PART 3: LAND DEVELOPMENT REVIEW

ARTICLE X
Approval Required

§ 255-47 Subdivision Review and Approval Required.

Pursuant to NJSA 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.

§ 255-48 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 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 shall and/or their permitted accessory buildings or uses 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. Any change of use from one permitted category of nonresidential use to another permitted category of nonresidential 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 Planning Board shall review and concur with this waiver determination of the Zoning Officer.

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 1,500 square feet 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 though 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 t the commencement of the land disturbance.

§ 255-49 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.

Article XI: Application Requirements

§ 255-50 Application Submission and Content

A. General Requirements. Every application for development shall include the following:

   1. Completed Application Form and Checklist(s)

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

B. Major Development

1. Environmental Impact Statement. A major subdivision or major site plan application shall include an Environmental Impact Statement prepared in accordance with §255-58.

2. Stormwater Management Design Report. A land development application ultimately disturbing more than one acre or increasing the impervious surfaces by more than 10,980 square feet shall include a Stormwater Management Design Report prepared in accordance with §255-88.

C. Checklists. The following instructions and checklists are hereby adopted and made a part of this chapter:

1. Minor Subdivision Application Checklist (May 2004);
2. Major Subdivision; Application for Preliminary Approval Checklist (May 2004);
3. Major Subdivision; Application for Final Approval Checklist (May 2004);
4. Minor Site Plan Application Checklist (May 2004);
5. Major Site Plan; Application for Preliminary Approval Checklist (May 2004);
6. Major Site Plan: Application for Final Approval Checklist; (May 2004);
7. Variance Application Checklist (May 2004)

§255-51 Submission Requirements for Minor Subdivision Application

A. Professional Preparation. Minor 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. Minor subdivision plats shall conform to the following plan format requirements:

1. Scale. 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' showing the entire site plan is 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;
h. North Arrow on each sheet.

C. Title Sheet. Each minor subdivision plat 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. Subdivision Plat. The Minor 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) to be developed.

4. Tract boundary line (heavy solid line) and any proposed subdivision lines within the tract with bearings and distances and the number of lots.

5. Existing and Proposed Lot Lines within the tract indicating bearings and distances for each lot line; the number of existing/proposed lots; as well as existing lot lines being retained or eliminated;

6. 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;

7. Existing and Proposed Streets including width of cartway and right-of-way; sight triangles, curb radii, and related street information;

8. 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.

9. 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;

10. 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); Dimensions necessary to confirm conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor are ratios.

11. 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;

12. Existing Topographic information based on USGS or County topographic maps or other readily available resource data source at the interval presented;

13. Proposed Topographic information including sufficient spot elevations or contours to indicate site grading on parcels that are below the top of curb elevation of the adjacent public street;

14. 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;

15. 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;

16. Dimensions necessary to demonstrate conformity to this Chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios.

§255-52 Submission Requirements for Minor Site Plan Application

A. Professional Preparation. 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. Minor site plans shall conform to the following plan format requirements:

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' showing the entire site plan is 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 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 for a minor site plan application shall show the following information on one or more sheets. All existing site information shall be clearly distinguishable from proposed site 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) to be developed.

4. Tract boundary line (heavy solid line) and any proposed subdivision lines within the tract with bearings and distances and the 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, 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 including sufficient spot elevations or contours to indicate site grading on parcels that are below the top of curb elevation of the adjacent public street;

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 confirm conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor are ratios.

18. Outdoor lighting location, height, direction of illumination, power, and type including details of lighting poles and luminaries, hours and time of lighting.

E. Architectural Plans. A minor site plan application shall include architectural information of proposed building improvements, where appropriate. Building elevations of each principal structure are to be submitted.

§255-53 Submission Requirements for Preliminary Major Subdivision Application

A. Professional Preparation. 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. Preliminary Major subdivision plats shall conform to the following plan format requirements:

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. If the plans cannot be folded, the applicant shall submit the required number of sets of half-size drawings for use by the Planning Board as well as the required number of rolls of full size drawings.

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 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 NJDEP 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 dbh > 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 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 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. Utility 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.

3. Fire Protection Plan indicating location of fire lanes, hydrants, code designation of structures; fire protection practices; fire flow data.

4. 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. Typical building elevations of the proposed dwellings or structures shall be submitted.

§255-54 Submission Requirements for Preliminary Major Site Plan Applications

A. Professional Preparation. 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. Preliminary Major subdivision plats shall conform to the following plan format requirements:

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. If the plans cannot be folded, the applicant shall submit the required number of sets of half-size drawings for use by the Planning Board as well as the required number of rolls of full size drawings.

2. Composite Site Plan is required if more than one sheet is required to show the entire site drawn at a scale of 1"=100' showing the entire site plan and the sheets on which the various sections are shown, and 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 major site 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. Site Plan. The Preliminary Major Site 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) 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 structure locations, height and size; fences; accessory structures.

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 confirm conformity to this chapter including structure setbacks, structure heights, yards, building/lot coverage, and floor area ratios.

E. 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.

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 NJDEP 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. Existing Vegetation 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;

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 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.

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. Utility 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.

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.

3. Fire Protection Plan indicating location of fire lanes, hydrants, code designation of structures; fire protection practices; fire flow data.

4. Profiles and Details of existing/proposed sanitary sewage facilities and water mains with proposed connections.

H. Landscaping Plan. 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. 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 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. The lighting plan shall include outdoor lighting location, height, direction of illumination, power, and type including details of lighting poles and luminaries, hours and time of lighting.

J. Sign Plan. 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. Soil Erosion and Sediment Control Plan. 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. Architectural Plans. 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 air heating circulation system, if applicable.

4. Building section showing relation to land.

§ 255-55 Submission Requirements for Final Major Subdivision Application

A. Professional Preparation. Major Subdivision Plats for Final Approval 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 Final Major subdivision plats shall conform to the following plan format requirements:

1. All of the information requirements and details stipulated for preliminary subdivision approval.

2. All additional details required at the time of preliminary approval, including a copy of the signed preliminary plat in conformance with the resolution of approval.

3. Any detailed engineering data that was not provided during preliminary approval that is required for construction purposes including:

a. 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.

b. Plans and profiles of all storm and sanitary sewers and water mains.

C. Subdivision Plan. The Subdivision Plan drawing shall include all of the information provided for preliminary approval and shall conform to the Map Filing Law. All dimensions of the exterior boundaries of any subdivision shall be balanced and closed to

a precision of one to 5,000 and the dimensions of all lot lines to within one to 10,000. All dimensions, angles and bearings must be tied to at least two permanent monuments not less than 300 feet apart, and all information shall be indicated on the plat. At least one corner of the subdivision shall be tied horizontally to the New Jersey State Grid Coordinate System and vertically to the United States Geodetic Survey System, with the data on the plat as to how the bearings were determined.

D. Phasing Plan. If the subdivision is to be phased, a phasing plan shall be submitted indicating the portion of the tract to be considered for final approval as part of the current application and the relationship of the portion of the tract to the remaining land area, including all applicable comparisons, such as parking spaces, building coverage, lot coverage, open space areas and number of lots.

E. Architectural Plans. Architectural plans of the typical dwelling types and the site identification sign.

F. Other Agency Certification.

1. Evidence that a duplicate copy(ies) of the application for development has been filed with any other agency having jurisdiction over any aspect of the proposed development.

2. Letters directed to the Chairman of the Board and signed by a responsible official of the lighting agency, water company, sewer utility and of any other company or governmental authority or district which provides accessory utility service and has jurisdiction in the area, approving each proposed utility installation design and stating that the applicant paid the required fees for the utility connections and service or installed all utility improvements in accordance with the requirements of this chapter so that service will be available prior to occupancy. The designing engineers shall certify to the Board that the existing cross section(s) and profile(s) have been run in the field, and the field notes shall be forwarded to the Board Engineer.

G. Performance Guaranties. The applicant shall certify, in writing, to the Board that he has:

1. Installed all improvements in accordance with the requirements of this chapter and the preliminary plat approval; and/or

2. Posted a performance guaranty in accordance with § 145-61 of this chapter.

3. A statement from the Township Engineer that all improvements installed prior to application have been inspected and as-built plans submitted by the applicant for the installed improvements, and that such improvements installed prior to application for final approval that do not meet or exceed township standards shall be factored into the required performance guaranty.

H. Residential Sales Map. For residential developments, a Sales Map shall be submitted to the Planning Board for approval prior to final subdivision approval. The Sales Map shall be provided to all contract purchasers at the time of contract signing. The developer shall maintain a record of the contract purchasers' receipt of the Sales Map for the Township's

reasonable inspection. The Sales Map shall be drawn at a scale of not more than one inch equals 100 feet and shall include the following:

1. The location of all on-site flood hazard areas, streams, ponds, wetlands, steep slopes and stormwater facilities and, to the extent available from pre-existing public records, such features within 200 feet of the development;

2. The zoning district classification of all property within the development and within 200 feet of the development, both within and outside of the township, including a brief description of the permitted uses in each zoning district;

3. The development plan for the subject property and all land contiguous thereto for a distance of 200 feet from the perimeter of the development, including lands outside of the township, with the following information indicated thereon:

    a. The location of all streets, with those streets to be connected to the proposed development clearly highlighted;

    b. The location of all state, county and township roads, both in existence and/or proposed by any governmental agency having jurisdiction to establish such roads;

    c. The location of all railroads, power transmission lines and easements, pipelines, rights-of-way for public utilities and any existing utilities;

    d. The location of all required setback and buffer areas, common open space, landscaping easements, and conservation easements, and an indication to whom the open space and easements are to be dedicated.

    e. The location of homes, if any, that will be designated as sample homes, for which certificate of occupancies will not immediately being requested, and the location of a construction trailer for sales including any commercial signage designating the site, temporary parking near or about the sales model, sales trailer, etc. The applicant shall set forth the maximum proposed time each condition shall exist and method to assure the maintenance and removal of each item.

    f. If the property is to be governed by a homeowners association, an indication of the areas to be owned and maintained by the homeowners association, a comprehensive discussion of the homeowners association's obligations and responsibilities, a copy of the by-laws, and an estimate of the monthly fees.

    g. A representation of the site's environmental quality based on the approved Environmental Impact Statement.

    h. An indication of any other conditions of approval about which residents should be informed.

    i. A description of public services available in the community.

I. Submission Time. Final subdivision plats shall be submitted within three (3) years of preliminary approval or any approved extension thereto. Final plats submitted after the preliminary approval has expired will not be accepted.

§ 255-56 Submission Requirements for Final Major Site Plan Application

A. Professional Preparation. Major Subdivision Plans for Final Approval 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 . Final Major subdivision plans shall conform to the following plan format requirements:

1. All of the information requirements and details stipulated for preliminary subdivision approval.

2. All additional details required at the time of preliminary approval, including a copy of the signed preliminary plat in conformance with the resolution of approval.

3. Any detailed engineering data that was not provided during preliminary approval that is required for construction purposes including:

a. 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.

b. Plans and profiles of all storm and sanitary sewers and water mains.

C. Site Plan. The Site Plan drawing shall include all of the information provided for preliminary approval.

D. Phasing Plan. If the site plan is to be phased, a phasing plan shall be submitted indicating the portion of the tract to be considered for final approval as part of the current application and the relationship of the portion of the tract to the remaining land area, including all applicable comparisons, such as parking spaces, building coverage, lot coverage, open space areas and number of lots.

E. Architectural Plans. Detailed architectural plans including an architect's design drawing of each building and sign from various elevations.

F. Other Agency Certification.

1. Evidence that a duplicate copy(ies) of the application for development has been filed with any other agency having jurisdiction over any aspect of the proposed development.

2. Letters directed to the Chairman of the Board and signed by a responsible official of the lighting agency, water company, sewer utility and of any other company or

governmental authority or district which provides accessory utility service and has jurisdiction in the area, approving each proposed utility installation design and stating that the applicant paid the required fees for the utility connections and service or installed all utility improvements in accordance with the requirements of this chapter so that service will be available prior to occupancy. The designing engineers shall certify to the Board that the existing cross section(s) and profile(s) have been run in the field, and the field notes shall be forwarded to the Board Engineer.

G. Performance Guaranties. The applicant shall certify, in writing, to the Board that he has:

1. Installed all improvements in accordance with the requirements of this chapter and the preliminary site plan approval; and/or

2. Posted a performance guaranty in accordance with the provision of this Chapter.

3. A statement from the Township Engineer that all improvements installed prior to final site plan application have been constructed in accordance with the approved plans and township standards and that improvements installed prior to application for final approval that do not meet or exceed township standards have been factored into the required performance guaranty.

H. Residential Sales Map. For residential developments, a Sales Map shall be submitted to the Planning Board for approval prior to final site plan approval. The Sales Map shall be provided to all contract purchasers at the time of contract signing. The developer shall maintain a record of the contract purchasers' receipt of the Sales Map for the Township's reasonable inspection. The Sales Map shall be drawn at a scale of not more than one inch equals 100 feet and shall include the following:

1. The location of all on-site flood hazard areas, streams, ponds, wetlands, steep slopes and stormwater facilities and, to the extent available from pre-existing public records, such features within 200 feet of the development;

2. The zoning district classification of all property within the development and within 200 feet of the development, both within and outside of the township, including a brief description of the permitted uses in each zoning district;

3. The development plan for the subject property and all land contiguous thereto for a distance of 200 feet from the perimeter of the development, including lands outside of the township, with the following information indicated thereon:

a. The location of all streets, with those streets to be connected to the proposed development clearly highlighted;

b. The location of all state, county and township roads, both in existence and/or proposed by any governmental agency having jurisdiction to establish such roads;

c. The location of all railroads, power transmission lines and easements, pipelines, rights-of-way for public utilities and any existing utilities;

d. The location of all required setback and buffer areas, common open space, landscaping easements, and conservation easements, and an indication to whom the open space and easements are to be dedicated.

e. The location of homes, if any, that will be designated as sample homes, for which certificate of occupancies will not immediately being requested, and the location of a construction trailer for sales including any commercial signage designating the site, temporary parking near or about the sales model, sales trailer, etc. The applicant shall set forth the maximum proposed time each condition shall exist and method to assure the maintenance and removal of each item.

f. If the property is to be governed by a homeowners association, an indication of the areas to be owned and maintained by the homeowners association, a comprehensive discussion of the homeowners association's obligations and responsibilities, a copy of the by-laws, and an estimate of the monthly fees.

g. A representation of the site's environmental quality based on the approved Environmental Impact Statement.

h. An indication of any other conditions of approval about which residents should be informed.

i. A description of public services available in the community.

I. Submission Time. Final site plans shall be submitted within three (3) years of preliminary site plan approval or any approved extension thereto. Final plans submitted after the preliminary approval has expired will not be accepted.

§ 255-57 Submission Requirements for Variance Application

A. Professional Preparation. A Variance Application shall contain:

1. A recent 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 design at a scale of one inch equals not more than 400 feet that indicates the location of the subject property and conforms to the following requirements;

1. Streets and roads
2. Streams, water bodies and watercourses
3. 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 and conforms to the following sketch plan requirements:

1. Plan Scale not less than one inch equals 50 feet submitted on one of four of the following standard sheet sizes: 8 ½ 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 or 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 of 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 easement and rights-of-way; their location and size; the use(s) for which they are intended to be limited, the manner in which the easement 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 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. An architectural sketch of the proposed building improvements demonstrating that the change is compatible with any existing structures shall be submitted.

§ 255-58 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 (SCS-USDA), 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 in Subsection D(3) above:

(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 overstory 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 overstory 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 is 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.

Article XII: Development Review And Approval Procedure

§ 255-59 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 §255-60. 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 §255-61. 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.

§ 255-60 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 14 days prior to the Planning Board meeting.

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 Planning Board secretary shall forward copies of the application to the professional staff 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, 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. 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.

§ 255-61 Submission Waivers

A. Checklist Waiver Request. If waivers of checklist items have been specifically requested by the applicant in the application for development, the Development Review Committee shall act on the request for waivers within 45 days of application submission. If the DRC reasonably concludes that the missing items of information are not necessary to make an informed decision on the application, said DRC may waive the requirement that said items be supplied as a prerequisite for completeness and certify that the application is complete notwithstanding the missing items. If the waivers are granted, the application is

complete as long as all other requirements for submission have been satisfied. If the waivers are denied, the application is incomplete until missing information is submitted. At that time, the application is complete if all other requirements for submission have been satisfied.

B. 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 §255-60. The Planning Board shall have 45 days to determine whether to grant the waiver from the date of the resubmission.

§ 255-62 Minor Subdivision/Site Plan Review

A. Time Period. The Planning Board shall take action on minor subdivision and minor site plan applications within 45 days after the application has been certified complete by the Board 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 minor subdivision or minor site plan application which includes any requested variance relief pursuant to N.J.S.A. 40:55D-60 and § 255-10 of this Chapter shall be acted upon within 120 days or within such further time as may be consented to by the applicant.

B. Development Review. The Board professionals and any designated Development Review Committee shall read any written reports submitted concerning the application and shall review the submission to ascertain its conformity with the requirements of this chapter. The professional staff of the Board and any designated Development Review Committee shall offer its recommendations to the Planning Board.

C. 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.

D. Public Hearings.

1. Minor Site Plans. All hearings held on applications for minor site plan approval shall require public notice of the hearing. The Board shall set the date, time and place for the public hearing and shall inform the applicant of this at least 14 days prior to said hearing date. Notice of the hearing shall be given by the applicant at least 10 days prior to the date of the hearing.

2. Minor Subdivisions. Minor subdivision applications shall be exempt from the public notice requirement.

E. Continued Applications. For any application that is heard by the 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.

F. Certification of Approval. When a minor subdivision or minor site plan is approved by the Board, a notation to that effect, including the date of approval, shall be made, and at least 10 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 § 145-51F of this chapter, within 10 days of its adoption by the Board.

G. Disapproval. When a minor subdivision or minor site plan 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 § 145-51F of this chapter, within 10 days of its adoption by the Board, setting forth the reasons for the disapproval.

H. Minor 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 as set forth in Subsection C(12)(b) below.

2. Within 190 days from the date on which the resolution of municipal approval of a minor subdivision is adopted by the 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 quasi-governmental 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.

I. Rights Conferred. The zoning requirements and general terms and conditions, whether conditional or otherwise, shall not be changed for a period of two years either after the date on which the resolution of approval is adopted by the Board for a minor subdivision or after the date of approval by the Board of a minor site plan. The Board shall grant an extension of this period for a period 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.

1. Before the Secretary of the Board returns any approved minor subdivision or minor site plan to the applicant, the applicant shall provide additional copies of the plat or plan as may be necessary in order to furnish copies to each of the following:

a. Township Clerk.

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.

§ 255-63 Preliminary Approval of Major Site Plan or Subdivision Application

A. Time Period for Action

1. Preliminary Site Plan Approval.

a. Upon the submission to the Administrative Officer 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 §255-9A(5) or §255-10 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.

b. 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.

2. Preliminary Subdivision Approval.

a. Upon the submission to the Secretary of the Planning Board of a complete application for a subdivision of ten (10) or fewer lots, other than a minor subdivision as defined in § 255-6 of this chapter, 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 and application for relief pursuant to §255-9A(5) or §255-10 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.

b. 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.

3. Failure to Act within Prescribed Time. Failure of the Planning Board to reach a decision within the specified time periods or extensions thereof shall result in the approval of the subdivision and/or site plan and/or conditional use as submitted.

B. 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 a informed decision as to whether the waiver should be granted. The applicant shall pay the fees set forth for minor site plans in §255-112.

C. 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.

D. Preliminary Approval Rights Conferred. Preliminary approval of a major subdivision or site plan (except as provided in Subsection E of this section) shall confer upon the applicant the following rights for a three-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 streetlighting, 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 municipal agency 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.

E. Preliminary Approval Rights Conferred-Major Development. In the case of a subdivision or site plan for an area of 50 acres or more, the municipal agency may grant the rights referred to in Subsection D(1), (2) and (3) above for such period of time, longer than three years, as shall be determined by the municipal agency 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 municipal agency may thereafter grant, an extension to preliminary approval for such additional period of time as shall be determined by the municipal agency 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.

§ 255-64 Final Approval of Major Site Plan or Subdivision Application

A. The municipal agency 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.

B. Time Limit. A final plat shall be submitted within three (3) years of the date of preliminary approval or extension thereof. If a final plat is not submitted within the

specified time period, the preliminary approval shall be void and the applicant shall be required to re-apply for preliminary approval.

C. Standards For Granting Final Approval In Sections. Unless an applicant shows good cause why less restrictive standards should apply, the municipal agency 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 40 acres;

2. Each section shall not be less than 25 acres in area and, in the case of a subdivision, shall contain not fewer than 50 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 of 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 municipal agency 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 municipal agency as to failure of the municipal agency 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. Final Approval Rights Conferred. The zoning requirements applicable to the preliminary approval first granted and all other rights conferred upon the developer pursuant to § 255-63 of this chapter, whether conditionally or otherwise, shall not be changed for a period of two (2) years after the date of final approval, provided that, in the case of major subdivision, the rights conferred by this section shall expire if the plat has not been duly recorded within the time period provided in subsection G of this Section. If the developer has followed the standards prescribed for final approval and, in the case of a subdivision, has duly recorded the plat as required in subsection G of this Section, the municipal agency may extend such period of protection for extensions of one (1) year, but not to exceed three (3) extensions. Notwithstanding any other provisions of this chapter, the granting of final approval terminates the time period of preliminary approval pursuant to § 255-63 of this chapter for the section granted final approval.

F. Final Approval Rights Conferred-Major Development. In the case of a subdivision or site plan for a planned unit development or planned unit residential development or residential cluster of fifty (50) acres or more or conventional subdivision or site plan for one hundred fifty (150) acres or more, the municipal agency may grant the rights referred to in Subsection A of this section for such period of time longer than two (2) years as shall be determined by the municipal agency to be reasonable, taking into consideration

3. Said Engineer or other authority shall determine the total estimated costs of such estimated work, including all costs which would be included in any local improvement ordinance which the Township would be authorized to adopt for said project and including construction costs, engineering costs, costs of any easement or right-of-way acquisition, legal and advertising costs, contingencies and bonding and assessment costs.

4. Said Engineer or other authority shall further determine from the nature of the area and the nature of the work and estimated costs the anticipated amount that the lands of the applicant would be expected to be assessed under local improvement procedures pursuant to N.J.S.A. 40:56-21 et seq., as the same may be amended and supplemented from time to time.

5. The Engineer or other authority shall report to the Township Committee the scope of the recommended project, the estimated total costs, as computed under Subsection B(3) above, and the estimated share of the subdivider, as computed under Subsection B(4) above.

6. Based upon the report of the Engineer or other authority, as aforesaid, and the recommendations of the Planning Board, the Township Committee shall determine whether to undertake such off-tract improvements or portions thereof as a local improvement, the costs of which will be specially assessed against properties benefited thereby in proportion to and not in excess of the benefits received, pursuant to N.J.S.A. 40:56-1 et seq.

7. If the determination of the Township Committee shall be that the governing body will not adopt such ordinance for the making of such improvements as a local improvement, the final development layout shall be designed accordingly, and the Planning Board shall base its further proceedings upon such determination.

8. If the determination of the Township Committee shall be that the governing body shall proceed to adopt such local improvement ordinance, it shall proceed in the following manner:

   a. If sufficient Township funds are available for the initial appropriation required for said ordinance, the governing body may proceed to appropriate such funds and adopt such ordinance, and all subsequent proceedings for the making and for the assessment of the costs of the off-tract improvements shall be in accordance with such ordinance and the aforesaid statutes of New Jersey and the final development layout shall be compatible with the off-tract improvements, and the Planning Board shall proceed accordingly.

   b. If sufficient Township funds are not available for the initial appropriation required for said ordinance, the Township Committee may determine the anticipated amount that the lands of the applicant would be expected to be assessed, accepting the recommendations of the Township Engineer or other authority under Subsection B(4) above or making its own determination as to such estimated amount.

(1) The amount so determined by the Township Committee shall then be deposited by the applicant with the Township Chief Financial Officer prior to final approval of the development and prior to introduction of such local improvement ordinance.

(2) Such deposit shall be made concurrent with an agreement between the applicant and the Township concerning the uses of same, which shall include the following stipulations:

(a) That said funds shall be used by the Township solely for the construction of such off-tract improvements as specified in said agreement and for the other expenses incidental thereto, as more particularly set forth in Subsection B(3) above, and the acquisition of any easements or right-of-way in connection therewith.

(b) That such deposit may be appropriated by the Township, with other funds of the Township, toward the accomplishment of such purposes and, in that connection, may be commingled with such other funds so appropriated and may be expended by the Township in connection with such purposes.

(c) That if such deposit is not used by the Township within a specified time agreed upon by the applicant, said funds shall be returned to the applicant.

(d) That, upon completion of the work by the Township or its contractors, the properties specially benefited by such improvement shall be assessed as provided by law, including the property of the applicant.

(e) That such deposit of the applicant shall be credited against the assessment made upon the applicant's property, whether or not the applicant is then the owner thereof.

(f) That is such deposit shall have been less than the amount ultimately assessed and confirmed against such property, then the then owner or owners of said property shall pay the difference between the deposit and such assessment, or if the deposit shall exceed the amount so assessed and confirmed, the excess shall be refunded to the applicant, without interest.

c. In any case where, although the off-tract improvement may not be found to be the type of essential off-tract improvements as defined in Subsection A(1) or (2) hereof, said off-tract improvements are found by the Planning Board to be advisable and important to the sound development of the site and the governing body has concurred in said findings and has determined to proceed in accordance with Subsection

B(8) hereof, particularly Subsection B(8)(b)[1] and [2] above, but the developer is unwilling to make such deposit as specified thereunder, then and in that event, there shall be no final approval of said development until funds become available for the initial appropriation required to adopt the local improvement ordinance.

d. The determination of the availability of Township funds for appropriation to a local improvement ordinance, as provided in Subsection B(8)(b) and (c) above, shall be in the sole discretion of the governing body.

9. The determination of the governing body as to whether to proceed toward the adoption of a local improvement ordinance under Subsection B(7) or B(8) above shall be made as soon as practicable after referral by the Planning Board, but, in any case, the governing body shall make such determination within a sixty-day period, or within such time as extended, the Planning Board may proceed as if the governing body had determined that it would not adopt such local improvement ordinance.

§ 255-68 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 Council 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.

§ 255-69 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.

§ 255-70 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

reasonably concludes that the missing items of information are not necessary to make an informed decision on the application, said DRC may waive the requirement that said items be supplied as a prerequisite for completeness and certify that the application is complete notwithstanding the missing items. If the waivers are granted, the application is complete as long as all other requirements for submission have been satisfied. If the waivers are denied, the application is incomplete until missing information is submitted. At that time, the application is complete if all other requirements for submission have been satisfied.

B. 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 §255-72. The Planning Board shall have 45 days to determine whether to grant the waiver from the date of the resubmission.

§ 255-74 Variance Review and Approval Procedure

A. Purpose. Departures from the literal zoning requirements specified in this Chapter may be granted by the 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 NJSA 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.

C. Time Limit For Decisions. 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.

§ 255-75 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 Zoning 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 Part 2 hereinafter granted by the 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 any matters 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.