

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, MARCH 20, 2018**

AMENDED APRIL 11, 2018

MEETING CALLED: Mayor Mangin called the regular meeting to order at 6:33 p.m.

ROLL CALL: The following were present: Mayor, Michael Mangin; Deputy Mayor, Karen Gilbert (arrived at 6:35 p.m.); Comm. Gary Hazard; Comm. Craig O'Brien; Comm. Louis Reiner (arrived at 6:35 p.m.)

Also present were: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Chief, Glenn Tabasko; Police Captain, Kevin Donovan; Township Engineer, Antoine Hajjar; Township Attorney, Jeffrey Lehrer; Attorney, Ed Purcell

MEETING ADVERTISED: Mayor Mangin advised that the meeting was advertised in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975 in the January 10, 2018 issue of the Courier News and was posted on the office bulletin board and the Township Website.

Township Attorney Lehrer read Resolution #18-70 in full.

Mayor Mangin asked for a motion to approve Closed Session Resolution.
Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #18-70

RESOLUTION RETIRING INTO EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a) Contract Negotiations:
 - b) Personnel:
 - c) Attorney-Client Privilege: RTMUA Appointments; RTMUA Capacity Issue; Verizon Wireless Application to use Municipal Right-of-Way

- d) Pending Litigation: Nief property update; Sempervive update

It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.

3. The Committee will return to Regular Session and may take further action.
4. This Resolution shall take effect immediately.

CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT

The regular meeting reconvened at 7:09 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor Mangin asked all to join in the Pledge of Allegiance to our flag and to remain standing for a moment of silence to remember our men and women serving in the Armed Forces and in particular those serving in troubled areas around the world.

AMEND/APPROVE THE AGENDA

Mayor Mangin asked for any amendments to the Agenda.

There were no amendments.

Mayor Mangin asked for a motion to approve the Agenda.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, **Hazard**, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: **None**

PUBLIC COMMENT: It is the policy of the Township Committee that all public comments on an issue shall be limited to three minutes per person. Public comment shall be permitted on items of concern regarding the agenda only. In addition, time will be allotted at the end of the meeting for public comment on any issue.

There was no public comment.

POLICE COMMENDATIONS – Sergeant Matthew Lawrence and Corporeal Ryan Garbolino

Mayor Mangin invited Police Chief, Glenn Tabasko, to the dais. Chief Tabasko asked Sergeant Matthew Lawrence and Corporeal Ryan Garbolino to approach the dais as well.

Chief Tabasko acknowledged and recognized the heroic, life-saving efforts of the two officers in assisting a baby that was not breathing. Chief Tabasko explained that he had been eating at the Golden Star Diner and was informed by the wait staff that a baby was in distress and not breathing and the officers acted, took control of the situation, and resuscitated the baby. Chief Tabasko continued that if not for eating at the diner that day, he probably would have never heard of the selfless action of the two officers.

Chief Tabasko read the following duty commendation into the record, “In recognition of your efforts on March 4, 2018 in responding to Golden Star Diner for report of a baby choking. Upon finding the baby unresponsive and determining she was in distress, you immediately began life-saving measures. After Sergeant Lawrence advised he felt a pulse and it appeared the baby was not breathing. Sergeant Lawrence and Corporeal Garbolino performed back blows and checked the baby again. While reassessing the baby, she began to cry. Your rapid response and life saving measures revived the baby allowing her to be transported to Hunterdon Medical Center for immediate medical care. The professionalism and dedication to duty that you displayed reflects highly upon yourself, the Raritan Township Police Department and the community you serve.”

Committee Members commended and thanked the officers and the entire Police Department for their outstanding service to the community.

FINANCIAL ISSUES

Payment of Bills as listed for **Raritan Township: \$4,816,382.82**

Motion by Gilbert, seconded by Reiner to approve the bill list for Raritan Township.

ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O’Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

Payment of Bills as listed for **Raritan Township Fire Company: \$1,147.13**

Motion by Reiner, seconded by Hazard to approve the bill list for the Raritan Township Fire Company.

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner
NOES: None
ABSTAIN: None
ABSENT: None
RECUSE: Mayor Mangin

REPORTS

The following staff reports were acknowledged by the Township Committee:

- *Public Works – Snow Removal Costs – March 2-5; March 7-8, March 13, 2018
 - *Planning/Engineering Escrow Accounts – February 2018
 - *Animal Control Report – February 2018
 - *Fire Safety – February 2018
 - *Tax Collector -February 2018
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LIAISON REPORTS

Karen Gilbert: Finance; Historian; Open Space; Parks and Recreation; Planning Board (Class III Member)
 Deputy Mayor Gilbert announced that the Planning Board and Local Historians Committee meetings were cancelled and that she did not attend the Parks and Recreation Committee meeting due to illness. Deputy Mayor Gilbert also advised that the farmland preservation plan review is underway.

Gary Hazard: Court/Police; RTMUA
 Committee Member Hazard acknowledged the recent appointment of Municipal Court Judge, William Mennen, and announced the upcoming meeting of the RTMUA (March 22).

Craig O'Brien: Open Space
 No report.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Public Works; Wildlife Management Advisory Committee
 Committee Member Reiner commended OEM, Fire, Rescue and Police for their outstanding efforts in serving the community during the past two (2) storms.

Michael Mangin: Board of Health; Finance; Personnel; Planning Board (Class I Member)
 Mayor Mangin reported on a meeting of the Board of Health advising of two (2) septic waiver approvals and announced that a vacancy still remains on the Zoning Board of Adjustment.

UNFINISHED BUSINESS

Amending Chapter 2.68 of Municipal Code – Raritan Township Municipal Utilities Authority – Mr. Hutchins advised that the Township Attorney has been given direction to proceed with amending Township Code regarding Township Committee appointments to the RTMUA.

2016-2017 Minutes Update – Municipal Clerk, Lisa Fania, provided an update on the status of the 2016-2017 minutes advising that extensive research was done including review of computer files, minute books, and agendas. Ms. Fania advised that there is no permanent record of the following meeting minutes and presented a proposed schedule of completion as follows:

2017 (prior to her appointment) – February 7, 21; March 7, 9, 14, 16, 21, 24, 27; April 4, 18; June 5; June 20 (scheduled for Committee approval March 20, 2018)

2017 – (after her appointment) – June 29; July 18 (both scheduled for Committee approval March 20, 2018); August 15; September 5 (both scheduled for Committee approval April 3, 2018); and December 5 and 19 (scheduled for Committee approval April 17, 2018).

Ms. Fania voiced opinion that the priority is to complete 2017 minutes for auditing purposes. She informed Committee Members that she had contacted the Auditor to determine how best to complete the minutes in order to fulfill requirements of the annual audit as well as the Best Practices Inventory. Ms. Fania advised that minutes should reflect attendance, action taken, votes, resolutions and ordinances pasted in full, and a listing of those who spoke during public comment. Ms. Fania continued that she felt that with condensed meeting details she could complete the 2017 minutes by the end of May.

Deputy Mayor Gilbert commented on meeting minutes that were presented in draft form and part of meeting packets on the website for which there was no permanent record of approval.

Ms. Fania responded that in some cases there is no permanent record of minutes in the minute books for those listed on past agendas for Township Committee approval. Ms. Fania explained that the list compiled is based on what was included on past agendas for approval.

Committee Member O'Brien commented that the Township's obligation is first to the public in following the law and the availability of minutes in a timely manner. Committee Member O'Brien also thanked Mayor Mangin, Administrator Hutchins and Clerk Fania for their efforts in taking action on this issue. Committee Member O'Brien commented on percentage of completion of minutes for 2016 and 2017.

It was the consensus of the Committee that Ms. Fania focus on the completion of 2017 minutes.

NEW BUSINESS

Request by Caine Fowler to hold 2018 Spring Weekends at Skunktown Distillery – Mayor Mangin advised of a request by Caine Fowler, Skunktown Distillery, to hold special events known as 2018 Spring Weekends every Friday and Saturday commencing March 23 through June 16, 2018.

Motion by Gilbert, seconded by Reiner to approve the request by Caine Fowler to hold 2018 Spring Weekends at Skunktown Distillery.

MOTION UNANIMOUSLY CARRIED

Proposed Sign Ordinance – Mayor Mangin explained that proposed amendments to the Sign Ordinance by the Planning Board were included in the agenda packet for review by Committee Members.

Mayor Mangin solicited comments from Committee Members.

Deputy Mayor Gilbert commented that the Planning Board put forth a great deal of time and effort in preparing the proposed recommendations. Deputy Mayor Gilbert continued that the amendments are a result of the continuous requests for waivers and revisions to the ordinance by business owners in the community.

There were no additional comments. It was the consensus of the Committee to direct the Township Attorney to prepare a draft ordinance for review at a future regular meeting.

Township Newsletter Restart and Website Platform Revision – Deputy Mayor Gilbert requested that the Committee consider restarting the Township Newsletter and Website Platform Revision. Deputy Mayor Gilbert expressed opinion in support of such explaining that the purpose is to provide a means of outreach to the community regarding important new and useful information; information about the Township's government; and what is happening in the municipality. Deputy Mayor Gilbert commented that many people do not go to the website to browse but visit only when they are looking for something specific. Deputy Mayor Gilbert continued that it makes sense to update the website to a more user-friendly platform, as it will be referred to in the newsletter as a point of information. Mayor Gilbert added that Lisa can assist and it will cost nothing as funding will come from the Clean Communities Grant.

Mr. Lehrer advised that a voice vote is sufficient to authorize approval to proceed.

Committee Member O'Brien commented in support of an overhaul of the website but suggested thinking about desired capabilities and requirements; and tracking hits on the site for one month. Deputy Mayor Gilbert expressed concern for a true assessment of website hits as it is not a user-friendly format.

Discussion was held regarding website maintenance and vendor.

Mayor Mangin asked for a motion to restart the Township newsletter.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Mangin

NOES: O'Brien

ABSTAIN: None

ABSENT: **None**

Mayor Mangin asked for a motion to upgrade the Township Website Platform.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

Procedure for assigning public defender to indigent defendants – Township Attorney, Jeff Lehrer, advised Committee Members that Assistant Judge Ciccone's memorandum included in the packet is for informational purposes only. He explained that it relates to the assignment of public defenders to indigent defendants in the packet. Mr. Lehrer continued that a State Police defender is assigned to a disorderly persons offense involving a domestic violence claim or charge and that a Municipal Public Defender would represent cases that do not involve a restraining order.

Limitation on retroactive tax relief due to 100% disabled veteran status – Mayor Mangin explained that concern had been raised regarding time limitations for granting retroactive tax relief for one hundred (100%) disabled veterans. Mayor Mangin continued that the municipality collects taxes for the county and schools and when refunds as such are authorized, the municipality bears the burden as the county and schools do not refund their portions.

Mayor Mangin commented that Committee Member O'Brien raised such concerns in July of 2017 and he spoke in agreement of same.

At this time, Committee Member O'Brien requested that the Committee deviate from the scheduled agenda and take action on proposed resolution #18-71 Authorizing Tax Refund Due to 100% Disabled Veteran Status (Landers).

Mayor Mangin asked for a motion to take action on Resolution #18-71.

Motion by O'Brien, seconded by Reiner

Motion by Reiner, seconded by O'Brien

ROLL CALL VOTE:

AYES: Hazard, O'Brien, Reiner, Mayor Mangin

NOES: Gilbert

ABSTAIN: None

ABSENT: None

Mayor Mangin read Resolution #18-71 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-71.

Motion by Reiner, seconded by O'Brien

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #18-71

A RESOLUTION AUTHORIZING A TAX REFUND FOR THE FIRST QUARTER OF 2018, FOR YEARS 2017, 2016 AND THE FIRST THREE QUARTERS OF 2015 DUE TO 100% DISABLED VETERAN STATUS

WHEREAS, N.J.S.A. 54:4-3.30 *et seq.* provides for 100 percent (100%) disabled veterans and their spouses to be exempt from property taxes on their principal residences; and

WHEREAS, the property owner listed below has received such designation by the US Veterans Administration and has subsequently applied and been approved for such an exemption from the Tax Assessor of the Township of Raritan; and

WHEREAS, this designation can result in the overpayment of property taxes and require the cancellation of future tax payments; and

WHEREAS, the Township Tax Collector, as a result of recently approved 100 percent (100%) disabled veteran status, recommends the refunding of the tax overpayments listed below.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that:

The Tax Collector is directed to process a tax refund as follows:

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Theodore C. Landers Sr. (35 Phipps Court)		71.20	37
<i>1st Quarter 2018</i>	\$1,937.95		
2018 Total:	\$1,937.95		
<i>1st Quarter 2017</i>	\$1,903.15		
<i>2nd Quarter 2017</i>	\$1,903.14		
<i>3rd Quarter 2017</i>	\$1,972.76		
<i>4th Quarter 2017</i>	\$1,972.75		
2017 Total:	\$7,751.80		
<i>1st Quarter 2016</i>	\$1,854.91		
<i>2nd Quarter 2016</i>	\$1,854.89		
<i>3rd Quarter 2016</i>	\$1,951.39		
<i>4th Quarter 2016</i>	\$1,951.39		
2016 Total:	\$7,612.58		

2 nd <i>Quarter 2015</i>	\$231.36
3 rd <i>Quarter 2015</i>	\$668.25
4 th <i>Quarter 2015</i>	<u>\$3,457.44</u>
2015 Total:	\$4,357.05

TOTAL: **\$21,659.38**

Discussion continued regarding time limitations for retroactive tax relief. Mayor Mangin referred to recommendations submitted by Deputy Mayor Gilbert.

Deputy Mayor Gilbert recalled that the issue was previously raised by Committee Member O'Brien during a discussion of a request for retroactive relief for three (3) weeks. Deputy Mayor Gilbert continued that the Committee had just moved on approval of a request for two and a half (2 ½) years, authorizing the largest amount ever, over \$21,000. Deputy Mayor Gilbert expressed opinion in support of further consideration of this matter.

Mr. Lehrer advised that this is a policy matter and that action establishing policy must be authorized by ordinance.

Discussion was held regarding the number of one hundred percent (100%) disabled veterans in the municipality and laws regarding retroactive tax relief.

Committee Member Hazard suggested researching practice of other comparable municipalities regarding such.

Deputy Mayor Gilbert spoke in support of additional research and voiced opinion that tax relief should be based on a policy, as the Township is obligated by law to grant relief, and not how decorated a veteran is or how many people come out to support a veteran or by how many years of service.

Committee Member O'Brien spoke about the length of time and dates used in the process for determining one hundred percent (100%) disabled status including date of application; date from the VA; date of determination; and date of intent to file. Committee Member O'Brien further added that the law allows a municipality to use any methodology in the determination of retroactive tax relief.

Deputy Mayor Gilbert responded that the reason she brought consideration of the matter before the Committee was that it had already been raised. Deputy Mayor Gilbert referred to the July 18, 2017 meeting minutes reading the following into the record, "Committee Member O'Brien expressed support for the resolution, however, commented that retroactive tax relief was not past practice of the Township but continued that we don't want someone to request retroactive tax relief for six months or one year or two years. He commented that the Committee needs to have some sort of understanding of a reasonable time frame."

It was the consensus that Mr. Lehrer follow up on the protocol of other municipalities for granting retroactive tax relief to one hundred percent (100%) disabled veterans and advise accordingly.

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Mangin read by title Ordinance #18-1.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING AND SUPPLEMENTING TITLE 16 ENTITLED "LAND DEVELOPMENT" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY AMENDING SECTION 16.02.030 ENTITLED "DEFINITIONS," BY AMENDING SECTION 16.18.090 ENTITLED "PLAT DETAILS," AND BY AMENDING SECTION 16.64.020 ENTITLED "PERMITTED MODIFICATIONS --- CLUSTER RESIDENTIAL DEVELOPMENT"

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

No public comment.

Prior to the vote, Mr. Lehrer referred to the March 1, 2018 letter from the Planning Board recommending changes for consistency with New Jersey standards for subsurface sewerage disposal systems. Mr. Lehrer advised that a Master Plan consistency recommendation was not included in the letter and is required. Mr. Lehrer continued that the recommended changes are nonmaterial and require changing reference from "one soil log" to "two soil logs. Mr. Lehrer stated that he had no issue with proceeding with the adoption of the ordinance as amended and that Ms. Fania obtain written documentation for file purposes of the Planning Board's acknowledgement regarding Master Plan consistency.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-1 on final consideration, same to be published according to law as amended.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised March 8, 2018 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #18-1

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING AND SUPPLEMENTING TITLE 16 ENTITLED "LAND DEVELOPMENT" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY AMENDING SECTION 16.02.030 ENTITLED "DEFINITIONS," BY AMENDING SECTION 16.18.090 ENTITLED "PLAT DETAILS," AND BY AMENDING SECTION 16.64.020 ENTITLED "PERMITTED MODIFICATIONS --- CLUSTER RESIDENTIAL DEVELOPMENT"

BE IT ORDAINED, by the Township Committee of the Township of Raritan, in the County of Hunterdon and State of New Jersey as follows:

Section 1 Section 16.02.030 "Definitions" is hereby amended as follows:

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this title, and the word "building" shall include the word "structure," the word "used" shall include the word "arranged," "designed," "constructed," "altered," "converted," "rented," "leased" or "intended to be used;" and the word "abut" shall include the words "directly across from," "adjacent to" and "next to."

Accessory apartment - a self-contained housing unit incorporated within an existing residential structure originally designed for single-family residence and not substantially altered for the new unit.

Accessory use, structure or building - means a use, structure or building subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building. In the case of an accessory structure or building, it shall be detached from the principal building. All structures or buildings on nonresidential lots are considered principal structures on the lot and shall conform to requirements for principal structures.

Administrative Officer - the Township Planner and/or Zoning Officer.

Advertising display - See Sign.

Affordable housing - any housing unit with an acquisition price or rent level not exceeding the maximum resale or rent level for low and moderate-income housing and as further defined in N.J.A.C. 5:93-1.1 et seq.

Agent - one or more persons designated to represent the applicant before the Planning Board.

Agricultural/horticultural use - See Farm.

Agricultural research facility - a use primarily concerned with the scientific study of farm animals and agricultural products, located in a farm environment and where no products are manufactured or produced on the premises for sale.

Alterations - as applied to a building or structure, means a change or rearrangement in the

structural parts or in the existing facilities, or an enlargement, whether by extension of a side or by increasing in height or by moves from one location or position to another.

Altered parking area - existing parking areas which are to be surfaced, resurfaced, redesigned, re-stripped to indicate a new layout, curbed, redesigned to accommodate a new traffic pattern, and similar changes which require review by the board.

Altered space - the square footage of an existing building which will undergo a change or rearrangement in the structural parts or in the means of egress to the space, or where the use of the space will be more intensively utilized, such as the change from a storage area to an office, retail or manufacturing area, or from a residential to a nonresidential use.

Animal hospital - a building or portion thereof designed or used for the care, examination or treatment of domestic animals.

Apartment - one of several individual dwelling units designed and erected as an integrated development in one or several buildings with singleness of use and operation and which utilizes such common facilities as pedestrian walks, parking and garage areas, open space or recreation areas, and utility and sanitary systems.

Applicant - the legal or beneficial owner or owners of land to be subdivided or developed. The holder of an option or contract to purchase, or other person or persons having an enforceable proprietary interest in such land, may be considered to be an applicant for the purpose of this chapter. Such person may also be known as the developer.

Application for development - the application form and all accompanying documents required by this chapter for approval of a site plan and/or subdivision.

Approved forms - forms required and supplied by the Planning Board and Board of Adjustment to be submitted with an application for each submission.

Assisted living facilities - a facility containing residences for the elderly that provides rooms, meals, personal care assistance and the supervision or administration of medications. The facility must be licensed by the New Jersey Department of Health and Senior Services, the New Jersey Department of Community Affairs, or another appropriate agency. A designated number of beds in the facility shall be restricted to low- and moderate- income households per Medicaid requirements. Assisted living facilities may include programs to meet the needs of residents with Alzheimer's disease or other dementias. Such programs shall provide individualized care based upon assessment of the cognitive and functional abilities of Alzheimer's and dementia residents who have been admitted to the program. (Ord. 10-7 § II)

Attached dwelling unit - a dwelling unit which is physically linked to one or more other dwelling units forming a single dwelling structure.

Automobile wrecking yard - any yard and/or structure used or intended to be used for the conducting and operating of the business of selling, buying, storing or trading in used or discarded metal, glass, paper, cordage, or any used or disabled fixtures, vehicles or equipment of any kind.

Barber and beauty shop - a building or part thereof in which a service is provided to men, women and children by shampooing, cutting, styling, tinting or treatment of hair, by giving manicures, pedicures or facial treatments or by the use of cosmetic products. Said use may include accessory retail sales of goods and services associated with the specific use conducted on site. (Ord. 02-53)

Billboards, signboards or advertising devices - See Sign (street graphics).

Block - the area bounded by one or more streets or a municipal boundary of sufficient size to accommodate a lot or lots of the minimum size required in the zoning ordinance of the Township and as further specified herein.

Boarder or roomer - a person who is not related to the head of the household and who pays for the privilege of boarding or rooming.

Buffer strip - means a strip of land providing a natural vegetation screen or a fence or other means so as to continually restrict a clear view beyond the buffer strip.

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

Building height - the vertical distance measured from the mean level of the ground surrounding the building to a point midway between the highest and lowest points of the roof, but not including chimneys, spires, towers, elevator penthouses, tanks and similar projections. (Ord. 04-22)

Building line - a line formed by the intersection of a horizontal plane at average grade level and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered section of the building, the vertical plan will coincide with the most projected surface. All yard requirements are measured to the building line.

Building, principal - Principal building - structure in which is conducted the principal use of the site on which it is situated. In any residential district, any dwelling shall be deemed to be a principal building on the zone lot on which it is located.

Business office - a building or portion thereof which is used for conducting the affairs of a business, service, industry or government and within which a product or merchandise for sale to the public is not offered. However, personal services, such as barber and beauty shops, and repair services, such as radio and television repair shops, are not to be included within the definition of "business office." A bank, trust company, savings and loan or similar establishment for the custody, loan, exchange or issue of money, for the extension of credit and for facilitating the transmission of funds is not to be included within the definition of "business office."

Caliper - standard measure of tree size for trees to be newly planted. The measurement is taken six (6) inches above the ground for trees four (4) inches in diameter or less, and twelve (12) inches above the ground for trees over four (4) inches in diameter. (Ord. 10-27)

Camp - a predominantly open space facility designed for outdoor recreational use by persons residing on the site for short periods in seasonal quarters.

Certificate of occupancy - a certificate issued by the Construction Official upon completion of construction, alteration or change in occupancy of a building. Said certificate shall acknowledge compliance with all requirements of this title, such adjustments thereto granted by the Board of Adjustment and/or all other applicable requirements.

Certification - a written endorsement of a plan for soil erosion and sediment control by the Township Engineer which indicates that the plan meets the standards promulgated by the state Soil Conservation Committee as set forth in the latest "Standards for Soil Erosion and Sediment Control in New Jersey."

Change of use - the change from one enumerated principal use to another enumerated principal permitted use on a lot or within a structure or building.

Channel - a watercourse with a definite bed and banks which confine and conduct continuously or intermittently flowing water.

Child care center - any facility which is maintained for the care, development or supervision of six (6) or more children under thirteen (13) years of age who attend the facility for less than twenty-four (24) hours a day, and which is subject to State licensure or life-safety approval, pursuant to the provisions of the "Child Care Licensing Act," P.L. 1983, c.492 (C. 30:5-B-a to 30:5B-15). (Ord. 06-31)

Church - a building or group of buildings, including customary accessory buildings, designed or intended for public worship. For the purpose of this chapter, the word "church" shall include chapels, congregations, cathedrals, temples or similar designations, as well as parish houses, convents and such accessory uses.

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

Civic use - a use of a building, structure or lot by a federal, state, or Municipal Agency, or its duly appointed agent, including yards, parks and recreational facilities, educational facilities, public hospitals, public museums, public libraries, public community centers, theaters, public stadiums and arenas. (Ord. 02-47)

Clear cutting - the removal of all standing trees on a lot or a portion of a lot. (Ord. 10-27)

Club, lodge and fraternal organization - a social or service organization not organized or conducted for profit and which is not an adjunct to or operated by or in conjunction with a public tavern, cafe or other place of business.

Cluster residential development - a residential development of detached dwelling units planned as a single, entity in accordance with the provisions of this chapter and which has common or public open space as an appurtenance.

COAH - the New Jersey Council on Affordable Housing.

Commercial distribution of fuels - storage of refinery products for distribution or resale.

Commercial greenhouse - the raising of plants within a greenhouse for income, but not including retail sales from within the greenhouse unless the greenhouse is located in a business zone where such sales are permitted.

Commercial vehicles - any motor vehicle, other than a passenger car, having more than two (2) axles and/or four (4) wheels and/or exceeding a loading capacity of one-half (1/2) ton.

Common open space - an open space area within or related to a site designated as a development and designed and intended for the use or enjoyment of residents and owners of the development, and containing such complementary structures and improvements as are necessary and appropriate for the enjoyment of residents and owners of the development.

Community forest - forest resources owned and managed by a public entity. In the Township, this includes trees and forests on municipal properties such as the municipal buildings and facilities, parks and open space owned in part or in whole by the Township. (Ord. 10-27)

Complete application - an application form completed as specified by this title and the rules and regulations of the Planning Board and all accompanying documents required by this title for approval of an application. However, if the application is found incomplete, the developer shall be notified in writing of the deficiencies within forty-five (45) days of the submission of such application, or it shall be deemed properly submitted.

The Planning Board may require such additional information, not specified by this title, or any revisions in the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for the approval of the application have been met. The application shall not be deemed incomplete for the lack of any such additional information or any revisions in the accompanying documents so required by the Board. An application shall be certified as complete immediately upon the meeting of all requirements specified in this title and in the rules and regulations of the Planning Board and shall be deemed complete as of the day it is so certified by the Administrative Officer for purposes of the commencement of the time period for action by the Planning Board.

Conditional use - a use permitted in a particular zoning district only upon a showing that such a use in a specified location will comply with the conditions and standards for the location or operation of such as contained in the zoning ordinance and upon the issuance of authorization therefor by the Planning Board.

Condominium - a legal arrangement providing for individual ownership of a portion of a building and/or land parcel and including arrangements for the maintenance responsibilities of such building and/or land parcel.

Construction Official - the municipal official specified in the building code and designated as such by the Township Committee.

Construction permit - an authorization to build issued by the Township Construction Official after a determination that all applicable Township requirements have been met.

Cul-de-sac or dead-end street - a minor street or a portion of a minor street in which accessibility is limited to only one single means of ingress and egress.

Cut - a portion of land surface of an area from which earth has been removed or shall be removed by excavation; the depth below original ground surface to excavated surface.

Days - calendar days, including weekends and holidays.

Department - the State Department of Environmental Protection.

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

Development - the division of a parcel of land into two (2) or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure or land or extension of use of land, for which permission may be required by the Township.

Development fees - money paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted by COAH rules.

Diameter at Breast Height - diameter of a tree measured four and one-half (4 1/2) feet (forestry method) above the ground level on the downhill side for existing trees. Diameter at Breast Height may appear as the abbreviation "DBH" (Diameter Breast Height). (Ord. 10-27)

District or zone - any portion of the territory of the Township of Raritan within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this title.

Disturbance - any activity involving the clearing, excavating, storing, grading, filling or transporting of soil or any other activity which causes soil to be exposed to the danger of erosion.

Diversion - a channel with or without a supporting ridge on the lower side constructed across or at the bottom of a slope.

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

Drip line - a limiting line established by a series of perpendicular drop points marking the maximum radius of the crown of an existing tree, but not less than six (6) feet from the trunk, whichever is greater; and within which no construction or disturbance shall occur. (Ord. 10-27)

Dwelling - any building or portion thereof designed or used primarily as the residence or sleeping place of one or more persons. A “dwelling” is not a mobile home, a hotel, motel, hospital, nursing home, dormitory, fraternity or sorority house, rooming house, boarding house, or similar structure under the terms of this title.

Dwelling, single-family - Single-family dwelling - a detached building or dwelling unit designed for or occupied exclusively by one or more persons living as a single, nonprofit housekeeping unit.

Dwelling, single-family semi-detached - Semi-detached single-family dwelling - a one-family dwelling attached to another one-family dwelling by a common vertical wall, with each dwelling located on a separate lot.

Dwelling, quadruplex - Quadruplex dwelling - four attached dwellings in one building in which each unit has two (2) open space exposures and shares one (1) or two (2) walls with an adjoining unit or units or shares a common garage wall with an adjoining unit.

Dwelling unit - one or more rooms, including cooking facilities, in a structure designed as a unit for occupancy by not more than one family for living and sleeping purposes.

ECHO unit - elder cottage housing opportunity unit, a separate living quarters, accessory to a primary residence on the premises, not exceeding seven hundred fifty (750) square feet of gross floor area for the use of and occupancy, by not more than two persons who are relatives by blood, marriage or adoption of an owner/occupant of the primary residence on the premises. One of the ECHO unit occupants shall be sixty (60) years of age or older.

Embankment - a manmade deposit of soil, rock or other materials.

Encroachment - any obstruction within a delineated floodway.

Environmental Commission - the Raritan Township Environmental Commission.

Equalized assessed value - the value of a property determined by the Municipal Tax Assessor through a process designed to ensure that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of building permit may be obtained by the Tax Assessor utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the Municipal Tax Assessor.

Erosion - the detachment and movement of soil or rock fragments by water, wind, ice and gravity.

Essential services - the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, including electric substations, telephone dial center, towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies, or for the public health or safety or general welfare. “Essential services” shall include firehouses, first aid and emergency aid squads, whether provided by a municipal or nonprofit agency.

Excavation - See Cut.

Existing grade - the vertical location of the ground surface prior to cutting or filling.

Family - two or more persons related by blood or marriage or legal adoption, or up to four unrelated individuals living together as a single housekeeping unit in a dwelling.

Farm - a parcel or parcels of land comprised of or in aggregate total of five (5) or more acres, exclusive of a minimum of one acre used for a dwelling and any additional area covered by municipal, county or state roads. Said five (5) or more acres shall be devoted to either the production for sale or consumption by the owner of plants and animals generally accepted as useful to man, including but not limited to forages and crops; grain and feed crops; dairy animals and products, poultry and poultry products; livestock, including beef cattle, sheep, horses, ponies, mules, hogs, dairy cattle or goats, including the breeding and grazing of any and all such animals; bees and apiary products; fur-bearing animals; and trees and forest products; including the processing and sale of these products on the property where produced. Land shall be deemed a farm when devoted to the production of fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products, including the processing of these products on the property where produced.

Farm product sales - the sale of seasonal products raised on the premises only and may be sold from a table or other similar portable display.

Farm stand - a structure designed for the display and sale of seasonal farm produce, fifty (50%) percent of which is raised on the premises and/or other farm parcel owned or cultivated by the farm stand operator. Such a use shall require a conditional use permit.

Farm structure - any structure used for the storage of agricultural equipment or farm produce, or housing livestock or poultry. All farm structures shall be considered accessory structures, whether or not a principal structure exists on the same lot.

Farmer's market - the seasonal selling or offering for sale at retail of vegetables or produce, flowers, or orchard products, occurring in a pre-designated area, where the vendors are individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale. (Ord. 08-30 § I)

Fast-food restaurant - a retail food service operation in which a limited or specialized list of quickly prepared or pre-prepared food items is offered for on-premises and off-premises consumption; or where a drive-up window exists for ordering food items, or where vehicle food service or consumption of food within a vehicle exists on the premises.

Fence - an artificially constructed barrier of wood, masonry, stone, wire, metal or any other manufactured material or combination of materials.

Fill - sand, gravel, earth or other materials of any composition whatsoever placed or deposited by any person.

Final approval - the official action of the Planning Board taken on a preliminary approved major subdivision or site plan after all conditions, engineering plans and other requirements have been

completed or fulfilled and the required improvements have been installed.

Finished grade - the final elevation of the ground surface conforming to the proposed design.

Fixture - the assembly that holds the lamp (bulb) in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts. (Ord. 02-21)

Flood light - a luminaire or bulb which projects light in a specific direction in a wide beam, typically 100 degrees or more. (Ord. 02-21)

Flood map means:

1. Map prepared by the Department of Housing and Urban Development, Federal Insurance Administration, No. H 01-12 dated July 26, 1974;
2. Natural Resource Inventory Floodplain/Soils Map for Raritan Township.

When no flood maps are available, the Township Engineer shall determine the extent of flooding in any particular area based on available data and information.

Floodplain - the 100-year floodplain as shown on the Federal Emergency Management, National Insurance Program, Flood Insurance Rate Maps. (Ord. 06-11)

Floodplain (500 year) - the 500-year floodplain as shown on the Federal Emergency Management, National Flood Insurance Program, Flood Insurance Rate Maps. (Ord. 06-11)

Floor area ratio - the quotient achieved by dividing the gross floor area by the net area of the lot.

Fly ash - particles of gas-borne matter, not including process material, arising from the combustion of solid fuel, such as coal or wood.

Footcandle (fc) - a unit of illuminance on a surface one-foot square in area onto which there is a uniform flux of one lumen. (Ord. 02-21)

Footlambert (fL) - a unit of luminance of a surface reflecting or emitting light at the rate of one lumen per square foot. The average luminance of any reflecting surface in footlamberts is the product of the illuminance in footcandles striking the surface times the reflectance of the surface. (Ord. 02-21)

Full-cutoff (fco) - a light fixture which cuts off all upward transmission of light. (Ord. 02-21)

Fully shielded - a fixture with housing or attachment thereto which prevents a line of sight to the bulb when viewed from another property and which prevents a line of sight to any part of the light source at or above a horizontal plane running through the lowest portion of the fixture. (Ord. 02-21)

Garage, private - Private garage - a detached or attached structure used only for the storage of vehicles owned or rented by the occupant of the principal structure or his or her family.

Garage, public - Public garage - any garage other than a private garage which is open to the public and used for the storage of motor vehicles.

Gasoline filling station and public and repair garage - a building or place of business where gasoline, oil and grease, batteries, tires and automobile accessories are supplied and dispensed directly to the motor vehicle trade, at retail, and/or where repair service and related vehicle services may be rendered. Carwash facilities are included in this definition as accessory uses.

Glare - the discomfort experienced by an observer with a direct line of sight to a light source which often results in annoyance, discomfort or loss of visual performance causing visual impairment. (Ord. 02-21)

Grading - any stripping, cutting, filling, stock-piling any combination thereof and shall include the land in its cut or filled condition.

Grading permit - a permit issued by the Township Engineer to authorize work to be performed under this title in situations not requiring subdivision approval or site plan approval.

Grassed waterway - a natural or constructed path, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from a field diversion or other feature.

Gross floor area - the sum of the gross horizontal area of the several stories of a building. Floor area shall not include cellar space or any floor space where the average floor-to-ceiling height is less than seven (7) feet.

Group homes - a community residence for the developmentally disabled or a shelter for victims of domestic violence, as defined by N.J. 40:55D-66.2, housing more than six (6) persons, excluding staff.

Hard surface - those surfaces which do not absorb water. All structures, surfaced parking areas, streets, driveways, sidewalks, and any areas in concrete, asphalt and packed stone shall be considered "hard surface" within this definition.

Hazardous materials - means and includes, but is not limited to, inorganic mineral acids of sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, and arsenic and their common salts; lead, nickel and mercury and their inorganic salts or metallo-organic derivatives; petroleum products and radioactive material; and coal tar acids, such as phenols and creosols, and their salts.

Helistop - an area that is used for the landing and takeoff of helicopters, but without any auxiliary facilities such as helicopter parking areas, waiting rooms, fueling or maintenance equipment.

Home business - a single business conducted from a portion of an existing single-family dwelling, or from another building on property on which there is an existing single-family dwelling. Home businesses shall be limited to retail specialty shops and activities, artisans' workshops and offices and shops, including antique, gift, book, bakery, bicycle and candy sales; galleries, photography

and art studios, coin, stamp and beauty shops; cabinet making, tutoring, tailoring, professional occupations, shoe repairing, private and nursery schools, dog care, barber shops, caterers, hobby shops, fruit and vegetable markets, florists, real estate agencies, insurance brokers.

Home occupation - a physician, dentist, lawyer, optometrist, architect, engineer, planner, artist, accountant, real estate or insurance agent, where clients or patients visit the premises on which the "home occupation" is located. "Home occupations" require a conditional use permit and parking facilities.

Home office - an area of a residence not exceeding two hundred (200) square feet and used by an occupant of such residence for office or studio purposes only, provided that there is no exterior indication of such office or studio use, and provided that such use does not require parking, deliveries or other external traffic other than that normally required by the residential use. This definition includes the tutoring of not more than five (5) children and the traffic associated therewith.

Homeowners' association - an incorporated nonprofit organization operating in a development under recorded land agreements, through which each lot owner shall be a member, and each dwelling unit is subjected to a charge for a proportionate share of the expenses for the organization's activities and maintenance, including any maintenance costs levied against the association by the Township, and each owner and tenant has a right to use the common property.

Horizontal (or vertical) foot-candles - the amount of light striking a vertical or horizontal plane. (Ord. 02-21)

Hospital - any building containing beds for four or more patients, and used for the diagnosis, treatment or other care of human ailments and staffed by licensed physicians.

Hotel - a facility offering transient lodging accommodations, with no provision for cooking in any individual room or suite, to the general public, and providing additional services such as restaurants, meeting rooms, and recreational facilities.

Houses of worship - See Church.

IESNA - the Illuminating Engineering Society of North America, an organization that recommends standards for the lighting industry. (Ord. 02-21)

Inclusionary development - a development containing low and moderate-income units. This term includes, but is not necessarily limited to, new construction, conversion of a nonresidential structure to a residential structure, and the creation of new low and moderate-income units through the substantial rehabilitation of a vacant residential structure.

Inclusionary zoning - development regulations governing the use and development of land for low and moderate-income units.

Institution - a nonprofit or quasi-public use, such as a church, school, library or hospital or municipally owned or operated building, structure or land used for public or quasi-public purpose.

Interested party means:

1. In a criminal or quasi-criminal proceeding, any citizen of the state of New Jersey; and
2. In the case of a civil proceeding in any court or in an administrative proceeding before a Municipal Agency, any person, whether residing within or without the Township, whose right to use, acquire or enjoy property is or may be affected by any action taken under the provisions of this chapter, or whose rights to use, acquire or enjoy property is or may be affected by any action taken under the provisions of this chapter, or whose rights to use, acquire or enjoy property under this title or under any other law of this state or of the United States have been denied, violated or infringed by an action or a failure to act under this title.

Invasive species - the specific species which are not native to New Jersey and have been recognized to overwhelm species native to the area. (Ord. 10-27)

Junkyard - a yard, building, covered space or space kept, maintained or existing for the purpose of buying or selling, exchanging or storing of rags, old metals, old bottles and glassware, old paper, old plumbing fixtures, salvaged items, debris, dismantled vehicles or parts thereof, unlicensed vehicles, any other old material commonly called junk, and including dismantling operations of the above materials and items. A junkyard shall not include the storage of old material to be used by the person or firm storing the same for permitted on-site manufacturing purposes.

Kennel, commercial - Commercial kennel - an establishment, the principal function of which is the sale of dogs or services related to dogs. It shall include the establishment for the boarding, trimming, grooming, training and/or breeding of dogs for which a fee is charged.

Kennel, noncommercial - Noncommercial kennel - an accessory use of a single-family dwelling by a breeder or dog fancier who is a resident thereof, where six or more dogs of a licensable age are kept for the principal purpose of hunting, breeding for enhancement or perpetuation of a given breed, for practice tracking, for exhibition in dog shows, for field or obedience trails, or for guarding or protecting of the householder's property.

The surplus offspring of dogs bred by a hobby breeder may be sold, and such sales shall not be considered commercial breeding provided there are no more than two (2) litters per year and provided further that the sale of the offspring is not the primary function of the kennel. There shall be no more than a total of twenty (20) dogs of licensable age; otherwise, the standards of a commercial kennel shall apply.

Land - any ground, soil or earth including marshes, swamps, drainways and areas not permanently covered by water.

Landfill - the filling of low areas, surface deposition or the raising of the surface of the ground by the dumping, depositing or placing of waste materials, vehicles, building materials, household waste, or junk, vegetated or developed.

Light industry - means a land use where the primary activity involved is one of the fabricating or assembling of standardized parts as contracted to a processing activity which would change the nature or character of the product or raw material.

Light source - the bulb and lens, diffuser, or reflective enclosure. (Ord. 02-21)

Light trespass - light projected onto a property from a fixture not located on that property. (Ord. 02-21)

Living area - the area within the wall exteriors above the main grade level, but excluding cellars, attics, garages or porches.

Lot - a parcel or portion of land separated from other parcels or portions by description and area as on a subdivision of record, or survey map, or by metes and bounds for purpose of sale, lease or separate use. A street passing through land shall be considered as having divided the land into lots. A building lot shall be one meeting the minimum area and dimension requirements as specified in the Township zoning ordinance and fronting on an approved and improved street.

1. **Lot area** - the computed area contained within the lot lines, excluding any street rights-of-way.
2. **Lot, corner** - Corner lot means a lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, which streets or parts of the same street form an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the street lot lines is the corner.
3. **Lot depth** - the mean distance between the front and rear lot lines.
4. **Lot, Interior** - Interior lot means any lot not a corner lot.
5. **The property lines bounding the lot:**
 - a. **Lot line, front - Front lot line** means the dividing line between the lot and a street.
 - b. **Lot line, rear - Rear lot line** means the lot line opposite and most distant from the front lot line.
 - c. **Lot line, side - Side lot line** means the lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a "side street lot line."
6. **Lot, through** - any lot, not a corner lot, which connects two (2) generally parallel streets. (Ord. 00-4)
7. **Lot width** - the distance between the two (2) side lot lines measured at the required setback line.

Lot averaging - the reduction in size of some lots in subdivision, and the corresponding increase in the size of other lots in the same subdivision, in order to achieve an improvement in lot layout without any change in overall development intensity.

Low income housing - affordable according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross income equal to fifty (50%) percent or less of the median gross household income for households of the same size within the housing region in which the housing is located and is subject to affordability controls.

Lumens - measure of brightness of the illumination exiting a bulb. (Ord. 02-21)

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

Major site plan - a plan of major development of one or more lots on which is shown:

1. The existing and proposed conditions of the lot, including, but not necessarily limited to topography, vegetation, drainage, floodplains, marshes and waterways;
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices; and
3. Any other information that may be reasonably required in order to make an informed determination pursuant to this title requiring review and approval of site plans by the Planning Board.

Major subdivision - any subdivision not classified as a minor subdivision.

Master plan - a composite of the mapped and written proposals recommending the physical development of the Township, which shall have been duly adopted by the Planning Board.

Mature woodland - an area of mature deciduous and/or non-deciduous trees covering one (1) acre or more contributing of either thirty (30%) percent or more largely deciduous and/or non-deciduous canopy trees having a ten (10) inch or greater caliper or any grove of deciduous and/or non-deciduous trees consisting of eight (8) or more trees having an eighteen (18) inch or greater caliper. (Ord. 11-3)

Minimum required improvable acreage - the largest contiguous acreage of a lot excluding existing or proposed street rights of way, Freshwater Wetlands and their associated transition areas as determined and/or verified by the New Jersey Department of Environmental Protection, flood plain, storm water detention and/or retention facilities, existing easements precluding structures, buffer yards as required under Section 16.18.110 and State Open Waters.
(Ord. 01-9; Ord. 02-54)

Minimum required improvable area - the largest contiguous area of a lot excluding existing or proposed street rights of way, Freshwater Wetlands and their associated transition areas as determined and/or verified by the New Jersey Department of Environmental Protection, flood plain, storm water detention and/or retention facilities, existing easements precluding structures, buffer yards as required under Section 16, 18.110 and State Open Waters.
(Ord. 01-9; Ord. 02-54)

Minor development - expansions of twenty-five (25%) percent or less of the existing floor area and/or hard surface area; and/or change of use within the existing site and structures thereon; and/or new floor area up to and including five thousand (5,000) square feet; but not involving planned development, new streets or extensions of any off-tract improvements prorated pursuant to Section 30 (C.40:55D-42) of the Municipal Land Use Law.

Minor site plan - a development plan of one or more lots on which is shown: (1) the existing and proposed conditions of the lot, including but not limited to tracts proposed for development; location of existing and proposed structures, driveways and parking areas; existing structures, driveways and parking areas; existing streets, rights-of-way and easements; and information regarding surrounding properties; and (2) any other information that may be reasonably required in order to make an informed determination pursuant to this chapter requiring review and approval of site plans by the Planning Board.

Minor subdivision - any subdivision resulting in not more than two (2) lots, fronting upon an existing street not involving any new street, planned development, or the extension of any off-tract improvement. The remaining land shall not be considered as one of the two (2) lots.

Moderate income housing - housing affordable according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to more than fifty (50%) percent but less than eighty (80%) percent of the median gross household income for households of the same size within the housing region in which the housing is located and is subject to affordability controls.

Motel - a series of attached dwelling structures, where each unit has convenient access to parking space for the use of the unit's occupant. The units, with the exception of the manager's or caretaker's, are designed to provide sleeping accommodations for automobile transients or overnight guests without the provision for cooking in any room or suite. A single-family home on the motel property, occupied by the owner/manager, is a permitted accessory use.

Mulching - the application of plant or other suitable materials on the soil surface to conserve moisture, hold soil in place, and aid in establishing plant cover.

Multiple-family dwelling – three (3) or more residences in a single structure.

Municipal Agency - the Township Planning Board or Board of Adjustment, or Governing Body when acting pursuant to this title.

Natural ground surface - the ground surface in its original state before any grading, excavating or filling.

Net acreage - the acreage of a lot, excluding the area of existing or planned street rights-of-way, and excluding the area of any easements which preclude the development of structures.

Net area of lot - See Net acreage.

New motor vehicle agencies - a business licensed by the state of New Jersey for the sale of new, or new and used vehicles.

Noncommercial accessory tower - any vertical structure accessory to, but not attached to, the principal structure on any residential lot.

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

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

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

Nursery - a commercial operation engaged in growing plants and/or trees under intensive management practices for use in another location. (Ord. 10-27)

Obstruction - means and includes but is not limited to any structure, fill, excavation, channel modification, rock, gravel, refuse or matter in, along, across or projecting into any channel, watercourse or flood hazard area which may impede, retard or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to pose a danger to life or property.

Official Map - a map adopted in accordance with the Municipal Land Use Law, Chapter 291, Laws of 1975, N.J.S.A. 40:55D-2 et seq., or any prior act authorizing such adoption, and which map shall be deemed to be conclusive with respect to the location and width of streets, public parks and playgrounds, drainage rights-of-way, flood control basins, public areas and historic sites.

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

On-site - located on the lot in questions.

On-tract - located on the property which is the subject of a development application, or in a contiguous portion of a street or right-of-way.

Open space - any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Such areas may be improved with only those buildings, structures, streets and off-street parking and other improvements that are designated to be incidental to the natural openness of the land.

Open space, common - Common open space means land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

Orchard - a commercial operation engaged in the cultivation of trees bearing fruit or nuts or providing other products such as, but not limited to, maple syrup. (Ord. 10-27)

Outside storage - the storage of goods, materials, equipment, etc., outside an enclosed building.

Owner - any individual, firm, association, syndicate, co-partnership, or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this title. Such person may also be known as the developer.

Parking access - entrances and exits to parking areas.

Parking area - an open area, other than a street or public way, used for the parking of automobiles or other vehicles and available to the public, whether for a fee, free, or as an accommodation for clients or customers.

Parking space or stall - an off-street space available for the parking of a motor vehicle and which has an area of at least one hundred sixty-two (162) square feet, exclusive of passageways, driveways and access aisles appurtenant thereto and giving access thereto.

Party immediately concerned - for purposes of notice, means any applicant for development, the owners of the subject property, and all owners of property and governmental agencies entitled to notice under Section 16.08.050.

[Percolation] Permeability test - a test designed to determine the ability of ground to absorb water.

Performance guarantee - any security, which may be accepted by a municipality, including cash, provided that a municipality shall not require more than ten (10%) percent of the total performance guarantee in cash.

Permitted use - any use which shall be allowed subject to the provisions of this title.

Pesticide - any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds and other forms of plant life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed or intended for use as a defoliant desiccant, or plant regulator.

Photovoltaic energy - see Solar or photovoltaic energy. (Ord. 12-5)

Planned development - planned unit development, planned unit residential development, residential development, residential cluster, planned commercial or planned industrial development.

Planned residential development - an area developed as a single entity according to an approved plan and containing a variety of dwelling unit types, open space and recreation areas, and commercial and/or public and quasi-public uses, all primarily for the benefit of the residential development.

Planning Board - the Planning Board of the Township of Raritan.

Plat - the map of a subdivision or site plan.

Plat, final - Final plat means the final map of all or a portion of the subdivision which is presented to the Planning Board for final approval in accordance with the regulations and which, if approved, shall be filed with the County Clerk for recording in accordance with the law. A plat that received final approval shall have been prepared by a New Jersey licensed professional engineer or land surveyor in accordance with all of the provisions of Chapter 141, Laws of 1960, N.J.S.A. 46:26-9.9 et seq.

Plat, preliminary - Preliminary plat means a map of a major subdivision containing information required in this title and submitted in accordance with the procedures set forth in this title for the purpose of securing preliminary approval.

Plat, sketch - Sketch plat means the sketch map of a subdivision of sufficient accuracy to be used for the purpose of discussion and classification and meeting the requirements of Chapter 16.18.

Preliminary approval - the conferral of certain rights prior to final approval after specific elements of a development plan have been agreed upon by the Planning Board and the applicant.

Preliminary floor plans and elevations - architectural drawings prepared during early and introductory stages of the design of a project illustrating in a schematic form its scope, scale and relationship to its site and immediate environs.

Principal use - the main purpose for which any lot and/or building is used.

Professional office - the office of a member of a recognized profession maintained for the conduct of his or her profession. Such professions shall be limited to those of medicine, law, planning, architecture, engineering, art, religion, music and other professions which require a similar degree of training and experience.

Prohibited use - any use which shall not be allowed under any circumstances.

Public areas - public parks, playgrounds, trails, paths and other recreation areas; other public open spaces; scenic and historic sites; and sites for schools and other public buildings and structures.

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

Public open space - an open space area conveyed or otherwise dedicated to a municipality, Municipal Agency, Board of Education, state or county agency or other public body for recreational or conservational uses.

Public sewer - sanitary effluent from a building or structure carried in force mains, collectors, interceptors and trunks to a central sewage treatment facility owned and operated by the Raritan Township Municipal Utilities Authority.

Public use - any public building, structure or land used primarily for public, quasi-public or public franchise purposes.

Public water (public water supply system) - a water supply, storage and distribution system that is operated by the Township of Raritan, the borough of Flemington or the holder of a franchise water utility and consisting of a system of water mains bringing water into the Township, to storage facilities and to distribution lines for service and distribution to multiple users (as differentiated from a single home, single subdivision or commercial or industrial tract or user).

For the purpose of this title, the provision of public water to a development shall mean connection into the existing water supply and distribution system as above described or extension of such system as above described to the site of the development. Water supply primarily from groundwater via a well or wells specifically provided for a development whether on-site or off-tract shall not be considered public water irrespective of whether such well or wells are privately owned and operated or owned and/or operated by a franchise water utility.

Rainfall excess - the portion of rainfall which becomes direct surface runoff.

Recreational facility, commercial - Commercial recreational facility means recreation facilities operated as a business and open to the general public for a fee. This definition shall include Training Facilities as defined elsewhere in this chapter. (Ord. 02-53)

Recreation facility, private, noncommercial - Private noncommercial recreation facility means clubs or recreation facilities, operated by a nonprofit organization and open only to bona fide members of such nonprofit organizations.

Recreational facility, public - any use or structure owned and managed by a federal, state, or Municipal Agency, or its duly appointed agent for the purpose of active recreational activities. (Ord. 02-47)

Recreational training facility - a building or part thereof in which the training and education of person(s) in various forms of recreational activities is performed for gain or profit. Said use may include accessory retail sales of goods and services associated with the specific recreational activity conducted on the site. Examples shall include: karate/martial arts, swimming, scuba, tennis, batting, fencing, gymnastics, dancing, boxing, and wrestling. (Ord. 02-53)

Religious use - a church, mosque, synagogue, temple or other similar place of worship.

Replacement tree - a nursery-grown certified tree, properly balled, marked with a durable label indicating genus, species and variety, and satisfying the standards established for nursery stock and installation thereof, set forth by the American Association of Nurseryman. (Ord. 10-27)

Retail - establishments engaged in the selling of goods or merchandise to the general public for personal or household consumption in rendering services incidental to the sale of such goods.

Riding academies and boarding stables - uses and structures designed for the quartering of horses and/or for providing instruction in horsemanship.

Right-of-way line - that line determining the limit of the street rights of the public, either existing or contemplated.

Roofline - the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridge line or the highest line common to one or more principal slope of the roof. On a flat roof, the roofline is the highest continuous line of the roof or parapet, whichever is higher.

School (private, public or parochial) - a facility having regular sessions of instruction conducted by regularly employed instructors and teachers who teach those subjects which are fundamental and essential in general education, and which provides education under the supervision of the New Jersey Department of Education or a lawfully constituted ecclesiastical Governing Body, or a corporation meeting the requirements of the New Jersey Department of Education.

School bus depot - a building and premises for the storage of buses used primarily for the purposes of transporting children to and from educational institutions, such as but not limited to elementary schools and high schools. Accessory uses may include the repair and maintenance of the buses that are stored on site but shall not include the pick up or drop off of passengers. (Ord. 02-58)

Secretary - the person designated by the Planning Board as secretary to the board.

Sediment - solid material, both mineral and organic that is in suspension, is being transported, or has been moved from its site or origin by air, water or gravity as a product of erosion.

Sediment basin - a barrier or dam built across a waterway or at other suitable locations to retain rock, sand, gravel, or silt or other material.

Sediment pool - the reservoir space allotted to the accumulation of submerged sediment during the life of the structure.

Sedimentation - the deposition of soil that has been transported from its site of origin by water, ice, wind, gravity or other natural means as a product of erosion.

Selective cutting - the removal of larger trees on an individual basis while leaving trees of lesser size. (Ord. 10-27)

Senior citizen housing - multi-family dwelling units designed to meet the special needs of the elderly and located in developments generally characterized by higher densities and lower parking requirements other than multifamily housing developments.

Services - establishments providing services for entertainment as opposed to products to the general public, including eating and drinking places; finance; real estate; insurance; personal services; motion pictures; amusement and recreation services; health, educational and social services; museums and galleries.

Shop - a business totally contained within the building.

Shopping center - two (2) or more commercial establishments in excess of fifty thousand (50,000) square feet of gross floor area in one or more structures designed and operated as a coordinated integrated unit with respect to parking service, signs, etc. Uses may include retail and service establishments, offices and office structures, theaters, recreational facilities, motels and hotels and auto service stores where gasoline, oil and grease, batteries, tires and automobile accessories may be supplied and dispensed directly to the motor vehicle trade, and where minor repair service is rendered and uses accessory to all such permitted uses.

Sign (graphic) - any announcement, declaration, demonstration, billboard, display, illustration, bulletin board, letters, numbers, logos, models, statues, banners, flags, pennants, clocks, plants, thermometers, or lights or combination of lights used to promote or advertise the interest of any person, group of persons, corporation, place or product when the same is placed, erected, attached, painted, printed or grown so as to be visible to the general public.

A **sign** shall not include any display of official court or public office notices, any official traffic control device, nor shall it include the flag, emblem or insignia of a nation, state, county, municipality, school or religious group.

Sign terms.

1. Advertising sign - See Off-premises sign.
2. Advertising sign means:
 - a. Movement of a sign or any segment thereof, such as rotating, revolving, moving up or down, or any other type of action involving a change of position of a sign body or segment thereof, whether caused by mechanical, illusional or other means;
 - b. Lighted sign on an intermittent or flashing circuit or the movement of any light used in connection with any sign, such as blinking, traveling, flaring or changing degree of intensity or color.
3. Area of facade - the area of the wall of a building, not including roof areas of any type.
4. Banners and pennants - advertising devices affixed to poles, wires or ropes, and made of cloth or plastic materials, etc. Government flags are excluded from this definition.

5. Broken plane - discontinuous surfaces separated by air space.
6. Canopy sign - a sign attached to and suspended from an overhang or ceiling.
7. Cut-out letter or number - any figures cut out in the shape of a letter or number and supported independently on an awning or directly on a wall of a building. Any frame, artificial background support enclosing any letters excludes a letter from the classification of cut-out.
8. Graphic - any device used for visual communication.
9. Ground sign - a freestanding sign mounted on any support other than a structure in which people live, work or congregate.
10. Indirect lighting - the use of fluorescent (and other vapor light) or incandescent lighting set apart from, but directed towards, the surface of the sign.
11. Interior lighting - the use of fluorescent (and other vapor light) or incandescent lighting to illuminate a sign from behind the lettering or from inside the sign structure.
12. Kiosk - a small, many sided structure placed in a public area, upon which posters, signs, messages, etc., are affixed.
13. Landscape signs - signs placed on the ground created through the use of plant materials, ground forms, rocks and other natural materials.
14. Marquees, canopies or awnings - various forms of permanent, temporary or portable roof-like coverings for entrances, windows, etc.
15. Neighborhood identification sign - a sign identifying the entrance to a particular subdivision or other housing project which is recognized by a given name.
16. Off-premises sign - a sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered elsewhere than on the lot or premises where the sign is located.
17. On-premises sign - a sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered on the lot or premises where the sign is located or to which it is affixed.
18. Organization sign display - a sign which combines all of the civic, service, religious, etc., signs normally found scattered along the roadside into one well-designed graphic.
19. Political signs - graphics advertising candidates, for political office or involving a ballot issue.
20. Projecting sign - a graphic attached to a building or other structure and extending from the building wall or structure.

21. Residential nameplate - a graphic permitted for the sole purpose of identifying the following: inhabitants residing therein, the house name or address.

Silviculture - the management of any wooded tract of land to insure its continued survival and welfare, whether for commercial or noncommercial purposes, pursuant to a plan approved by the New Jersey Bureau of Forestry. (Ord. 10-27)

Site plan - a development plan of one or more lots on which is shown:

1. The existing and proposed conditions of the lot including, but not necessarily limited to, topography, vegetation, drainage, floodplains, marshes and waterways;
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility service, landscaping, structures and signs, lighting, screening devices; and
3. Any other information that may be reasonably required in order to make an informed determination pursuant to this chapter requiring review and approval of site plans by the Planning Board.

Slope - the degree of deviation of a surface from the horizontal, usually expressed in percent or degree.

Soil - an all unconsolidated mineral and organic material of whatever origin on the immediate surface of the earth that serves as a natural medium for the growth of terrestrial plants; it generally overlies bedrock and can be readily excavated.

Soil erosion and sediment control - a scheme which fully indicates necessary land treatment measures, including a time schedule for their installation, which shall effectively control soil erosion and sedimentation. Such measures shall be equivalent to or exceed standards promulgated by the State Soil Conservation Committee.

Solar or photovoltaic energy - the definition for solar or photovoltaic energy facility or structure shall mean a facility or structure for the purpose of supplying electrical energy produced from solar or photovoltaic technologies, whether such a facility or structure is a principal use, a part of the principal use, or an accessory use or structure. (Ord. 12-5)

Specimen and historic trees - any tree with a DBH of twenty-four (24) inches or greater. (Ord. 10-27)

Spotlight - a luminaire or bulb which projects light in a specific direction in a narrow beam, typically 45 degrees or less. (Ord. 02-21)

State Soil Conservation Committee - an agency of the state established in accordance with the provisions of N.J.S. 4:24-1 et seq.

Stormwater detention - any storm drainage technique which retards or detains runoff, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells, or any combination thereof.

Story - that portion of a building included between the surface of any floor and the surface of the floor above it or, if there is no floor above it, then the space between the floor and the ceiling next to it.

Stream encroachment permit - a permit issued by the department under the provisions of N.J.S.A. 58:1-26.

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

Street, arterial - Arterial street means interstate or state highways carrying the major portion of through traffic in the Township.

Street, collector - Collector street means a street which carries traffic from minor streets to the secondary, primary and arterial roads. They shall include the principal entrance street(s) of a residential development.

Street, internal or service - Internal or service street means minor ways used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Street, marginal access - Marginal access street means a street which is parallel to and adjacent to an arterial or primary road, and which provides access to abutting properties, protection from through-traffic, and does not impede traffic flow on the major road.

Street, minor - Minor street means a street which is used primarily for access to the abutting properties and not for through-traffic. Such a street is also known as a local street and includes cul-de-sacs.

Street, primary - Primary street means state and county roads carrying through-traffic and traffic from one part of the Township to another.

Street, secondary - Secondary street means county and local roads designed to move traffic originating in the Township to the primary and arterial highways.

Stripping means any activity which removes or disturbs the vegetation surface cover including clearing and grubbing operations.

Structure - any assembly of materials above or below the surface of land or water, including but not limited to buildings, paving, fences, dams, levees, bulkheads, dikes, jetties, embankments, wharves, piers, docks, landings, obstructions, pipeline, causeways, culverts, roads, railroads, bridges, and the facilities of any authority, utility, municipality, county, state or other governmental agency.

Subdivider - any person or other legal entity commencing proceedings under the provisions of this title to affect a subdivision of land hereunder for himself or herself or for another.

Subdivision - the division of a lot, tract or parcel of land into two (2) or more lots, tracts, parcels or other division of land for sale or development. The following shall not be considered subdivisions within the meaning of the chapter if no new streets are created:

1. Divisions of land found by the Planning Board or Subdivision Committee thereof appointed by the chairman to be for agricultural purposes where all resulting parcels are five (5) acres or larger in size;
2. Divisions of property by testamentary or intestate provisions;
3. Divisions of property upon court order, including but not limited to, judgements of foreclosure;
4. Consolidation of existing lots of deed or other recorded instrument; and
5. The conveyance of one or more adjoining lots, tracts, or parcels of land, owned by the same person or persons, and all of which are found and certified by the Administrative Officer to conform to the requirements of the Township zoning ordinance and are shown and designated as separate lots, tracts or parcels on the tax map of the Township. The term subdivision shall also include the term resubdivision.

Subdivision Committee - a committee of at least three (3) Planning Board members appointed by the Chairman of the Board for the purpose of reviewing this title and such duties relating to land subdivision which may be referred to this Committee by the Board.

Substantive certification - a determination by COAH approving a municipality's housing element and fair share plan in accordance with the provisions of the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and the regulations promulgated thereunder. A grant of substantive certification shall be valid for a period of six years in accordance with the terms and conditions contained therein.

Temporary protection - stabilization of erosive or sediment-producing areas.

Thinning - the removal of undesirable, competitive, diseased or damaged trees so as to cultivate and improve the development of remaining trees on the lot. (Ord. 10-27)

Townhouse - a one-family dwelling with two (2) common or party walls meeting fire wall construction standards separating it from adjacent units on both sides, or one-party wall in the case of a building at the end of a group of attached dwellings.

Township Engineer - the Municipal Official designated by the Township Committee as the Township Engineer.

Transcript - a typed or printed verbatim record of the proceedings or reproduction thereof.

Tree - any self-supporting woody plant which reaches a typical mature height of twelve (12) feet or more at maturity and has a typical DBH of four (4) inches or greater. (Ord. 10-27)

Tree canopy - the top layer or crown of mature trees. (Ord. 10-27)

Tree farm - a commercial operation engaged in growing trees under intensive management practices for use in another location. (Ord. 10-27)

Tutoring - the teaching or instruction of academic subjects to not more than four (4) students simultaneously.

Two-family housing - two (2) units connected by a common wall but having separate, complete living accommodations including kitchen and bathroom.

Variance - permission to depart from the literal requirements of the provisions of this title pursuant to Section 16.04.030.

Vegetation protection - stabilization of erosive or sediment-producing areas by covering the soil with permanent seeding, producing long-term vegetative cover; short-term seeding, producing temporary vegetative cover, or sodding, producing areas covered with a turf or perennial sod-forming grass.

Warehouse - any building or structure in which the principal use involves the storage of goods and materials.

Watercourse - any natural or artificial, waterway stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently and which has a definite channel, bed and banks, and shall include any area adjacent thereto subject to inundation by reason of overflow of flood water.

Wholesale business - any building, premises or land in which or upon which the principal business, operation or industry involves any handling and resale of goods in comparatively large quantities to others, but not usually to the ultimate consumer of an individual item.

Yard - an open space which lies between the principal building or group of buildings and the nearest lot line, and which is unoccupied and unobstructed from the ground upward except as herein permitted.

1. **Yard, front** - Front yard means an open space extending the full width of the lot between a principal building and the front lot line, unoccupied and unobstructed from the ground upward except as may be specified elsewhere in this title.

2. Yard, rear - Rear yard means an open space extending the full width of the lot between a principal building and the rear lot line, unoccupied and unobstructed from the ground upward except as may be specified elsewhere in this title.
3. Yard, side - Side yard means an open space extending from the front lot line to the rear lot line between a principal building and the nearest lot line, unoccupied and unobstructed from the ground upward except as may be specified elsewhere in this title.

Zoning Board of Adjustment - the Zoning Board of Adjustment of the Township.

Zoning Officer - See Administrative Officer.

Zoning permit - a document signed by the Administrative Officer:

1. Which is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building; and
2. Which acknowledges that such structure or building complies with the provisions of the municipal zoning ordinance or variance therefrom duly authorized by the appropriate Municipal Agency.

(Prior code § 15-1.3; Ord. 85-28 § 1; Ord. 87-27 § 3; Ord. 87-30 § 7; Ord. 91-13 § 1; Ord. 94-5 § 1; Ord. 95-2 § 1; Ord. 98-1 § 6; Ord. 98-47 § 5; Ord. 98-50 § 1; Ord. 01-9; Ord. 06-11 § 1; additional amendments noted where applicable)

Section 2. Section 16.18.090 "Plat Details" is hereby amended as follows:

- A. General. All maps, plats and sketch plats required to be submitted by this title shall conform to one of the following size configurations: eight and one-half (8-1/2) by thirteen (13) inches, fifteen (15) by twenty-one (21) inches, or twenty-four (24) by thirty-six (36) inches.
- B. Minor Subdivision. All plats shall be based on accurate information at a scale of not more than one-inch equals one hundred (1"=100') feet. The plat shall be designed in compliance with the provisions of Section 16.18.110 and shall show or be accompanied by the following information and information listed in Section 16.18.070, except that the Planning Board may waive any requirement or request additional information where it is clearly appropriate to the particular application. Failure to comply shall render such application incomplete.
 1. Location and Key Map. The entire tract to be subdivided, giving the accurate location of all existing and proposed property and street lines, rights-of-way, and including a key map at a scale where one (1) inch equals not more than one thousand (1,000) feet showing the entire subdivision and its relation to all features shown on the official map and master plan and located within one-half mile of the extreme limits of the subdivision. The plat shall indicate that all boundary corners of the proposed lots have been set with iron pins and shall show their location. This requirement shall also apply to boundary adjustments.
 2. Structures, Wooded Areas and Topography. The location of existing houses, buildings and other structures within the portion to be subdivided and two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated shade trees more than six (6) inches in diameter, breast high and two

(2) inches in diameter, breast high for flowering and small trees sufficient elevations and contours at five (5) feet vertical intervals for slopes averaging ten (10%) percent or greater, and at two (2) foot vertical intervals for land of lesser slope to determine the general slope and natural drainage of the land, and the high and low points for the portion to be subdivided, and for a distance of two hundred (200) feet thereof. All elevation and contours shall be verified in the field to accurately represent the grade involved and shall be based upon U.S.C. and G.S. datum.

The location of existing houses, buildings and other structures within the portion to be subdivided and two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated trees in compliance with Section 16.20.040.D. (Ord. 10-27)

3. Owners. The name and address of the owner and/or subdivider, and the name of all adjoining property owners and those across existing or proposed streets as disclosed by the most recent municipal tax records.
4. Other Information. The tax map sheet, date of original preparation and revisions, block and lot numbers, zone district, old name if submitted under a different title, north arrow, written and graphic scales and acreage of the entire tract and those areas to be subdivided.
5. Streets, Easements, Watercourses and Rights-of-Way. The location of existing or proposed streets, roads, easements, public rights-of-way, streams, wetlands, wetland transition areas, state open waters, bridges, culverts, drainage ditches and natural watercourses in and within five hundred (500) feet of the subdivision.
6. Lots. The original and proposed lot layout, lot dimensions, all required setback lines, and lot area of each lot in square feet and acreage. Lots shall be designated by the official lot number designations from the Township Tax Assessor.
7. Endorsements and Certificates. Plats being submitted for minor subdivision approval shall be a boundary survey map drawn by a licensed New Jersey Land Surveyor and so certified on the plat, to be drawn from an actual boundary survey. The plat shall contain a four by five (4x5) inch blank box outlined, located adjacent to the title block, which shall be reserved for the Planning Board's review stamp. The specific purpose and restrictions of any easement or land reserved or dedicated for any use shall be indicated on the plat and shall be included in any deeds conveying title to the properties in question. Minor subdivisions requiring improvements shall contain the following certification:

“This is to certify that the engineering plans for all improvements are based upon topographical data that has been verified in the field by a N.J. licensed land surveyor.”

Signature of N.J. Professional Engineer/Land Surveyor

8. Utility Information. Within the public water and sanitary sewer service areas, the plat shall include the location of existing and proposed lines and connections.
9. [Percolation] Permeability and Soil Logs. In the event public sewers are not available and individual septic systems are proposed, the plat shall show the following information:

For each proposed lot, and pursuant to N.J.A.C. 7:9A-5.2, at least two soil profile pits or one soil profile pit and a minimum of three soil borings in lieu of the second soil profile pit, provided that the soil horizons and substrata observed in the borings are not significantly different from those observed in the first profile pit.

At least two (2) passing [percolation] permeability tests and two acceptable soil logs shall be conducted on each proposed lot. The [percolation] permeability tests and soil log shall be located at least twenty (20) feet from each other, but not more than forty (40) feet from each other, and within the area of the proposed septic field. "Proposed septic field" means that area so designated by the design engineer and located at a lower elevation than the proposed structure containing the waste water facilities and proposed well and conforming to distances established by [N.J.S.A. 2A: 11-9 et seq.] state law and provisions of this Code. It is further intended that all septic systems shall be gravity systems unless undue hardship shall prevent same, as determined by the Planning Board.

10. Other Requirements.

- a. Minor subdivisions shall show the location and indicate the results of all passing, unsatisfactory and abandoned [percolation] permeability tests and soil log [tests]. The date the [percolation] permeability tests and soil logs were taken shall be indicated on the plats as well as the name of the Township witness.
 - b. Where an existing dwelling is part of the subdivision, the plat shall indicate the exact location of the existing well and septic field. No [percolation] permeability test or soil log shall be required for the dwelling.
 - c. No [percolation] permeability test or soil log shall be located closer than one hundred (100) feet of the highest elevation of seasonal surface water.
 - d. All [percolation] permeability tests and soil logs shall be performed at the applicant's expense by a person authorized by state law to undertake such tests and shall be witnessed by a representative of the Township Engineer's Office who shall be notified at least forty-eight (48) hours prior to the conducting of any tests.
 - e. A passing [percolation] permeability test shall be one which meets the requirement of [N.J.S.A. 2A: 11-9 et seq.] N.J.A.C. 7:9A-6.1, and where the water level does not drop faster than one (1) inch in one (1) minute.
 - f. Septic fields shall not be located on slopes greater than fifteen (15%) percent and on slopes six (6%) to fifteen (15%) percent, the fields shall be placed perpendicular to the slope.
11. Floodplain Delineations. Minor subdivisions shall indicate flood hazard area delineations for all permanent streams based upon State Department of Environmental Protection delineations or for the one hundred (100) year flood as directed by the Township Engineer.
12. Steep Slope Calculations in accordance with Section 16.64.130.

13. Plats shall meet the requirements of the Map Filing Law if plats rather than deeds are to be filed with the County Clerk.
 14. Tree Canopy, Historic and Specimen Trees. (Ord. 10-27)
 - a. No more than fifty-five (55%) percent of the existing tree mature woodland tree canopy within the property boundaries shall be removed (Not to be interpreted as 55% of the total lot area). The location of the remaining forty-five (45%) percent of the mature woodland tree canopy to be preserved shall be noted on the landscape plan. Steep slope limits of disturbance and maximum hard surface requirements under Table I shall supersede this section when appropriate. (Ord. 10-27; Ord. 11-3)
 - b. No tree that qualifies as a specimen and historic tree shall be removed unless the applicant replants trees in accordance with Section 16.20.040.T. (Ord. 10-27)
- C. Sketch Plats and Exempt Subdivision. All plats shall be based on accurate information at a scale of not more than one (1) inch equals one hundred (1"=100') feet. The plat shall be designed in compliance with the provisions of Section 16.18.110 and shall show or be accompanied by the following information and information listed in Section 16.18.070, except that the Planning Board may waive any requirement or request additional information where it is clearly appropriate to the particular application. Failure to comply shall render such application incomplete.
1. Location and Key Map. The entire tract to be subdivided, giving the accurate location of all existing and proposed property and street lines, rights-of-way, and including a key map at a scale where one (1) inch equals not more than one thousand (1,000) feet showing the entire subdivision and its relation to all features shown on the official map and master plan and located within one-half (1/2) mile of the extreme limits of the subdivision.
 2. Structures, Wooded Areas and Topography. The location of existing houses, buildings and other structures within the portion to be subdivided and two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated shade trees more than six (6) inches in diameter, breast high and two (2) inches in diameter, breast high for flowering and small trees and topography within the portion to be subdivided and within two hundred (200) feet thereof shown at two (2) inches in diameter, breast high for flowering and small trees and topography within the portion to be subdivided and within two hundred (200) feet thereof shown at two (2) foot contours.
- The location of existing houses, buildings and other structures within the portion to be subdivided and two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated trees in compliance with Section 16.20.040.D. (Ord. 10-27)

3. Owners. The name and address of the owner and/or subdivider, and the name of all adjoining property owners and those across existing or proposed streets as disclosed by the most recent municipal tax records.
4. Other Information. The tax map sheet, date of original preparation and revisions, block and lot numbers, zone district, old name if submitted under a different title, north arrow, written and graphic scales and acreage of the entire tract and those areas to be subdivided.
5. Streets, Easements, Watercourses and Rights-of-Way. The location of existing or proposed streets, roads, easements, public rights-of-way, streams, bridges, culverts, drainage ditches and natural water-courses in and within five hundred (500) feet of the subdivision.
6. Lots. The original and proposed lot layout, lot dimensions, all required setback lines, and lot area of each lot in square feet and acreage. Lots shall be designated by consecutive numbers for major subdivisions until given official lot number designations by the Township Tax Assessor.
7. Endorsements and Certificates. Plats being submitted for exempt subdivisions shall be a boundary survey map drawn by a licensed New Jersey Land Surveyor and so certified on the plat, to be drawn from an actual boundary survey. The plat shall contain a four by five inch (4 x 5) blank box outlined located adjacent to the title block, which shall be reserved for the Planning Board's review stamp. The specific purpose and restrictions of any easement or land reserved or dedicated for any use shall be indicated in the plat and shall be included in any deeds conveying title to the properties in question.
8. Utility Information. Where public water or public sewer connections are proposed, the sketch plat shall include the location of existing and proposed lines and connections.
9. [Percolation] Permeability and Soil Logs. In the event public sewers are not available and individual septic systems are proposed, the sketch plat shall show the following information:
 - a. For each proposed lot, and pursuant to N.J.A.C. 7:9A-5.2, at least two soil profile pits or one soil profile pit and a minimum of three soil borings in lieu of the second soil profile pit, provided that the soil horizons and substrata observed in the borings are not significantly different from those observed in the first profile pit.
 - b. Sketch Plat Major Subdivisions. At least one (1) passing [percolation] permeability test and two (2) soil logs shall be made for each five (5) acres to indicate the suitability of the area for individual septic systems.
10. Other Requirements.
 - a. Sketch plats shall show the location and indicate the results of all passing, unsatisfactory and abandoned [percolation] permeability and soil log tests. The

date the [percolation] permeability tests and soil logs were taken shall be indicated on the plats as well as the name of the Township witness.

- b. Where an existing dwelling is part of the subdivision, the sketch plat shall indicate the exact location of the existing well and septic field. No [percolation] permeability test or soil log shall be required for the dwelling.
 - c. No [percolation] permeability test or soil log shall be located closer than one hundred (100) feet of the highest elevation of seasonal surface water.
 - d. All [percolation] permeability tests and soil logs shall be performed at the applicant's expense by a person authorized by state law to undertake such tests and shall be witnessed by a representative of the Township Engineer's Office who shall be notified at least forty-eight (48) hours prior to the conducting of any tests.
 - e. A passing [percolation] permeability test shall be one which meets the requirement of [N.J.S.A. 2A. 11-9 et seq.] N.J.A.C. 7:9A-6-1, and where the water level does not drop faster than one inch in one minute.
 - f. Septic fields shall not be located on slopes greater than fifteen (15%) percent and on slopes six to fifteen (15%) percent, the fields shall be placed perpendicular to the slope.
11. Floodplain Delineations. Sketch plats for major subdivisions shall indicate flood hazard area delineations for all permanent streams based upon the most recent H.U.D. Flood Boundary Maps or Natural Resource Inventory Flood Plain/Soils Maps for Raritan Township, whichever places greater restrictions on the use of land. When more accurate information is available, it shall be utilized and indicated on the plat as to boundaries and source.
- D. Plat Submitted for Preliminary Approval. The preliminary plat shall be clearly and legibly drawn or reproduced at a scale of not less than one (1) inch equals one hundred (100) feet. Preliminary plats shall be drawn by a licensed New Jersey Professional Engineer or Land Surveyor. Construction sheets shall be drawn, signed and sealed by a licensed N.J. Professional Engineer. Contour maps and preliminary construction plans including road profiles and utility plans shall be submitted as part of the preliminary plat. Separate maps may be required by the Board for topography, utilities and road details. A soil erosion and sedimentation control plan, a grading plan and landscaping plan shall be included. The plat shall be designed in compliance with the provisions of Section 16.20.040 and shall show or be accompanied by the following information and information listed in Section 16.18.070, except that the Planning Board may waive any requirement or request additional information where it is clearly appropriate to the particular application. Failure to comply shall render such application incomplete.

Plans showing the location of proposed shade trees, detention basin landscaping and other landscaping, including preservation of existing vegetation and trees in compliance with Section 16.20.040.D. (Ord. 10-27)

1. Location and Key Map. The entire tract to be subdivided giving the accurate location of all existing and proposed property and street lines, and including a key map at a scale where one (1) inch equals not more than one thousand (1,000) feet showing the entire subdivision and its relation to all feature shown on the official map and master plan, and located within one-half (1/2) mile of the extreme limits of the subdivision, and the zoning classification of the proposed subdivision and of adjacent land.
2. Lots. Lot layout, lot dimensions, all required setback lines and dimensions, individual lot areas in square feet, minimum improvable lot area in sq. ft., and the acreage and square footage of right-of-way easements and dedications. Lots shall be designated by official block and lot numbers as obtained from Tax Assessor.
3. Other Contents. The tract name, tax map sheet and revision date, block and lot numbers, date of plat preparation and any revisions, reference meridian, written scale, graphic scale and the following names and addresses:
 - a. Record owner or owners of property to be subdivided; if other than an individual, the corporate officers or partners or other statutory agent;
 - b. Subdivider;
 - c. Person who prepared map, official seal and license numbers;
 - d. Owners of property within two hundred (200) feet of entire tract being subdivided.
4. Acreage. Acreage of entire tract and those portions to be subdivided to nearest hundredth of an acre.
5. Elevations and Contours. Sufficient elevations and contours at five (5)-foot vertical intervals for slopes averaging ten (10%) percent or greater, and at two (2)-foot vertical intervals for land of lesser slope, to determine the general slope and natural drainage of the land, and the high and low points for a distance of two hundred (200) feet around the entire tract boundary. All elevations shall be verified in the field to accurately represent the grades involved and shall be based upon U.S.C. and G.S. datum.
6. Existing and Proposed Locations.
 - a. Utilities and Roadways: The location and sizes, where appropriate, of existing and proposed property lines, streets, buildings, water-courses, railroads, bridges, culverts, drain pipes, sanitary sewers, water mains, gas mains, and power lines.
 - b. Natural features such as rock outcroppings, wooded areas, shade trees over eight (8) inches in diameter at breast height and two (2) inches in diameter at breast height for flowering and small trees, wetlands, wetland transition areas, streams, state open waters, lakes, ponds, or other significant natural features. This data may be determined by field and/or photogrammetric survey. In forest areas of intense growth, where no construction or clearing is proposed, the vegetative

perimeter need only be indicated. Where more detailed information is available and/or is required elsewhere in this title it shall be utilized.

7. Streets. Preliminary plans and profiles at a scale of not more than one (1) inch equals fifty (50) feet horizontally, and one (1) inch equals five (5) feet vertically including cross-sections every fifty (50) feet or as specified by the Township Engineer of all proposed streets, curbs and gutters within the subdivision and proposed connection with existing or future continuing streets. The distance and radii of all curves along all street lines shall be shown.
8. Gas, Telephone and Electric. Preliminary plans and profiles of proposed utility layouts shall be supplied to the Township at appropriate scales approved by the applicable utility for gas, telephone and electrical service showing connections to existing or proposed systems. All utilities shall be located underground.
9. Potable, Sanitary and Stormwater Management Plans.
 - a. Applicant shall submit potable water, sanitary sewer and stormwater management plans as part of the exhibits required for preliminary plat approval. Plans and profiles shall be at a scale of one (1) inch equals fifty (50) feet horizontally and one-inch equals five (5) feet vertically for all proposed and existing sanitary sewers, storm drains, drainage ditches, and streams within the subdivision, together with the location, sizes, elevations, grades and capacities of any existing sanitary sewer, storm drain, drainage ditch, stream or watercourse to which the proposed facility shall be connected.
 - b. The potable water plan shall be designed to provide each lot within the subdivision with an adequate and continuous supply of potable water. Where a property is located in the public water service area, all lots shall be connected thereto. In the event that the Planning Board determines that such a system is not reasonably accessible, individual wells shall be installed on each lot, but the subdivider may be required by the Planning Board to install within the subdivision a complete water distribution system including provisions for connection to each structure or provide performance bonds necessary to cover the future construction of the system. Until such time as the system is capable of becoming operable, it shall be capped.
 - c. The sanitary sewerage disposal plan shall be designed to convey sanitary waste from each lot through laterals and interceptors of sufficient size, material and capacity to collectors and then to trunk sewers to public treatment facilities. Where a development is located outside the sanitary sewer service area, approved individual septic systems shall be installed for each lot except as noted below. Where a public sanitary sewerage disposal system is not now reasonably accessible as determined by the Planning Board as per Section 16.18.100D.3., but is located within the sanitary sewer service area, the subdivider shall install within the subdivision a complete sewer pipe system including provisions for the connection thereto at each structure. Until such time as the public sanitary sewage disposal system is capable of becoming operable, individual septic systems or

other appropriate and approved waste treatment facilities shall be required.

- d. The stormwater management plan shall be designed in accordance with the standards found in Chapter 16.84. (Ord. 06-11)
10. [Percolation] Permeability Tests and Soil Logs. No subdivision or part thereof proposed to be serviced by individual sewage disposal systems shall be approved where results of the [percolation] permeability tests do not meet with the established requirements of this section or other applicable ordinances or regulations, nor shall any subdivision or part thereof be considered where other physical characteristics of the land would cause septic conditions unsanitary to the public, or contrary to the requirements of this title or other applicable ordinances or regulations. Any remedy proposed to overcome such situations shall first be approved by the appropriate local and state health agency. The following requirements shall be met:
- a. For each proposed lot, and pursuant to N.J.A.C. 7:9A-5.2, at least two soil profile pits or one soil profile pit and a minimum of three soil borings in lieu of the second soil profile pit, provided that the soil horizons and substrata observed in the borings are not significantly different from those observed in the first profile pit.
 - b. Two (2) passing [percolation] permeability tests and two (2) acceptable soil logs shall be conducted on each proposed lot at the applicant's expense by a person authorized by state law to conduct such tests.
 - c. The [percolation] permeability tests shall be witnessed by a representative of the Township Engineer who shall be notified at least forty-eight (48) hours prior to the conducting of any tests.
 - d. The location and results of all passing, unsatisfactory and abandoned [percolation] permeability and soil log tests shall be indicated on the preliminary plat. The date the [percolation] permeability tests and soil logs were taken shall be indicated on the plats as well as the name of the Township witness.
 - e. A passing test shall be one (1) meeting the standards set forth in [N.J.S.A. 2A:11-9, et seq.] N.J.A.C. 7:9A-6.1, as amended, and one (1) where the water level does not drop more than one (1) inch in one (1) minute.
 - f. The [percolation] permeability tests and soil log shall be located at least twenty (20) feet from each other but within forty (40) feet of each other within the area of the proposed septic field. "Proposed septic field" shall mean that area so designated by the design engineer and located at a lower elevation than the proposed structure containing the waste water facilities and proposed well and conforming to distances established by N.J.S.A. 2A:11-9 et seq., and provisions of this Code. It is further intended that all septic systems shall be gravity systems unless undue hardship shall prevent same as determined by the Planning Board.
 - g. No [percolation] permeability test or soil log shall be located closer than two hundred (200) feet of the highest elevation of seasonal surface water.

- h. Septic fields shall not be placed on slopes greater than fifteen (15%) percent, and on slopes six to fifteen (15%) percent, the fields shall be placed perpendicular to the slope.
- i. In areas where on-site or on-tract recharge of stormwaters is proposed, additional [percolation] permeability tests may be required by the Township Engineer or Planning Board.
 - j. In areas of questionable [percolation] permeability, the Township Health Officer may establish the conditions under which the [percolation] permeability tests may be undertaken, including the month of the year and location.
 - k. Where an existing dwelling is part of the proposed subdivision, the exact location of the well and septic field shall be shown. No [percolation] permeability tests or soil log shall be required for that dwelling.
 - l. The applicant and/or subdivider shall conduct all tests in accordance with Chapter 17 of the General Ordinances of Raritan Township.
11. Off-Tract Improvements. When the development of the subdivision or improvements within the subdivision are contingent upon improvements outside the boundaries of the subdivision, information shall be supplied by the subdivider prior to Planning Board consideration for preliminary approval that the improvements outside the subdivision are installed and shall be available to the subdivider, or that the provisions of Section 16.16.060 have been complied with.
12. Setback Lines. All front, rear and side yard setback lines shall be shown and dimensioned on all lots.
13. Open Space. Any open spaces proposed to be dedicated for public use or playgrounds or other public purpose, and the location and use of all such property, shall be shown on the plat. Any improvements proposed for the open space shall be shown on the plat along with the appropriate construction details related to those improvements.
14. Support Capability. When deemed necessary to determine the suitability of the soil to support new construction, the Planning Board shall require test holes or borings to be made by a New Jersey Licensed Engineer or an approved testing laboratory at the expense of the subdivider under the direction of the Township Engineer.
15. Conservation Plans. Plans showing measures designed to minimize soil erosion and sedimentation, such as berms, siltation ponds, sediment traps, detention and-retention basins, landscaping, natural cover, energy dissipaters, and riprap. Plans shall also include, where applicable:
- a. A storm drainage schedule, including a description of all temporary and permanent structures and other techniques for the control of stormwaters, together with a timetable for the construction or installation of such structures, or other techniques;

- b. A schedule containing the timing of and description of temporary and permanent soil stabilization measures, including tracking, scarification, serration of slopes, roughening, mulching, hilling, chemical binders and other suitable methods of soil stabilization;
 - c. The location and description of water interception and diversion measures, such as diversion ditches, dikes, barriers, and disposal structures such as flexible or sectional down drains, flumes, lineal spreaders and the like.
 - d. Lot Grading.
16. Landscaping Plans. Plans showing the location of proposed shade trees, detention basin landscaping and other landscaping, including preservation of existing vegetation. The provisions of Section 16.18.100.D.9. shall be complied with.
 17. Easements and Dedications. The specific purpose and restrictions of any easement or land reserved or dedicated for any use shall be indicated on the plat and the proposed use of sites (other than residential) shall be noted.
 18. Certifications. The following certifications shall appear on all preliminary plats:

"This is to certify that the engineering plans contained herein for all improvements are based upon topographical data has been verified in the field by a N.J. Licensed Land Surveyor."

Signature of N.J. Professional Engineer/Land Surveyor
 19. Floodplain Delineations. Preliminary plats for major subdivision shall indicate flood hazard area delineations for all permanent streams based upon State Department of Environmental Protection delineations or for the one hundred (100) year flood as directed by the Township Engineer.
 20. Fire Protection Systems. Plans shall show the location and construction details of proposed fire protection system in accordance with Section 16.18.100D.10.
 21. Steep slope calculations in accordance with Section 16.64.130.
 22. The plat shall contain a four (4) inch by five (5) inch blank box outlined, located adjacent to the title block which shall be reserved for the Planning Board review stamp.
 23. Sight, conservation and drainage easement shall be shown on the plat as required elsewhere in this chapter.
 24. Recycling Plan. The subdivision plat shall conform with the requirements of Section 8.36.070 for new developments of multi-family residential units, commercial, institutional, or industrial properties. (Ord. 10-20)

25. Tree Canopy, Specimen and Historic Trees.

- a. No more than fifty-five (55%) percent of the existing mature woodland tree canopy within the property boundaries shall be removed. (Not to be interpreted as 55% of the total lot area). The location of the remaining forty-five (45%) percent of the mature woodland tree canopy to be preserved shall be noted on the landscape plan. Steep slope limits of disturbance and maximum hard surface requirements under Table I shall supersede this section when appropriate. (Ord. 10-27; Ord. 11-3)
- b. No tree that qualifies as a specimen and historic tree shall be removed unless the applicant replants trees in accordance with Section 16.20.040.T. (Ord. 10-27)

E. Final Plat. The plat shall be drawn in compliance with the provisions of the State Map Filing Act and shall show or be accompanied by the following information and information listed in Section 16.18.070, except that the Planning Board may waive any requirement or request additional information where it is clearly appropriate to the particular application. Failure to comply shall render such application incomplete.

1. Identification. Date, name and key map of the subdivision, name of owner, written scale, graphic scale, and reference meridian. The final plat shall be drawn at a scale of not more than one (1) inch equals one hundred (100) feet.
2. Other Contents. Tract boundary lines, rights-of way, lines of streets, street names, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines with accurate dimensions, bearings, distances, arc lengths, central angles, tangents, and radii of all curves, building setbacks and areas of each lot in square feet.
3. Easement and Dedications. The specific purpose and restrictions of any easement of land reserved or dedicated for any use shall be indicated, and the proposed use of sites other than residential shall be noted. Floodplain delineations for the flood hazard area shall be shown on the plat as indicated on the approved preliminary plat or as directed by the Township Engineer.
4. Block and Lots. All block, lot and house numbers shall be approved by the Township Engineer and the Tax Assessor and shall be related to existing block and lot numbers as shown on the Official Tax Map of the Township.
5. Monuments. Location and description of all monuments shall be shown as per the Map Filing Law.
6. Consent of Owner. Certification that the applicant is agent of owner of the land, or that the owner has given consent to file the map.
7. Approval. When approval of a plat is required by an officer or body, whether municipal, county or state, approval shall be certified on the plat.
8. Certifications. The following certifications shall appear on the final plat:

- a. "I hereby verify that this map and the survey have been made under my immediate supervision and comply with the provisions of the "Map Filing Law." (Include the following, if applicable).

I do further certify that the monuments as designated and shown herein have been set."

Licensed Land Surveyor (Affix Seal) Date

If monuments are to be set at a later date, the following endorsement shall be shown on the map:

"I certify that a bond has been given to the Township of Raritan guaranteeing the future setting of the monuments shown on this map and so designated."

Township Clerk Date

- b. "I hereby certify that all of the requirements of the Raritan Township health ordinances have been complied with."

Health Officer

- c. I have carefully examined this map and find it conforms with the provisions of the "Map Filing Law" and the municipal ordinances and requirements applicable thereto.

Municipal Engineer (Affix Seal)

- d. This application No. _____ is approved by the Raritan Township Planning Board as a major subdivision.

Chairman

Secretary

9. The final plat shall contain a four by five (4 × 5) inch blank box, outlined, which shall be reserved for the County Planning Board review stamp.
10. Each final plat submission shall include a map clearly and legibly drawn at a scale of one (1) inch equals four hundred (1"=400') feet showing proposed street rights-of-way, tract boundary lines, easements, land to be reserved or dedicated to public use, and all lot lines for the area covered by the final plat. Such map at a scale of one (1) inch equals

four hundred (1"=400') feet need not be filed with the Hunterdon County Recording Officer.

(Ord. 03-7 § 16.18.090)

Section 3. Section 16.64.020 "Permitted Modifications--- Cluster Residential Development" is hereby amended as follows:

Any major residential subdivision in zone districts R-1A, R-2, R-3, R-4, R-5 and R-6 meeting the requirements of this section may apply to the Planning Board for approval as a cluster subdivision under the provisions of this title and in accordance with the following requirements:

- A. Maximum Number of Lots. The maximum number of lots to be permitted shall be the fewer number of lots resulting from the following:
1. The maximum number of lots to be permitted shall be no greater than the number derived by preparation of a sketch plat of the subject property showing a development with conventional lot sizes. Such sketch plat shall be prepared at a scale of not less than one-inch equals one hundred feet. Such sketch plat and the resulting number of lots thereon shall be based upon and shall include: (1" =100').
 - a. Street layout with street right-of-way widths conforming to the master plan and the development ordinance;
 - b. Steep slope analysis of topography shown on such sketch plat at intervals of at least ten (10) feet as required by Chapter 16.68;
 - c. Location of any one hundred (100) year floodplains;
 - d. Location of wetlands and wetland transition areas based upon a letter of interpretation from NJDEP;
 - e. Lot areas conforming to the zoning district requirements indicating lot area and lot width. A lot circle shall be inscribed in such lot the location and diameter of which shall conform to zoning ordinance requirements pertaining to the zoning district within which the property is located;
 - f. In addition, such sketch plat shall show all other information required by the checklist for sketch plats and Section 16.18.090 including where public sewers are not proposed the requirement of Section 16.19.090 B.9., which requires at least one passing [percolation] permeability test and soil log for each five (5) acres of such property. The location of all unsatisfactory and abandoned [percolation] permeability tests shall be indicated;
 - g. Where public water supply is not available, a well test report as required by Section 16.18.140 shall be submitted;
 - h. If public water supply is proposed, a letter from the water supplier shall be submitted stating that safe and adequate service to the anticipated number of units can be supplied;

- i. If public sewers are to be provided, a written communication from RTMUA shall be submitted stating that sewage treatment capacity for the number of units shown on the sketch plat has been reserved;
 - j. If public water supply and/or public sewers are proposed the route of extension of such to the property and the location of any required pumping station shall be indicated.
2. Preparation of a sketch plat of the subject property showing a development with conventional lot size without both utilities (public sewer and public water). Such sketch plat and the resulting number of lots thereon shall be based upon and shall include:
- a. A steep slope analysis;
 - b. Location of any one hundred (100) year floodplains;
 - c. Location of any wetlands as defined by the U.S. Fish and Wildlife Service;
 - d. Provisions of Section 16.64.090.

Such conventional lot sizes without both utilities (public sewer and public water) shall meet all minimum lot area and minimum lot width requirements for the district in which located.

Section 4. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. A copy of this Ordinance shall be forwarded, after introduction, to the Raritan Township Planning Board for a Master Plan consistency review in accordance with N.J.S.A. 40:55D-64.

Section 6. The Ordinance shall take effect upon its adoption, passage and publication according to law.

Note to Codifier: language in brackets [] is to be deleted from the original text. Underlined language is new language to the original text.

Mayor Mangin read by title Ordinance #18-10.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY REPEALING AND REPLACING ORDINANCE 16-23 ENTITLED "AN ORDINANCE REPEALING AND REPLACING SECTION 15.04.030 ENTITLED FEES-BIANNUAL FEE SCHEDULE REPORT-NEW CONSTRUCTION SURCHARGE"

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-10 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: O'Brien

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised March 12, 2018 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #18-10

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY REPEALING AND REPLACING ORDINANCE 16-23 ENTITLED "AN ORDINANCE REPEALING AND REPLACING SECTION 15.04.030 ENTITLED FEES-BIANNUAL FEE SCHEDULE REPORT-NEW CONSTRUCTION SURCHARGE"

BE IT ORDAINED by the Township Committee of the Township of Raritan in the County of Hunterdon, State of New Jersey as follows:

Section 1. Ordinance 16-23 entitled "An Ordinance Repealing and Replacing Section 15.04.030 entitled 'Fees-Biannual Fee Schedule Report-New Construction Surcharge'" is hereby repealed in its entirety and replaced with the following:

A. Waiver of construction permit surcharge and enforcing agency fees for construction to promote accessibility by disabled persons, as stated in 52:27D-1263, the "State Uniform Construction Code Act"

(1) No person shall be charged a construction permit surcharge fee or enforcing agency fee, except those fees for sub-code inspections not performed by Township employees, for any construction, reconstruction, alteration, or home improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure, or any of the facilities contained therein. For the purposes of this section, "disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any person who is disabled pursuant to the Federal Social Security Act (42 USC §416), or the Federal Railroad Retirement Act of 1974 (45 USC §231 et seq.), or is rated as having a 60 percent disability or higher pursuant to any federal law administered by the United States Veterans Administration. For purposes of this paragraph "blindness" means central

visual acuity of 20/200 or less in the better eye with the *use* of correcting lenses. An eye which is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

B. The fee for construction permit shall be the sum of the sub-code fees listed in Subsection B (1) through (5) hereof and shall be paid before the permit is issued. Excluded from the construction fee schedule set forth herein is and unattached structure under thirty (30) inches in height which is an accessory to landscaping development on the property. For purposes of example only, not limitation, such landscaping structures may include railroad ties, rock gardens, patio pallet construction and similar items. All Use Groups and construction classifications referenced herein are as defined by the New Jersey Uniform Construction Code.

(1) **The Minimum Building Subcode Fee** shall be fifty dollars (\$50.00) for the R-2 Use Group, fifty dollars (\$50.00) for the R-3 and R-5 Use Groups and one hundred dollars (\$100.00) for all other Use Groups.

(a) New construction and additions. Fees for new construction shall be based upon the volume of the structure in cubic feet.

i. For the following Use Groups, the fee shall be based on the formula of volume times \$0.035. B (Business), H (High Hazard), I-1 through I-4 (Institutional), A-1 through A-5 (Assembly), M (Mercantile), R-1 through R-5 (Residential) and E (Educational).

ii. For the following use groups, the fee shall be based on the formula of volume times two and one-half cents (\$0.025): S-1 through S-2 (Storage), U (Utility) and F-1 through F-2 (Factory).

(a) The fee is \$0.025 per cubic foot of volume for the first fifty thousand (50,000) cubic feet or part thereof

(b) The fee is \$0.018 per cubic foot of volume for the second fifty thousand (50,000) cubic feet or part thereof

(c) The fee is \$0.014 per cubic foot of volume of the structure over one hundred thousand (100,000) cubic feet

(d) The fee for commercial farm buildings, as defined by the New Jersey Uniform Construction Code, N.J.A.C 5:23-3.2(d) 1. shall not exceed \$2,290.00. (3) Decks and raised patios shall be charged the greater of a minimum fee of one hundred dollars (\$100.00) or thirty dollars (\$30.00) per thousand dollars of work.

(b) Renovations, alterations, and repairs. Fees for renovations, alterations, and repairs shall be based upon the estimated cost of the work. (The applicant shall submit cost data by an architect or engineer of record, a recognized estimating firm or by contractor bid. The Department will review the construction cost for acceptability). The fees shall be as follows:

i. If the estimated cost is between \$1.00 and \$100,000.0 the fee shall be thirty dollars (\$30.00) per thousand dollars (\$1,000.00).

ii. If the estimated cost is over one hundred thousand dollars (\$100,000.00) the fee shall be twenty-three dollars (\$23.00) per thousand

dollars (\$1,000.00).

- ii. If the estimated cost is over two hundred thousand dollars (\$200,000.00) the fee shall be twenty-three dollars (\$23.00) per thousand dollars (\$1,000.00).
- iv. If the estimated cost is over \$300,000.00, the fee shall be \$23.00 per \$1,000.

(c) Additions and renovations, alterations or repairs. Fees for additions and renovations, alterations or repairs shall be a combination of rates set by Subsection B (I) (a) and (b) above.

- i. All roof replacements and overlays shall have a flat fee of fifty dollars (\$50.00) for the R-3 and R-5 Use Groups, and thirty dollars (\$30.00) per one thousand (\$1,000.00) of the estimated cost for all other Use Groups.
- ii. All siding replacements shall have a flat fee of fifty dollars (\$50.00) for R-3 and R-5 Use Groups. A fee of thirty dollars (\$30.00) per one thousand dollars (\$1,000.00) of the estimated cost shall be for all other Use Groups.
- iii. Radon vent systems shall be the minimum fee for the first vent stack, and fifty percent (50%) of the minimum fee for each additional vent stack.

(d) Pool fees shall be as follows:

- i. Swimming pools, above ground.
 - (a) R-5 Use group: one hundred fifty dollars (\$150.00).
 - (b) All other Use Groups: one hundred fifty dollars (\$150.00).
 - (c) Seasonal use pools, those which are not permanent in nature and are regulated by the New Jersey Uniform Construction Code, shall be a fee of forty dollars (\$40.00).
- ii. Swimming pools, in-ground:
 - (a) R-5 Use Group: one hundred fifty dollars (\$150.00).
 - (b) other Use Groups: one hundred fifty dollars (\$150.00).
- iii. Pool Barriers:
 - (a) For R-5 Use Group the fee shall be seventy-five dollars (\$75.00).
 - (b) For all other Use Groups, the fee shall be one hundred dollars (\$100.00)
- (d) Asbestos abatement:
 - iv. For R-3 and R-5 Use Groups, the fee shall be one hundred twenty dollars (\$120.00).
 - v. All other Use Groups shall be three hundred dollars (\$300.00)
 - vi. Certificate of occupancy fee for asbestos abatement shall be fifty percent (50%) of the Minimum Fee.

(e) Fences (over six (6) feet in height):

- i. For R-3 and R-5 Use Groups, the fee shall be fifty dollars (\$50.00).
- ii. All other Use Groups shall be one hundred dollars (\$100.00)

- (f) Sheds as defined in the New Jersey Uniform Construction Code:
 - i. Those not requiring a foundation system:
 - (a) For R-3 and R-5 Use Groups, the fee shall be fifty dollars (\$50.00).
 - (b) All other Use Groups shall be one hundred dollars (\$100.00)
 - ii. Sheds with a required foundation system:
 - (a) For R-3 and R-5 Use Groups, the fee shall be one hundred dollars (\$100.00).
 - (b) All other Use Groups shall be three hundred dollars (\$300.00)
- (g) Signs:
 - i. Temporary signs shall be one hundred dollars (\$100.00).
 - ii. Permanent Signs:
 - (a) Wall or surface mounted signs: one hundred dollars (\$100.00)
 - (b) Pylon and monument signs: two hundred dollars (\$200.00)
- (h) Demolition: flat rate, depending on building class when occupied as follows:
 - i. Class 1: two hundred dollars (\$200.00)
 - ii. Class 2: one hundred dollars (\$100.00)
 - iii. Class 3: sixty-five dollars (\$65.00)
 - iv. Demolition of swimming pools:
 - (a) Above ground: Minimum Fee
 - (b) In Ground: Same as established rate for Class 3 demolition.
 - (c) Demolition of shed: Minimum Fee
- (i) Installation or erection of temporary structures, tents, tensioned membrane structures, canopies and greenhouses, as defined in N.J.A.C. 5:23 shall be one hundred dollars (\$100.00)
- (j) Buildings moved or relocated, unit rate: sixteen dollars (\$16.00) per one thousand dollars (\$1000.00), with a Minimum Fee of ninety-five dollars (\$95.00); unit rate times the total estimated cost of the following:
 - i. Cost of moving
 - ii. Cost of new foundation
 - iii. All other costs necessary to complete structure (l)
 - iv. Fees for retaining walls shall be as follows:
 - (a) The fee for retaining wall with a surface area greater than five hundred fifty (550) square feet that is associated with a Class 3 residential structure shall be one hundred dollars (\$100.00)
 - (b) The fee for a retaining wall with a surface area of five hundred fifty (550) square feet or less that is associated with a Class 3 residential structure shall be fifty dollars (\$50.00)
 - (c) The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the cost of the construction, and shall be a fee at the same rate of B(1)(b) above
- (k) Photovoltaic systems shall be a flat fee of one hundred forty dollars (\$140.00) for Use Groups R-3 and R-5. All other Use Groups shall be a fee based on the designated kilowatt rating of each solar photovoltaic system as follows:

- i. One to 50 kilowatts, the fee shall be one hundred forty dollars (\$140.00)
- ii 51 to 100 kilowatts, the fee shall be two hundred sixty dollars (\$260.00)
- iii. Greater than 100 kilowatts, the fee shall be seven hundred fifty dollars (\$750.00)

(2) **The Minimum Plumbing Subcode Fee** shall be fifty dollars (\$50.00) for the R2 Use Group, fifty dollars (\$50.00) for the R-3 and R-5 Use Groups and one hundred dollars (\$100.00) for all other Use Groups. All other fees shall be as stated below.

(a) The fee shall be thirteen dollars (\$13.00) per drip pan, humidifier, whirlpool tub, combustion air, fixture, vent or stack. For the purpose of computing this fee, fixtures, vents or stacks shall include but not be limited to water closets, urinals, bidets, lavatories, sinks, showers, floor drains, washing machines, dishwashers, hose bibs, drinking fountains, indirect waste or water connections, residential solar systems, roof drains, storm drains, leaders, sump-pumps and conductors.

(b) The fee shall be seventy-five dollars (\$75.00) per special device. For the purpose of computing the fee, special devices shall include but not be limited to sewage ejectors, gas piping, water conditioning equipment, grease, oil, sand or other type inceptors, backflow devices, booster pumps, water heaters, heat exchangers, boilers or furnaces, air conditioning units, refrigeration systems and solar systems.

(c) The Minimum Fee shall be charged for each residential sewer, septic and water utility connection. The fee for commercial, industrial and private on-site sanitary and storm sewers, domestic water lines and combination mains shall be seventy-five dollars (\$75.00) for up to and including the first one hundred feet (100'). Each additional ten feet (10') or portion thereof shall be an additional twenty dollars (\$20.00) per ten feet (10') or portion thereof.

(d) The Minimum Fee shall be charged for each of the following; furnace, water heater, swimming pool water heater, water heater coil, ultraviolet system, central air conditioning, hydronic piping, refrigeration piping, pool drains, steam shower units, backflow preventer reports and tempering valves. Gas piping, liquefied petroleum gas piping and fuel oil piping shall be the Minimum Fee and includes provisions for the installation of up to four (4) appliances. The fifth and each additional appliance shall be an additional thirteen-dollar (\$13.00) fee.

(e) One hundred forty dollars (\$140.00) shall be for each new or replacement complete hot water and steam boiler system installation consisting of a boiler, backflow preventer, temperature mixing valve control, domestic hot water coil or external water maker coil unit and tank, combustion air or any combination thereof.

(f) The Minimum Fee shall be for single boiler hydronic piping for the R-5 Use Group. For all other Use Groups, the Minimum Fee shall be per floor of each structure.

(g) The Minimum Fee shall be per unit for commercial-industrial refrigeration piping.

(3) **The Minimum Mechanical Subcode Fees**, which are only applicable to the R3 and R-5 Use Groups, shall be seventy-five dollars (\$75.00), the fees shall otherwise be as follows:

(a) The fee for the replacement of an individual Mechanical device shall be the minimum fee for the first device, and fifty percent (50%) of the minimum fee for each additional device and shall include inspection for required combustion air. Exceptions to this fee is as follows;

- (i) Generators shall be one hundred dollars (\$100.00)
- (ii) Gas piping shall be seventy-five dollars (\$75.00)
- (iii) Hot water boilers shall be one hundred forty dollars (\$140.00)
- (iv) Steam boilers shall be one hundred forty dollars (\$140.00)

(b) No separate fee shall be for existing gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

(c) A flat fee of one hundred forty dollars (\$140.00) shall be for each new or replacement complete HVAC system installation, consisting of a furnace, compressor, a-coil, drip pan, condensate pump or discharge line, humidifier, combustion air, or any combination thereof.

(4) **The Minimum Electrical Subcode Fee** shall be fifty dollars (\$50.00) for the R-2 Use Group, fifty dollars (\$50.00) for the R-3 and R-5 Use Groups, and one hundred dollars (\$100.00) for all other use groups. All other fees shall be as stated below:

(a) The fee for electrical fixtures and devices, for the first fifty (50) fixtures or switches shall be the fifty dollars (\$50.00). Each additional twenty (20) receptacles, fixtures, switches or portion thereof shall be ten dollars (\$10.00). For the purpose of computing this fee, receptacles, fixtures or switches shall include lighting outlets, smoke detectors, heat detectors, fluorescent fixtures and receptacles, thermostats, or motors of one less than (1) horsepower.

(b) The fee for alarm systems shall be as follows:

- i. For R-2 Use Group the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$10.00).
- ii. For R-3 and R-5 Use Groups, the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$10.00).
- iii. All other Use Groups, the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$10.00).

(c) The fee for data systems shall be as follows:

- i. For R-2 Use Group the fee for the first ten (10) devices shall be fifty-five dollars (\$55.00), each additional twenty (20) devices shall be ten dollars (\$10.00).

ii. For R-3 and R-5 Use Groups, the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$130.00).

iii. All other Use Groups, the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$10.00).

(d) The fee for in floor heating systems shall be the Minimum Fee for the first five (5) kilowatts. Each additional five (5) kilowatts shall be fifty percent (50%) of the Minimum Fee.

(e) The fee for motors shall be the minimum fee or as follows:

i. 1 to 10 horsepower shall be twenty dollars (\$20.00)

ii. 10.1 to 50 horsepower shall be sixty dollars (\$60.00)

iii. 50.1 to 100 horsepower shall be one hundred dollars (\$100.00)

iv. 100.0 to 500 horsepower shall be four hundred dollars (\$400.00).

v. Over 500 horsepower shall be six hundred dollars (\$600.00).

(f) The fee for electrical devices, transformers and generators shall be the minimum fee or as follows:

i. 1 to 10 kilowatts shall be twenty dollars (\$20.00).

ii. 10.1 to 50 kilowatts shall be fifty-five dollars (\$55.00) for R-2 Use Group, sixty dollars (\$60.00) for R-3 and R-5 Use Groups, and one hundred dollars (\$100.00) for all other Use Groups.

iii. 50.1 to 100 kilowatts shall be one hundred ten dollars (\$110.00) for R-2 Use Group, one hundred twenty dollars (\$120.00) for R-3 and R-5 Use Groups, and two hundred dollars (\$200.00) for all other Use Groups.

iv. 100.1 to 500 kilowatts shall be three hundred thirty dollars (\$330.00)

(5) Over 500 kilowatts shall be three hundred thirty dollars (\$330.00) plus one hundred twenty dollars (\$120.00) for each additional one hundred (100) kilowatts or portion thereof over five hundred (500) kilowatts

(g) For the purpose of computing the fee, typical electrical device sizes are listed below, but the proper kilowatt rating for the applied for device must be noted on the application so that the proper fee can be assessed. This typical list is by no way all inclusive.

i. Dishwasher: approximately one and two-tenths (1.2) kilowatts

ii. Water heater: approximately four and five-tenths (4.5) kilowatts

iii. Electric dryer: approximately five (5) kilowatts

iv. Apartment/residential sized range: approximately eight (8) kilowatts

(5) Electric baseboard heat: approximately two hundred fifty (250) watts per foot

(h) The fee for low-voltage service equipment including service panels, sub-panels and service entrances shall be as follows

i. 1 to 199 amperes shall be fifty dollars (\$50.00)

ii. 200 amperes shall be one hundred dollars (\$100.00)

iii. 200.01 to 800 amperes shall be two hundred dollars (\$200.00).

iv. 800.01 to 2000 amperes shall be three hundred dollars (\$300.00).

v. Over 2000 amperes shall be three hundred dollars (\$300.00) plus one

hundred dollars (\$100.00) for each additional five hundred (500) amperes or portion thereof over two thousand (2000).

(i) High voltage service over six hundred (600) volts shall be five hundred dollars (\$500.00).

(j) Construction of temporary pole service shall be fifty dollars (\$50.00).

(k) The fee for pools shall be as follows:

i. Above ground pools:

ii. R-5 Use Group shall be seventy dollars (\$70.00), which includes pumps, convenient outlet and bonding.

iii. All other Use Groups shall be two hundred percent (200%) of the Minimum Fee, which includes pumps, convenient outlet and bonding.

iv. In-Ground pools

v. Pool heaters, subpanels, lights and sweepers shall be an additional fee at the published rates.

vi. Annual pool inspections for commercial pools shall be one hundred dollars (\$100.00)

(l) Trailer connections shall be fifty dollars (\$50.00).

(m) The fee for photovoltaic systems shall be based on the designated kilowatt rating of each solar photovoltaic system as follows:

i. One (1) to fifty (50) kilowatts shall be one hundred forty dollars (\$140.00).

ii. Fifty-one (51) to one hundred (100) kilowatts shall be two hundred sixty dollars (\$260.00).

iii. Over one hundred (100) kilowatts shall be two hundred and sixty dollars (\$260.00) plus one dollar (\$1.00) per panel installed.

(5) **The Minimum Fire Subcode Fee** shall be fifty dollars (\$50.00) for the R-2 Use Groups, fifty dollars (\$50.00) for the R-3 and R-5 Use Groups, and seventy-five dollars (\$75.00) for all other use groups. All other fees shall be as stated below:

(a) Sprinkler heads shall be as follows:

i. 1 to 5 sprinkler heads shall be the Minimum Fee

ii. 6 to 20 sprinkler heads shall be one hundred dollars (\$100.00)

iii. 21 to 100 sprinkler heads shall be one hundred fifty dollars (\$150.00)

iv. 101 to 200 sprinkler heads shall be two hundred fifty dollars (\$250.00)

v. 201 to 400 sprinkler heads shall be six hundred twenty-five dollars (\$625.00)

vi. 401 to 1000 sprinkler heads shall be eight hundred fifty dollars (\$850.00)

vii. 1001 to 1400 sprinkler heads shall be one thousand one hundred dollars (\$1100.00)

viii. 1401 to 1800 sprinkler heads shall be one thousand three hundred fifty dollars

- (\$1350.00)
 - ix. Over 1800 sprinkler heads shall be one thousand six hundred dollars (\$1600.00)
- (c) Standpipe system shall be three hundred dollars (\$300.00) for each riser
- (c) Sprinkler valves shall be as follows:
 - i. Alarm valves shall be one hundred dollars (\$100.00) each
 - ii. Dry pipe valves and pre-action valves shall be one hundred dollars (\$100.00) each
- (d) Fire pumps shall be two hundred dollars (\$200.00) each
- (e) Private fire hydrants shall be one hundred dollars (\$100.00) each
- (f) Freestanding fire department connection installation shall be one hundred dollars (\$100.00)
- (g) Underground fire service mains shall be as follows:
 - i. 1 to 100 feet shall be one hundred dollars (\$100.00)
 - ii. Each additional ten feet (10') shall be twenty dollars (\$20.00) per ten feet (10') or portion thereof.
- (h) Fire alarms shall be as follows:
 - i. Alarm, supervisory, monitoring modules and signaling devices shall be;
 - (a) For R-2 Use Group the fee shall be fifty dollars (\$50.00) for the first twelve (12) devices, and five dollars (\$5.00) for each additional ten (10) devices.
 - (b) For R-3 and R-5 Use Groups the fee shall be fifty dollars (\$50.00) for the first twelve (12) devices, and five dollars (\$5.00) for each additional ten (10) devices.
 - ii. For all other Use Groups the fee shall be seventy-five dollars (\$75.00) for the first twelve (12) devices, and ten dollars (\$10.00) for each additional ten (10) devices.
 - iii. Control panels and booster panels shall be one hundred dollars (\$100.00) each
- (i) Pre-engineered wet chemical, FM-200, carbon dioxide, inergen and foam systems shall be one hundred dollars (\$100.00) each.
- (j) Smoke control systems shall be two hundred seventy-five dollars (\$275.00) each.
- (k) Heat producing devices including prefabricated fireplaces, fireplace inserts, solid fuel stoves, pellet stoves, furnaces, metal chimneys, chimney liners and generators shall be fifty dollars (\$50.00).
- (l) Commercial kitchen exhaust systems and hazardous exhaust systems shall be two hundred twenty dollars (\$220.00) each.

(m) Installation for fuel storage tanks shall be as follows:

- i. The fee for the R-5 Use Group shall be seventy-five dollars (\$75.00) each.
- ii. All other Use Groups shall be one hundred twenty dollars (\$120.00) each.

(n) Installation of water storage tanks shall be two hundred fifty dollars (\$250.00) each for all Use Groups.

(o) Removal of an underground storage tank shall be seventy-five dollars (\$75.00) each.

(p) Removal of above ground storage tanks shall be as follows:

- i. The fee for R-3 and R-5 Use Groups shall be fifty dollars (\$50.00) for each tank removed.
- ii. All other Use Groups shall be one hundred dollars (\$100.00) each. (q) Installation of CO2 cylinders shall be one hundred dollars (\$100.00) for the first one hundred (100) pounds and fifty dollars (\$50.00) for each additional one hundred (100) pounds or portion thereof.

(6) **Elevator Subcode Fee**, the initial registration fee for each elevator device in any structure that is not an R-5 Use Group shall be fifty dollars (\$50.00). A re-registration fee of fifty dollars (\$50.00) shall be required for each structure containing one (1) or more elevator devices upon change of ownership.

(a) Fees for witnessing acceptance tests and performing inspections in Use Groups that are not R-5 shall be as follows:

- i. Traction and winding drum elevators with 1 to 10 floors shall be two hundred twenty-five dollars (\$225.00)
- ii. Traction and winding drum elevators with over 10 floors shall be three hundred seventy-five dollars (\$375.00)
- iii. Hydraulic elevators shall be two hundred dollars (\$200.00)
- iv. Roped hydraulic elevators shall be two hundred twenty-five dollars (\$225.00)
- v. Escalators and moving walks shall be two hundred dollars (\$200.00)
- vi. Dumbwaiters/platform lifts, chairlifts, stairway chairlifts, inclined and vertical wheelchair lifts and man lifts shall be fifty dollars (\$50.00)
- vii. Additional charges for devices with any of the equipment listed below shall be as follows:

- (a) Oil buffers shall be forty dollars (\$40.00) each
- (b) Counterweight governor and safeties shall be one hundred dollars (\$100.00) each
- (c) Auxiliary power generators shall be seventy-five dollars (\$75.00) each. (d) Elevator devices in

structures in Use Group R-5 shall be one hundred fifty dollars (\$150.00). This fee shall be waived when signed statement and supporting inspection and acceptance test reports are filed by and approved qualified agent or agency in accordance with N.J.A.C. 5:23-2.19 and 5:23-2.20 (e) The fee for witnessing acceptance tests and performing inspections of alterations shall be fifty dollars (\$50.00)

(b) Fees for routine and periodic tests and inspections for elevator devices in structures not in Use Group R-5 shall be as follows:

i. Six (6) month periodic/routine inspection of elevator devices shall be as follows:

- (a) Traction and winding drum elevators with 1 to 10 floors shall be one hundred forty dollars (\$140.00)
- (b) Traction and winding drum elevators with over 10 floors shall be one hundred eighty dollars (\$180.00)
- (c) Hydraulic elevators shall be one hundred dollars (\$100.00)
- (d) Roped hydraulic elevators shall be one hundred forty dollars (\$140.00)
- (e) Escalators and moving walks shall be one hundred forty dollars (\$140.00)

(c) One (1) year periodic inspection and witnessing of tests of elevator devices, which shall include a six (6) month routine inspection shall be as follows:

- i. Traction and winding drum elevators with 1 to 10 floors shall be two hundred dollars (\$200.00)
- ii. Traction and winding drum elevators with over 10 floors shall be two hundred forty dollars (\$240.00)
- iii. Hydraulic elevators shall be one hundred fifty dollars (\$150.00)
- iv. Roped hydraulic elevators shall be two hundred dollars (\$200.00)
- v. Escalators and moving walks shall be three hundred twenty dollars (\$320.00)
- vi. Dumbwaiters/chairlifts shall be eighty dollars (\$80.00)
- vii. Inclined and vertical wheelchair lifts shall be one hundred twenty dollars (\$120.00)

(d) Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

- i. Oil buffers shall be forty dollars (\$40.00) each
- ii. Counterweight governor and safeties shall be eighty dollars (\$80.00)
- iii. Auxiliary power generators shall be fifty dollars (\$50.00)

(e) The fee for the three (3) or five (5) year inspection of elevator devices shall be as follows:

- i. Traction and winding drum elevators with 1 to 10 floors (five-year

- inspection) shall be three hundred forty dollars (\$340.00)
- ii. Traction and winding drum elevators with over 10 floors (five-year inspection) shall be three hundred eighty dollars (\$380.00)
- iii. Hydraulic and roped hydraulic elevators (3-year inspection) shall be two hundred fifty dollars (\$250.00)
- iv. Hydraulic and roped hydraulic elevators (5-year inspection) shall be one hundred fifty dollars (\$150.00)

(f) The fees set forth in Subsection B(6)(b) above shall be paid annually in accordance with the following schedule, which is based on the average of the fees to be collected over a five (5) year period:

- i. Basic annual fees shall be as follows:
 - (a) Traction and winding drum elevators with 1 to 10 floors shall be three hundred seventy dollars (\$370.00)
 - (b) Traction and winding drum elevators with over 10 floors shall be four hundred fifty dollars (\$450.00)
 - (c) Hydraulic elevators shall be two hundred seventy dollars (\$270.00)
 - (d) Roped hydraulic elevators shall be three hundred dollars (\$300.00)
 - (e) Escalators and moving walks shall be four hundred sixty dollars (\$460.00)
 - (f) Dumbwaiters/chairlifts shall be eighty dollars (\$80.00)
 - (g) Chairlifts, stairway chairlifts, inclined and vertical wheelchair lifts and man lifts shall be one hundred twenty dollars (\$120.00)
- ii. Additional charges for devices equipped with the following features shall be charged as follows:
 - (a) Oil buffers shall be forty dollars (\$40.00) each
 - (b) Counterweight governor and safeties shall be eighty dollars (\$80.00) each
 - (c) Auxiliary power generators shall be fifty dollars (\$50.00) each
- iii. An administrative fee of fifteen percent (15%) will also be charged to each elevator permit issued.

(7) The fees for Plan Review shall be as follows:

- (a) The fee for plan review shall be ten percent (10%) of the amount to be charged for the construction permit and shall be paid before the plans are reviewed.
- (b) The fee for review of any amendment or change to a plan that has already been released, shall be charged at a rate of seventy dollars (\$70.00), per hour, per sub-code. Fees shall be rounded to the nearest one-half hour. A minimum fee of thirty-five dollars (\$35.00) shall be charged.

(8) The fee for Variations shall be charged per the building class of the structure as follows:

(a) Class 1 shall be three hundred fifty dollars (\$350.00) (b) Class 2 shall be one hundred fifty dollars (\$150.00).

(b) Class 3 shall be one hundred dollars (\$100.00)

(c) Re-submission of a variation shall be charged fifty percent (50%) of the original fee.

(9) The fees for Certificates of Occupancy shall be as follows:

(a) Certificate of Occupancy. The fee shall be in the amount of ten percent (10%) of the new construction permit fee. The minimum shall be one hundred twenty dollars, (\$120.00), except for one (1) and two (2) family dwellings (R-5) wherein the minimum fee shall be sixty dollars (\$60.00). This shall apply whether the Certificate of Occupancy is temporary or permanent in nature.

(b) Temporary Certificate of Occupancy: The fee for Temporary Certificate of Occupancy or extensions shall not exceed \$30. There shall be no fee charged for the first issuance of a Temporary Certificate of Occupancy, provided the Certificate of Occupancy fee is paid at that time.

(c) The fee for a Certificate of Continued Occupancy shall be one hundred fifty dollars (\$150.00) and shall be required for all changes in occupancy of non-residential Use Groups.

(d) A Certificate of Continued Occupancy issued for a finished basement in a residential Use Group, in which work was completed prior to the issuance of a construction permit, shall be charged a flat fee of four hundred dollars (\$400.00).

(e) The fee for a Certificate of Occupancy granted to a change of use shall be one hundred fifty dollars (\$150.00)

(f) Occupancy Placards: No fee for the first issuance. Fees for a replacement shall be charged the same as those for a Temporary Certificate of Occupancy as stated in 9(b) above.

(g) The fee for a Certificate of Compliance for hazardous equipment maintained or installed in accordance with the New Jersey Uniform Construction Code, delineating the approval period, shall be one hundred dollars (\$100.00).

(10) Fees for Limited Certificates of Approval shall be as follows:

(a) Limitations. Equipment herein below listed, having been determined to create a significant potential for hazard to public health and safety, shall be granted a certificate of approval by the appropriate subcode official or other approved agency for the duration specified herein:

- i. Elevators shall be six (6) months: twenty-six dollars (\$26.00).
- ii. Platform lifts shall be six (6) months: twenty-five dollars (\$25.00).
- iii. Dumbwaiters shall be twelve (12) months: twenty-five dollars (\$25.00).
- iv. High-pressure boilers shall be twelve (12) months: as provided by the state.
- v. Refrigeration systems shall be twelve (12) months: as provided by the state.
- vi. Pressure vessels shall be twelve (12) months: as provided by the state.
- vii. Cross connections/Backflow preventers (equipped with test ports only) shall be twelve (12) months: fifty dollars (\$50.00) for the first four (4) devices and fifty dollars (\$50.00) for each additional four (4) devices or portion thereof.

(b) Such equipment shall be periodically re-inspected or tested in accordance with the provisions of the regulations prior to the expiration of such Certificate of Approval and any violations corrected before a new certificate may be issued.

(c) No such system or assembly shall continue in operation unless a valid Certificate of Approval has been reissued. It shall be a violation of the regulations for an owner to fail to provide for such periodic inspection testing.

(d) The enforcing agency may revoke a Certificate of Occupancy whenever a condition of a Certificate has been violated.

(e) The provisions and regulations do not preclude periodic certification pursuant to other applicable laws or ordinances.

C. The fee for the reinstatement of Lapsed Permits, for which no changes are made or required by mandated code changes, shall be fifty percent (50%) of the original permit fee prior to lapse.

D. No refund will be given after ninety (90) days of issuance of permit. Prior to ninety (90) days of issuance, the plan review fee shall be held and remaining fees may be refunded at the discretion of the Construction Official.

E. The fees for the State of New Jersey are determined by the State and are as follows:

- (1) In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act, the enforcing agency, including the Department when acting as the local agency, shall collect a surcharge fee of \$0.00371 per cubic foot of volume of new construction. The fee for all other construction shall be \$1.90 per one thousand dollars (\$1,000.00) of the value of construction. The minimum permit surcharge fee shall be \$1.00. Said surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending March 31, June 30, September 30 and December 31 and not later than one (1) month next succeeding the end of the quarter for which it is due.

(2) The enforcing agency shall report annually at the end of each state fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth {state fiscal year} quarters.

F. Annual permits. The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based on the number of maintenance workers who are employed by the facility and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building, fire protection, electrical and plumbing. Fees shall be as follows: One (1) to twenty-five (25) workers (including foreman) shall be six hundred eighteen dollars {\$618.00} per worker; each additional worker over twenty-five (25) shall be two hundred fifteen dollars (\$215.00) per worker.

(1) Prior to the issuance of the annual permit, a training registration fee of one hundred thirty dollars (\$130.00) per subcode shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit (Form F-170A). Checks shall be made payable to "Treasurer, State of New Jersey."

G. Hourly charges and fees for development-wide inspection of homes after issuance of a Certificate of Occupancy shall be in such amount as may be reasonable and necessary in order to ascertain whether a violation exists or to verify that any work performed has abated the violation.

(1) The hourly charge shall be the same as the hourly rate set forth in section D above, times the number of hours spent by the code officials in determining whether a violation exists or verifying that any work performed has abated the violations.

H. All penalty monies shall be collected under penalty provision of the UCC. Any penalties collected shall be retained by the Building Department and shall be placed in a special trust fund to be applied to the cost of the department for training, education, technical support programs, certification, new equipment and transportation. An independent fund shall be set up and retained by the Director of Finance to be the Trustee of this account.

I. The Construction Official shall, with the advice of the Subcode Officials, prepare and submit to the Township Committee, biannually, a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of The State Uniform Construction Code Act.

Section 2: If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3: The Ordinance shall take effect upon its adoption, passage and publication according to law.

ORDINANCES (INTRODUCTION, FIRST READING)

Mayor Mangin read by title Ordinance #18-11.

ORDINANCE REAPPROPRIATING \$60,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF A SPORT UTILITY VEHICLE FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Mangin asked for a motion to introduce Ordinance #18-11 on first consideration.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for April 3, 2018.

Mayor Mangin read by title Ordinance #18-12.

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF THE FORMER PENNSYLVANIA AVENUE IN THE TOWNSHIP OF RARITAN WHICH ABUTS LOT 100, BLOCK 27, LOTS 100 AND 42, BLOCK 27.02 AND LOT 21, BLOCK 36.02

Mayor Mangin asked for a motion to introduce Ordinance #18-12 on first consideration.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for April 3, 2018.

CORRESPONDENCE

- a. Thank you to Raritan Township OEM Personnel
- b. Raritan Headwaters Annual Stream Cleanup Reminder
- c. Walnut Brook Volunteer Tree Planting (sponsored by Raritan Township and Raritan Headwaters)

- d. Thank you from Raritan Valley Community College Foundation
- e. Department of Public Safety Division of Public Health – Mosquito Control Information

During Correspondence, Mayor Mangin expressed gratitude; acknowledged the professionalism, dedication and outstanding efforts of OEM, Police, Fire, Rescue, and Public Works personnel during the past storms.

NON-CONSENT AGENDA

Township Committee Regular Meeting Minutes

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of June 20 and July 18, 2017.

Motion by Reiner, seconded by Gilbert.

ROLL CALL VOTE:

AYES: Gilbert, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: Hazard
ABSENT: None

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of March 6, 2018.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

Township Committee Special Meeting Minutes

Mayor Mangin asked for a motion to approve the Special Meeting Minutes of June 29, 2017.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: Hazard
ABSENT: None

Township Committee Executive Meeting Minutes

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of June 20 (2) and July 18, 2017 (2).

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: Hazard
ABSENT: None

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of March 6, 2018 (2).

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

Mayor Mangin read Resolution #18-72 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-72.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #18-72

**A RESOLUTION APPOINTING JEFFREY KLEIN
AS CONSTRUCTION OFFICIAL**

WHEREAS, a vacancy exists in the Construction Code Office for the position of permanent Construction Official; and

WHEREAS, the Mayor and Township Committee of the Township of Raritan desires to fill this position; and

WHEREAS, the position was advertised, interviews conducted and the Administrator recommends that Jeffrey F. Klein be appointed as permanent Construction Official.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Jeffrey F. Klein is hereby appointed to the position of Construction Official, effective March 20, 2018 for a term of four (4) years in accordance with N.J.S.A. 52:27D-126 at an annual salary of \$58,000.00, Part-Time at an average of 20 hours per week, and in accordance with the CWA Higher-Level Supervisor Bargaining Agreement.

Mayor Mangin advised that proposed Resolution #18-73 Authorizing the Use of Competitive Contracting for the Procurement of Employee Benefits Consultant was not required and therefore has been tabled.

Mayor Mangin read Resolution #18-74 by title.
Mayor Mangin asked for a motion to adopt Resolution #18-74.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #18-74

**A RESOLUTION AUTHORIZING EMERGENCY
TEMPORARY APPROPRIATION #4**

WHEREAS, a Temporary Budget was adopted for 2018 by the Township Committee on January 4, 2018 by Resolution #18-12; and

WHEREAS, as per New Jersey Local Budget Law 40A:4-20 Emergency Temporary Appropriations, states that the Governing Body may by resolution adopted by 2/3rds vote of the full membership thereof make emergency temporary appropriations for any purposes for which appropriations may lawfully be made.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that emergency temporary budget appropriations are made as follows; said emergency temporary appropriations will be provided for in the 2018 budget; and that a copy of this resolution be transmitted to the Chief Financial Officer and the Director of the Division of Local Government Services:

Township Administrator S&W	\$ 20,000.00
Township Admininstrator OE	\$ 15,000.00
Postage & Photocopying	\$ 10,000.00
Township Clerk S&W	\$ 10,000.00
Township Clerk OE	\$ 7,000.00
Financial Administration S&W	\$ 20,000.00
Financial Administration OE	\$ 3,000.00
Data Processing Services	\$ 32,500.00
Auditing Services	\$ 23,000.00
Tax Collector S&W	\$ 11,000.00
Tax Collector OE	\$ 2,000.00
Tax Assessor S&W	\$ 18,500.00
Tax Assessor OE	\$ 5,000.00
Legal Services OE	\$ 15,000.00
Group Health Insurance	\$163,551.50
Engineering Services S&W	\$ 10,000.00

Engineering Services OE	\$ 7,500.00
Planning Board S&W	\$ 3,000.00
Planning Board OE	\$ 6,000.00
Zoning Board S&W	\$ 4,000.00
Zoning Board OE	\$ 4,000.00
Construction Official S&W	\$ 46,000.00
Construction Official OE	\$ 12,500.00
Police S&W	\$387,442.00
Emergency Management S&W	\$ 2,000.00
Emergency Management OE	\$ 4,000.00
Fire Hydrants	\$ 60,000.00
Fire Official S&W	\$ 26,000.00
Fire Official OE	\$ 5,000.00
Prosecutor S&W	\$ 4,000.00
Road Repair & Maintenance S&W	\$140,000.00
Road Repair & Maintenance OE	\$ 12,500.00
Snow Removal S&W	\$ 40,000.00
Snow Removal OE	\$ 25,500.00
P.E.O.S.H.A. Roads OE	\$ 2,000.00
Public Property (B&G) S&W	\$ 15,000.00
Public Property (B&G) OE	\$ 15,000.00
Vehicle Maintenance S&W	\$ 30,000.00
Vehicle Maintenance OE	\$ 20,000.00
Board of Health S&W	\$ 8,000.00
Park Maintenance S&W	\$ 32,500.00
Park Maintenance OE	\$ 10,000.00
Utilities	\$ 25,500.00
Solid Waste	\$ 12,000.00
Municipal Court S&W	\$ 22,000.00
Municipal Court OE	\$ 4,000.00
Public Defender	(\$ 2,000.00)
Defined Contribution Plan	\$ 2,000.00

Mayor Mangin read Resolution #18-75 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-75.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #18-75

APPROVING COST SHARE FOR THE MICHISK FARM (BLOCK 12, LOT 8)

WHEREAS, there are certain properties within the Township of Raritan for which the owners have filed applications to place their properties within the farmland preservation program; and

WHEREAS, the Hunterdon County Agriculture Development Board informed the Township that the Hunterdon County Agriculture Development Board has received a farmland preservation application from Robert Michisk (owner) for the preservation of Block 12, Lot 8

located at approximately 95 Rake Road within the Township of Raritan, (also known as the Michisk Farm), which property is contained in Raritan Township's Municipal Planning Incentive Grant List of Farms; and

WHEREAS, the State Agricultural Development Committee (SADC) certified fair market value of the development easement pursuant to N.J.A.C. 2:76-7.14 at \$7,900.00 per acre on February 27, 2018; and

WHEREAS, the landowner accepted the SADC's Certified Market Value offer of \$7,900.00 per acre. The estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 48 acres), subject to:

- (a) The actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program requirements.
- (b) Any additional adjustments pursuant to State statute, rule, regulation or policy:

State Agricultural Development Committee	\$232,800.00
(\$4,850.00/acre; 60% of total estimated cost)	
Hunterdon County	\$73,200.00
(\$1,525.00/acre; 20% of total estimated cost)	
Franklin Township	\$66,337.00
(\$1,525.00/acre; 20% of total estimated cost within Township)	
Raritan Township	\$6,863.00
(\$1,525.00/acre; 20% of total estimated cost within Township)	
TOTAL:	\$379,200.00

WHEREAS, the application states that Block 12, Lot 8 consists of approximately 4.5 gross acres subject to the final surveyed acreage, which are proposed to be preserved; and

WHEREAS, the Township Committee of the Township of Raritan desires to adopt this Resolution to approve of said preservation and to agree to cost share with the State Agricultural Development Committee and the Hunterdon County Development Board for the purchase of a farmland preservation easement on approximately 4.5 +/- ac portion of Block 12, Lot 8.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey as follows:

1. The Township of Raritan approves of the application for a farmland preservation easement on approximately 4.5 +/- ac portion of Block 12, Lot 8 as proposed by the owner within the Township of Raritan, and further agrees to cost share with the County of Hunterdon and the New Jersey SADC for the purchase of the same, subject to the Owner entering into a contract with the County of Hunterdon for the sale of the development easement, and both the County's and the SADC's approval of the cost share for the same, at the purchase price determined by the Certified Market Value.
2. A copy of this Resolution shall be forwarded to the County Agriculture Development Board for its information and records.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Mayor Mangin read Resolution #18-76 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-76.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #18-76

AUTHORIZING THE CANCELLATION OF FIRST AND SECOND QUARTER, 2018 TAXES (LINQUE AND BALDACCHINO)

WHEREAS, there exists on the books of Raritan Township First and Second Quarter, 2018 taxes for the properties listed below; and

WHEREAS, the Township Tax Collector, Sharon Brown, has recommended the cancellation of the First and Second Quarter, 2018 taxes for the properties listed below due to the deletion of parcels and subdivision of new parcels.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the Tax Collector is hereby authorized and directed to cancel the First and Second Quarter, 2018 taxes for the following parcels:

<u>Taxpayer</u>	<u>Qtr.</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Qualifier</u>
Linque Flemington II & III, LLC (658 Pennsylvania Ave.)	1 st – 2018	\$2,864.05	36	17	
	2 nd – 2018	\$2,864.05	36	17	
TOTAL:		\$5,728.10			
Linque Flemington II & III, LLC (218 Pennsylvania Ave.)	1 st – 2018	\$153.13	36	17	Q0268
	2 nd – 2018	\$153.12	36	17	Q0268

TOTAL:		\$306.25			
Baldacchino, Pasquale & Angelo (412 Case Blvd.)	1 st – 2018	\$765.63	36.04		76.02
	2 nd – 2018	\$765.62	36.04		76.02
TOTAL:		\$1,531.25			
Baldacchino, Pasquale & Angelo (408 Case Blvd.)	1 st – 2018	\$704.38	36.04		76.03
	2 nd – 2018	\$704.37	36.04		76.03
TOTAL:		\$1,408.75			

Mayor Mangin read Resolution #18-77 by title.
Mayor Mangin asked for a motion to adopt Resolution #18-77.
Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O’Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #18-77

**AUTHORIZING THE REFUND OF
FIRST QUARTER, 2018 TAXES (LINQUE)**

WHEREAS, there exists on the books of Raritan Township First Quarter, 2018 taxes for the properties listed below; and

WHEREAS, the Township Tax Collector, Sharon Brown, has recommended the refund of First Quarter, 2018 taxes for the properties listed below as the parcels were deleted and subdivided into multiple new parcels.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the Tax Collector is hereby authorized and directed to refund the First Quarter, 2018 taxes for the following parcels:

<u>Taxpayer</u>	<u>Qtr.</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Qualifier</u>
Linque Flemington II & III, LLC (658 Pennsylvania Ave.)	1 st – 2018	\$2,864.05	36	17	
Linque Flemington II & III, LLC (218 Pennsylvania Ave.)	1 st – 2018	\$153.13	36	17	Q0268

Mayor Mangin read Resolution #18-78 by title.
Mayor Mangin asked for a motion to adopt Resolution #18-78.
Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #18-78

**AUTHORIZING THE 2018 APPOINTMENT OF MEMBERS TO
THE COMMUNITY EMERGENCY RESPONSE TEAM (CERT)**

WHEREAS, the Township of Raritan is required to have an Emergency Operations Plan to provide for actions to be taken to mitigate, prepare for, respond to and recover from the effects of an emergency; and

WHEREAS, the members of the Community Emergency Response Team (CERT) must be appointed by resolution of the governing body.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the following individuals are hereby appointed as members of the Raritan Township CERT for a one-year term, effective March 20, 2018:

Ed Jakubowski
John B. Smith III
Rudy Ress
Jim Hager
Randy Block
Jane Block
Lenny Hutchins
Craig Proctor
Paul Hutchins
Robert Collumb
Jim Swain
Aimee Swain

Mayor Mangin read Resolution #18-79 by title.
Mayor Mangin asked for a motion to adopt Resolution #18-79.
Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #18-79

**AUTHORIZING THE 2018 APPOINTMENT OF MEMBERS TO
 THE EMERGENCY MANAGEMENT PLANNING COUNCIL**

WHEREAS, the Township of Raritan is required to have an Emergency Operations Plan to provide for actions to be taken to mitigate, prepare for, respond to and recover from the effects of an emergency; and

WHEREAS, the members of the Emergency Management Planning Council must be appointed by resolution of the governing body.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the following individuals are hereby appointed as members of the Emergency Management Planning Council for a one-year term, effective March 20, 2018:

Chris Phelan	OEM Coordinator or his designee
Frank Veneziale	Deputy OEM Coordinator
Ed Jakubowski	CERT Coordinator
Glenn Tabasko	Chief of Police or his designee
Doug Day	Fire Chief or his designee
Justin Dorflinger	EMS Rescue Chief or his designee
Chris Hunt	Hunterdon Medical Center or his designee
Brion Fleming	Public Works Superintendent or his designee
Dennis Concannon	Fire Marshal or his designee
Don Hutchins	Township Administrator
Mary Melfi	Flemington Borough Emergency Management Coordinator

CONSENT AGENDA

All matters listed on the Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

There were no items on the Consent Agenda.

PRIVILEGE OF THE FLOOR

There was no public comment.

Committee Member O'Brien inquired as to the status of the situation with the Coffee House. Mr. Hutchins advised he would follow up and advise accordingly.

ADJOURNMENT

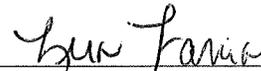
Mayor Mangin asked for a motion to adjourn the meeting.

Motion by Reiner, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:35 p.m.

Respectfully submitted,



Lisa Fania, RMC

Township Clerk