high points, marshes and depressions, both within the tract and within 100 feet of its boundaries. Wetlands information is to be based on NJDEP database; Flood prone areas are to be based on Federal Rate Insurance Maps (FIRM)
10.	Existing and Proposed Landscaping indicating the location and species of existing trees to be preserved and removed and the location and species of all proposed screening and buffering;
11.	Existing Topographic information based on USGS or County topographic maps or other readily available resource data source at the interval presented;
12.	Proposed Topographic information (when warranted) to indicate site grading

13.	Existing and Proposed Utility Structures including the location and size of all pipes and structures such as water and sewer mains, valves, hydrants, gas and power distribution lines on the tract and within 100 feet thereof;
14.	Existing and Proposed Drainage Facilities including the location, size, flow direction and slope of all storm sewer lines as well as all catch basins, inlets, manholes, culverts, headwalls, detention and retention facilities, conservation easements; stream encroachment lines within or adjacent to the tract;
15.	Existing and Proposed Outdoor Lighting information indicating the location, height, direction, power, duration, and type of Site illumination with details of lighting poles and luminaries,
16.	Existing and Proposed Signage Information indicating the location and size of signs with appropriate details and signage table;
17.	Dimensions necessary to demonstrate conformity to this Chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios.
E.	Architectural Plans A minor site plan application shall include architectural information of proposed building improvements, where appropriate;
1.	Building elevations of each principal structure;

**Riverside Township
Major Site Plan Checklist**

Name of Applicant _____

Instructions

1. This checklist relates to the submission of major site plan applications. If your application will require a variance, conditional use, or subdivision, applications for these components must also be submitted.
2. You must address each of the items listed on the checklist in your application submission. If your plans do not include an item, you will be deemed incomplete.
3. Non-applicable. You may only indicate that a particular item is non-applicable (N/A) for the items which clearly do not apply to your application. If the item is applicable, you will be deemed incomplete.
4. Waiver Requests. You may request that a specific item be waived by marking the appropriate "waiver requested" box and by providing written justification for the request. A determination of any waiver request will be made based upon the written justification. Waivers will only be granted for good and specific reasons and for information that is not necessary for the Board's subdivision approval determination. Please be advised that applications that request waivers will not be deemed complete unless the Board grants the waivers requested.
5. Complete/Incomplete Applications. Please be advised that applications will not be heard by the Board until they have been deemed complete. Applications will not be scheduled and public notices should not be issued or published until the application is deemed complete by the Planning Board. Incomplete applications have no legal status. The time for a decision will only commence when an application is deemed complete.
6. *The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding area. Such information shall include but not be limited to drainage calculations and traffic analyses; provided however, that no application shall be declared incomplete for the lack of such additional information.*

General Application Requirements

Check	
	Completed Application Form(s)
	Completed Checklist(s)
	Certificate from the Township Tax Collector that all taxes and assessments are paid to date.
	Escrow fee and completed escrow agreement
	Environmental Impact Statement
	Drainage Calculations for Stormwater Management System
	Copies of any existing/proposed protective covenants or deed restrictions applying to the land being developed
	Evidence of the submission of the applications for other agency approvals having jurisdiction

Major Site Plan Requirements

Check	
A. Professional Preparation	
1.	Major Site Plans shall be drawn by a professional engineer and/or land surveyor licensed to practice in the State of New Jersey provided that all engineering data shall be signed and sealed by a professional engineer and all surveying data shall be signed and sealed by a professional land surveyor.
B. Plan Format	
1.	Appropriate Plan Scale not less than one inch equals 50 feet submitted on one of four of the following standard sheet sizes: 8½ inches by 13 inches; 15 inches by 21 inches; 24 inches by 36 inches; or 30 inches by 42 inches. All plan sheets shall be on the same sheet size and shall be folded into eighths with the title block revealed.
2.	Composite Site Plan drawn at a scale of 1"=100' is required if more than one sheet is needed to show the entire Site; Each detail sheet shall show its relation to the whole tract with a key map.
3.	Title Block on each sheet in accordance with N.J.S.A 45:8-36 including the following information: (a) Tract Name (b) Township of Riverside, Burlington County, (c) Name, title, address and telephone number of the developer; (d) Name, title, address, telephone number, signature, seal, license number of professional who prepared the plan; (e) Name, title and address of the owner or owners of record; (f) Scale (written and graphic); (g) Date of original preparation and of each subsequent revision thereof on each sheet;
4.	North Arrow on each sheet.
C. Title Sheet	
Each major site plan application shall show the following information on the title sheet:	
1.	Key Map at a scale of one inch equals not more than 400 feet showing the following information: (a) Zoning districts and boundary delineations; (b) Streets and roads (c) Streams, water bodies and watercourses (d) Property lines; Block/lot designations
2.	Signed Owner's Certification indicating that the owner has given consent for the application.
3.	Approval Signature Lines for Chairman; Secretary; and Board Engineer.
4.	Zoning Comparison Table comparing proposed development with all applicable zoning provisions
D. Site Plan	
The Site Plan drawing shall show the following information on one or more sheets. All existing information shall be clearly distinguished from proposed site development.	
1.	Tract Acreage and area to be disturbed (to the nearest tenth of an acre)
2.	Names of all property owners and lot and block numbers within 200 feet of the extreme limits of the tract
3.	Tax sheet, block and lot number(s) of the lot(s) to be developed
4.	Tract boundary line (heavy solid line) and any proposed subdivision lines within the tract and number of lots with bearings and distances.
5.	Existing and Proposed Structures indicating the location, height and size of all structures including all accessory structures (fences, garages, trash enclosures) and showing structures to be constructed, removed and retained within the tract and within 100 feet of its boundary as well as all applicable front, rear and side yard setback distances;
6.	Existing and Proposed Streets including width of cartway and right-of-way; sight triangles, curb radii, and related street information;
7.	Existing and Proposed Easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements will be controlled and to whom they will be granted;
8.	Existing and Proposed Site Access Information indicating the means of vehicular access and egress from public streets; the location of driveways, sidewalks, fire lanes and curb cuts; channelization; acceleration/deceleration lanes; signalization; and other proposed traffic control devices; and the location and design of any off-street parking or loading area showing the size and location of bays, aisles and barriers; curbing and paving details/specifications;
9.	Street Profiles and Cross Sections , on same or separate sheet, of all existing and proposed streets within and abutting the tract and related street construction details;
10.	Dimensions necessary to demonstrate conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios.

E.	<p>Existing Conditions Plan. A major site plan application shall clearly indicate the existing conditions on the site. The existing site conditions shall either be shown on a separate Existing Conditions Plan or may be shown on another required drawing.</p>
1.	<p>Man-made and Natural Features, such as bridges, wetlands, treed areas, high points, marshes and depressions, both within the tract and within 100 feet of its boundaries; A Letter of Interpretation (LOI) from the NJDEP shall be obtained and cited and the delineated wetlands shall be defined by metes, bounds, and coordinates;</p>
2.	<p>Watercourses/bodies, and floodplains within the tract and within 100 feet of the tract shall be shown; The basis of the floodplain delineation shall be indicated;</p>
3.	<p>Existing Vegetation indicating the location of all trees or groups of trees with a <i>dbh</i> in excess of 12 inches; and the location and species of trees to be preserved and removed;</p>
4.	<p>Existing Topographic Contours shall be shown as a dashed line at intervals of one foot where slopes are less than 5%; intervals of two feet where slopes are shown between 5% and 10%; and at intervals of five feet where slopes exceed 10%. All contour information shall be related to United States Geological Survey datum.</p>
5.	<p>Existing Structures/Uses, within the tract and within 100 feet of its boundary, showing existing front, rear and side yard setback distances and an indication of whether the structures and uses will be retained or removed.</p>
6.	<p>Existing Easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements are controlled and to whom they were granted.</p>
7.	<p>Existing Utility structures including location and size of all pipes and structures including water and sewer mains, valves, hydrants, gas and electric power distribution lines on the tract and within 100 feet thereof;</p>
F.	<p>Stormwater Management/Grading Plan. A major site plan application shall include a grading plan that clearly indicates existing and proposed site grading. The grading plan can be combined with the utilities plan or the site plan to reduce the number of drawings provided that the information is clearly represented.</p>
1.	<p>Existing Topographic Contours from the Existing Conditions Plan shall be shown as screened or dashed lines;</p>
2.	<p>Proposed Topographic Contours shall be shown as a solid line at intervals of one foot where slopes are less than 5%, intervals of two feet where slopes are shown between 5% and 10% and at intervals of five feet where slopes exceed 10%. All contour information shall be related to United States Geological Survey datum.</p>
3.	<p>Stormwater management facilities indicating the location, size, profile, slope, and flow direction of all existing and proposed storm sewer lines, catch basins, inlets, manholes, culverts, headwalls, (including rim elevations and inverts); detention/retention basins and any other water/soil conservation or drainage devices; and any 100 year floodplain; stream encroachment lines; or conservation easements within or adjacent to the tract;</p>
4.	<p>Drainage Plan showing the pre-developed and post-developed drainage shed plan; the drainage area to each inlet or cross drain; and the weighted runoff coefficient for each area used in the drainage computations;</p>
5.	<p>Test boring data including boring logs, permeability/percolation rates and seasonal high water levels;</p>
6.	<p>Cross Sections and Details, on same or separate sheet, of watercourses and/or drainage swales showing the extent of the floodplain, top of bank, normal water levels and bottom elevations at the locations required by the Board Engineer; as well as Basin cross sections every 50 feet at right angles to the long access of the basin, each extending 75 feet beyond the top of the rim of the basin on each side;</p>
G.	<p>Utilities Plan. A major site plan application shall include a utilities plan that clearly indicates existing and proposed utilities. The Utilities Plan may be combined with another required plan provided that the information is clearly presented.</p>
1.	<p>Existing utility structures including location and size of all pipes and structures such as water and sewer mains, valves, hydrants, gas transmission lines, power distribution lines on the tract and within 100 feet thereof.</p>
2.	<p>Proposed utility improvements including location and size of proposed water and sewer mains, connections to gas, telephone and electrical utility systems; If private utilities are proposed, they shall comply fully with all township, county, state and federal regulations.</p>
3.	<p>Fire Protection Plan indicating location of fire lanes, hydrants, code designation of structure; fire protection practices; fire flow data;</p>
4.	<p>Profiles and Details of all existing and proposed sanitary sewage facilities and water mains with proposed connections and indicating any conflicts with any other utility lines;</p>

H.	<u>Landscaping Plan.</u> A major site plan application shall include a Landscaping Plan that indicates the existing vegetative conditions, areas that are to be protected or preserved, and proposed landscaping. The Landscaping Plan may be combined with another required drawing provided that the information is clearly presented.
1.	Proposed Landscaping Information indicating the location of all proposed plantings, screening and buffering,
2.	Planting Legend listing the botanical and common names, sizes, and total quantity of each plant keyed to the plan.
3.	Proposed Topographic Contours within landscaped areas;
I.	<u>Lighting Plan.</u> A major site plan application shall contain a street lighting plan to indicate the existing and proposed lighting conditions. The lighting plan may be combined with the landscaping plan to reduce the number of drawings.
1.	Street/Outdoor Lighting Information indicating the location, height, direction of illumination, duration, power, and type of outdoor lighting; with details of lighting poles and luminaries,
2.	Level of Illumination indicated by footcandle levels or photometric contours for all proposed lighting;
J.	<u>Signage Plan</u> A major site plan application shall include a Sign Plan indicating the existing and proposed signage conditions. The sign plan may be combined with the landscaping plan or lighting plans to reduce the number of drawings if the information can be legibly shown.
1.	Sign location and size with appropriate details;
2.	Signage Table
K.	<u>Soil Erosion and Sediment Control Plan.</u> A major site plan application shall include a Soil Erosion and Sediment Control Plan prepared in accordance with N.J.S.A. 4:24-39 et. seq.
1.	Soil Erosion and Sediment Control Plan as required by N.J.S.A. 4:24-39 et seq. and in accordance with the Burlington County Soil Conservation District.
2.	Notes and Details of Soil Erosion and Sediment Control Plan
L.	<u>Architectural Plans</u> A major site plan application shall include architectural drawings prepared by a licensed architect;
1.	Building elevations of each principal structure;
2.	Floor Plans of all principal structures
3.	Roof plan showing location of exterior mechanical equipment, if applicable
4.	Building Section showing relation of structure to the adjacent land

**Riverside Township
Variance Application Checklist**

Name of Applicant _____

Instructions

1. This checklist relates to the submission of variance applications. If your application will require a conditional use, site plan, or subdivision, applications for these components must also be submitted.
2. You must address each of the items listed on the checklist in your application submission. If your plans do not include an item, you will be deemed incomplete.
3. Non-applicable. You may only indicate that a particular item is non-applicable (N/A) for the items which clearly do not apply to your application. If the item is applicable, you will be deemed incomplete.
4. Waiver Requests. You may request that a specific item be waived by marking the appropriate "waiver requested" box and by providing written justification for the request. A determination of any waiver request will be made based upon the written justification. Waivers will only be granted for good and specific reasons and for information that is not necessary for the Board's subdivision approval determination. Please be advised that applications that request waivers will not be deemed complete unless the Board grants the waivers requested.
5. Complete/Incomplete Applications. Please be advised that applications will not be heard by the Board until they have been deemed complete. Applications will not be scheduled and public notices should not be issued or published until the application is deemed complete by the Planning Board. Incomplete applications have no legal status. The time for a decision will only commence when an application is deemed complete.
6. *Note that Use Variance applications must be accompanied by a written statement describing the proposed use and the basis of the use variance request.*

General Application Requirements

Check	
	Completed Application Form (including Use Variance written statement)
	Completed Checklist(s)
	Escrow fee and completed escrow agreement
	Certificate from the Township Tax Collector that all taxes and assessments are paid to date.
	Copies of any existing/proposed protective covenants or deed restrictions applying to the land being developed

Variance Application Requirements

Check	
A.	Professional Plan
1.	Property Survey prepared by a licensed land surveyor that accurately represents existing site boundary and structural conditions;
B.	Key Map Each variance application shall be accompanied by a key (tax) map that indicates the location of the subject property;
1.	Key Map at a scale of one inch equals not more than 400 feet showing the following information:.. (a) Streets and roads (b) Streams, water bodies and watercourses (c) Property lines; Block/lot designations
C.	Sketch Plan Each variance application shall be accompanied by a sketch plan or plat that depicts the proposed conditions:
1.	Plan Scale not less than one inch equals 50 feet submitted on one of four of the following standard sheet sizes: 8½ inches by 13 inches; 15 inches by 21 inches; 24 inches by 36 inches; All plan sheets shall be folded into eighths with the title block revealed.
2.	Title Block on each sheet in accordance with N.J.S.A 45:8-36 including the following information: (a) Name, title, address and telephone number of the applicant; (b) Name, title, address and license number of the professional who prepared the plan, if applicable (c) Township of Riverside, Burlington County, (d) Name, title and address of the owner or owners of record; (e) Scale (written and graphic); (f) Date of original preparation and of each subsequent revision thereof on each sheet;
3.	North Arrow
4.	Signed Owner's Certification indicating that the owner has given consent for the application.
5.	Approval Signature Lines for Chairman; Secretary; and Board Engineer.
6.	Zoning Comparison Table comparing proposed development with all applicable zoning provisions
7.	Tax sheet, block and lot number(s) of the lot(s) to be developed
8.	Tract boundary line (heavy solid line) and any proposed subdivision lines;
9.	Tract Acreage and area to be disturbed (to the nearest tenth of an acre)
10.	Names of all adjacent property owners with block/lot numbers within 200 feet of the extreme limits of the tract
11.	Existing structures location, height and size; fences and trash enclosures.
12.	Proposed structures and their uses, within the tract showing existing front, rear and side yard setback distances and an indication of whether the existing structures and uses will be retained or removed.
13.	Existing easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements will be controlled and to whom they will be granted.
14.	Site Access Information including existing and proposed access drives, parking and loading areas;
15.	Man-made and Natural Features, such as bridges, wetlands, water bodies, flood plains, treed areas, high points, marshes and depressions within the tract; Wetlands information shall be from NJDEP database and flood prone area shall be based on Federal Insurance Rate Maps (FIRM)
16.	Dimensions necessary to confirm conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios.
17.	Proposed buffer or landscaped areas indicating the location and type of plantings
D.	Building Plans A variance application shall be accompanied by a sketch of any proposed building additions or alterations, where appropriate;
1.	Architectural sketch of the proposed building improvements demonstrating that the proposed change is compatible with any existing structures;

Riverside Township
Informal Review Application Checklist

Name of Applicant _____

Instructions

1. This checklist relates to the submission of concept plans for informal review. If your application will require a conditional use, site plan, or subdivision, applications for these components must also be submitted.
2. You must address each of the items listed on the checklist in your application submission. If your plans do not include an item, you will be deemed incomplete.
3. Non-applicable. You may only indicate that a particular item is non-applicable (N/A) for the items which clearly do not apply to your application. If the item is applicable, you will be deemed incomplete.
4. Waiver Requests. You may request that a specific item be waived by marking the appropriate "waiver requested" box and by providing written justification for the request. A determination of any waiver request will be made based upon the written justification. Waivers will only be granted for good and specific reasons and for information that is not necessary for the Board's subdivision approval determination. Please be advised that applications that request waivers will not be deemed complete unless the Board grants the waivers requested.
5. Complete/Incomplete Applications. Please be advised that applications will not be heard by the Board until they have been deemed complete. Applications will not be scheduled and public notices should not be issued or published until the application is deemed complete by the Planning Board. Incomplete applications have no legal status. The time for a decision will only commence when an application is deemed complete.
6. *Note that Informal Review applications must be accompanied by a written statement describing the proposed use and the basis of the conceptual design.*

General Application Requirements

Check		
		Completed Application Form (including Use Variance written statement)
		Completed Checklist(s)
		Informal Review Fee or Escrow fee and completed escrow agreement
		Certificate from the Township Tax Collector that all taxes and assessments are paid to date.
		Copies of any existing/proposed protective covenants or deed restrictions applying to the land being developed

Informal Review Application Requirements

Check	
A. Professional Plan	
1.	Property Survey prepared by a licensed land surveyor that accurately represents existing site boundary and structural conditions;
B. Key Map	Each variance application shall be accompanied by a key (tax) map that indicates the location of the subject property;
1.	Key Map at a scale of one inch equals not more than 400 feet showing the following information: <ul style="list-style-type: none"> (a) Streets and roads (b) Streams, water bodies and watercourses (c) Property lines; Block/lot designations
C. Sketch Plan	Each variance application shall be accompanied by a sketch plan or plat that depicts the proposed conditions:
1.	Plan Scale not less than one inch equals 50 feet submitted on one of four of the following standard sheet sizes: 8½ inches by 13 inches; 15 inches by 21 inches; 24 inches by 36 inches; All plan sheets shall be folded into eighths with the title block revealed.
2.	Title Block on each sheet in accordance with N.J.S.A 45:8-36 including the following information: <ul style="list-style-type: none"> (a) Name, title, address and telephone number of the applicant; (b) Name, title, address and license number of the professional who prepared the plan, if applicable (c) Township of Riverside, Burlington County, (d) Name, title and address of the owner or owners of record; (e) Scale (written and graphic); (f) Date of original preparation and of each subsequent revision thereof on each sheet;
3.	North Arrow
4.	Signed Owner's Certification indicating that the owner has given consent for the application.
5.	Approval Signature Lines for Chairman; Secretary; and Board Engineer.
6.	Zoning Comparison Table comparing proposed development with all applicable zoning provisions
7.	Tax sheet, block and lot number(s) of the lot(s) to be developed
8.	Tract boundary line (heavy solid line) and any proposed subdivision lines;
9.	Tract Acreage and area to be disturbed (to the nearest tenth of an acre)
10.	Names of all adjacent property owners with block/lot numbers within 200 feet of the extreme limits of the tract
11.	Existing structures location, height and size; fences and trash enclosures.
12.	Proposed structures and their uses , within the tract showing existing front, rear and side yard setback distances and an indication of whether the existing structures and uses will be retained or removed.
13.	Existing easements and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easements will be controlled and to whom they will be granted.
14.	Site Access Information including existing and proposed access drives, parking and loading areas;
15.	Man-made and Natural Features , such as bridges, wetlands, water bodies, flood plains, treed areas, high points, marshes and depressions within the tract; Wetlands information shall be from NJDEP database and flood prone area shall be based on Federal Insurance Rate Maps (FIRM)
16.	Dimensions necessary to confirm conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios.
17.	Proposed buffer or landscaped areas indicating the location and type of plantings
D. Building Plans	A variance application shall be accompanied by a sketch of any proposed building additions or alterations, where appropriate;
1.	Architectural sketch of the proposed building improvements demonstrating that the proposed change is compatible with any existing structures;

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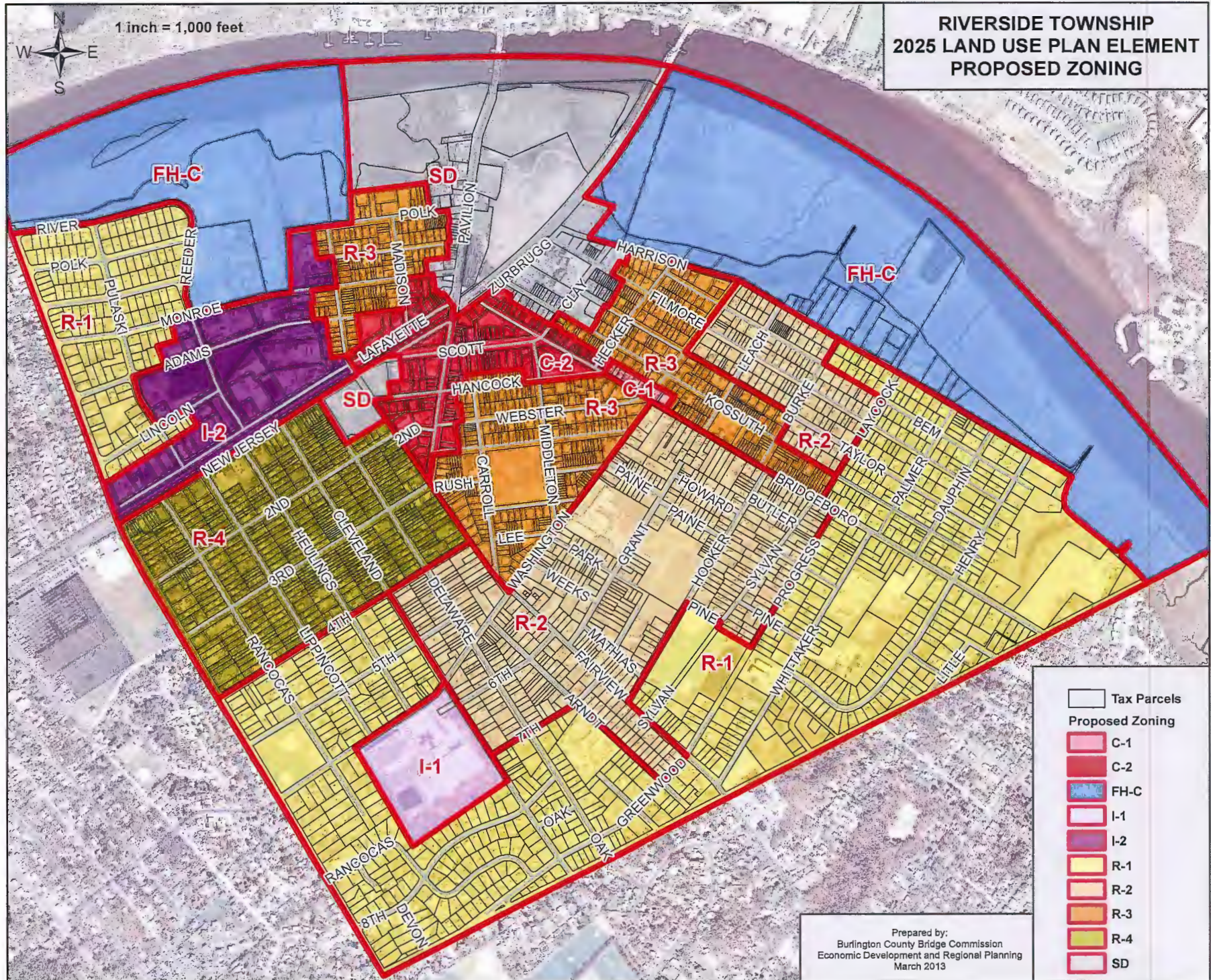
Exhibit C

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Exhibit D

RIVERSIDE TOWNSHIP 2025 LAND USE PLAN ELEMENT PROPOSED ZONING



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Exhibit E

APPENDIX G

SWIMMING POOLS, SPAS AND HOT TUBS

SECTION AG101 GENERAL

AG101.1 General. The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- and two-family dwelling.

SECTION AG102 DEFINITIONS

AG102.1 General. For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming pool."

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming pool."

IN-GROUND POOL. See "Swimming pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

SPA, NONPORTABLE. See "Swimming pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water, provided that these regulations shall not be applicable to any pool less than 24 inches (610 mm) in depth or having a surface area of less than 250 square feet (23.25 m²). This includes in-ground, above-ground, on-ground swimming pools, hot tubs, and spas.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

SECTION AG103 SWIMMING POOLS

AG103.1 In-ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG107.

AG103.2 Above-ground and on-ground pools. Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG107.

SECTION AG104 SPAS AND HOT TUBS

AG104.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG107.

AG104.2 Portable spas and hot tubs. Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG107.

SECTION AG105 BARRIER REQUIREMENTS

AG105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more,

spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 1.25-inch (32 mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and
 - 8.2. The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
9. Deleted.
10. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then:
 - 10.1. Deleted.
 - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

AG105.3 Indoor swimming pool. All walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

AG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

SECTION AG106 ABBREVIATIONS

AG106.1 General.

ANSI—American National Standards Institute
25 West 43rd Street, New York, NY 10036

ASTM—American Society for Testing and Materials
1916 Race Street, Philadelphia, PA 19103

NSPI—National Spa and Pool Institute
2111 Eisenhower Avenue, Alexandria, VA 22314

SECTION AG107 STANDARDS

AG107.1 General.

ANSI/NSPI

ANSI/NSPI-3 Standard for Permanently Installed Residential Spas AG104.1

ANSI/NSPI-4 Standard for Above-ground/On-ground Residential Swimming Pools, AG103.2

ANSI/NSPI-5 Standard for Residential In-ground Swimming Pools, AG103.1

ANSI/NSPI-6 Standard for Residential Portable Spas, AG104.2

ASTM

ASTM F 1346-91 Standard Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs AG105.2, AG105.5