Chapter 16

ZONING

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16-010 Short Title.
This chapter shall be known and may be cited as "The Zoning Ordinance of the Township of North Hanover" and shall also be known as Chapter 16 of the Revised General Ordinances of the Township of North Hanover.

16-020 Purpose.
The purpose of this chapter is to establish a pattern for the use of land in the Township of North Hanover. The township is an agricultural community. It is the further purpose of this chapter to allow and provide for orderly growth within the township while maintaining the agricultural nature of the community, based on the master plan for the township and the Municipal Land Use Law, and is enacted in order to promote and protect the public health, safety, morals, comfort, convenience and the general welfare of the people. This chapter is intended to regulate the use of land within zoning districts, maintain the agricultural nature of the community, promote orderly development, regulate the intensity of use and the location of buildings, establish standards of development, limit congestion in the street, prohibit incompatible uses, regulate the alteration of existing buildings, protect against hazards and conserve the taxable value of land.

16-030 Interpretation of Standards.
The provisions of this chapter shall be held to be minimum requirements. Where this chapter imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or resolutions, the provisions of this chapter shall control. Where other laws, rules, regulations, or resolutions require greater restrictions than are imposed or required by this chapter, the provisions of such other laws, rules, regulations or resolutions shall control.
16-040 Prohibited Use.
All uses not expressly permitted in this chapter shall be prohibited. The use of trailers as residences, trailer parks and home occupations are specifically prohibited uses within the township, except that home occupations are permitted uses in all zones except R1 and R2. (Amended by Ord. 1989-12, § 1)

16-050 Time of Compliance.
All requirements shall be met at the time of the erection, enlargement, alteration, moving or change in use of the principal use. No nonconforming use shall be enlarged or altered unless the entire structure or structures shall comply with the provisions of this chapter, whether or not the entire structure or structures are involved in the enlargement or alteration. No building permit or certificate of occupancy shall be issued for any structure that is not in compliance with the terms of this chapter.

16-060 Definitions.
For the purposes of this chapter, certain terms and words shall be defined as follows:

Any use of the word “he” shall be deemed to include both male and female. The use of the male pronoun is for the purpose of convenience only.

Any word or term not defined herein shall be used with a meaning of standard usage.

Accessory Building, Structure or Use. A building, structure or use which is customarily associated with and is subordinate and incidental to the principal building, structure or use and which is located on the same lot therewith. An accessory building attached to the principal building shall comply in all respects with the requirements applicable to the principal building.

Agriculture. The use of the land for the growing and harvesting of crops and the raising and breeding of animals, including truck farms, sod farms, livestock, dairies, poultry husbandry, fruit farms, nurseries and greenhouses, agricultural research, fisheries, buildings for housing workers for the farmer’s own use, barns, packing, but not processing, of produce raised on the premises, grading and storage build-

ings, buildings for the keeping of poultry and livestock, and garages for the keeping of equipment and trucks used in farm operations.

Alterations or Additions, Structural. Any change in or additions to the supporting members of a building, such as walls, columns, beams, girders, posts or piers.

Apartment. A room or suite of connected rooms for occupancy as a single dwelling unit by one family in a building having more than one dwelling unit. Each apartment shall contain its own kitchen and bathroom facilities.

Automobile Sales Lot. An open area, other than a street, used for the display, sale or rental of new or used motor vehicles in operable condition and where no repair work is done.

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

Building. Any structure having a roof supported by columns, posts, piers or walls and intended for the shelter, business, housing or enclosing of persons, animals or property, excluding mobile homes and tents. The word “building” shall also include the words “structure”, “dwelling” and “residence”.

Building Coverage. The square footage or other area measurements by which all buildings occupy a lot, as measured at the grade line around the foundation. Decks and porches shall be included in total building coverage.

Building Height. The vertical distance measured to the highest point of the roof surface from the mean elevation of the mean finished grade of the front yard.

Campers, Travel Trailers or Recreational Vehicles.
1. A self-propelled vehicular structure built as one unit on a chassis and designed for temporary living for travel, recreation, vacation or other short term use, which may contain cooking, sleeping and sanitary facilities.

2. An immobile structure may contain cooking and sleeping facilities for travel, recreation, vacation or other short-term use and designed to be attached to the body of another vehicle for transporting from one location to another.
3. "Camper" shall mean a portable vehicular structure built on a chassis, designed for camping, the body of which is basically rectangular with a flat top not more than four feet above the surface of the ground. The camper is designed to have a temporary tent erected above the four foot level for camping activities.

4. "Travel trailer" shall mean a noncollapsible, movable or portable unit designed and used on a temporary basis for sleeping purposes or recreational use and so designed that it is or may be mounted on wheels and used as a conveyance on highways or township streets, propelled or drawn by its own mode of power.

Carport. An attached or detached accessory building designed for the storage of motor vehicles and constructed primarily as an open building with only a roof and the necessary supporting columns, and of an area between the columns not to exceed four hundred square feet.

Clinic. A place where people are studied or treated by individuals licensed to practice a profession specializing in various ailments and practicing as a group and where no overnight accommodations are provided.

Dwelling. A room or series of connected rooms containing living, cooking, sleeping and sanitary facilities for one housekeeping unit. The dwelling unit shall be self-contained and shall not require the use of outside stairs, common hallways, passing through another dwelling unit, or other indirect route, to get to any portion of the dwelling unit, nor shall there be shared facilities with another dwelling unit.

Dwelling, Detached. A building physically detached from other buildings or portions of buildings, which is occupied or intended to be occupied for residence purposes by one housekeeping unit and which has its own cooking, sleeping, sanitary and general living facilities.

Dwelling, Multifamily. A building containing three or more dwelling units and occupied or designed for occupancy by families living independent of each other with their own cooking, sanitary and sleeping facilities.

Dwelling, Single-Family. A building containing one dwelling unit only and occupied or intended to be occupied for residence purposes by one family or one housekeeping unit.

Dwelling, Two-Family. A building containing only two dwelling units and intended for residential occupancy by two families living independently of each other and each with its own separate sleeping, cooking and sanitary facilities.

Family. One or more persons customarily living together as a single housekeeping unit.

Farm. A lot of at least five acres used solely for agricultural purposes.

Farm Stand. A building located on a farm for the purpose of selling the products of that farm. Where other goods are offered for sale other than the products of the farm on which it is located, not more than fifty percent of the area of the farm stand, or an area equivalent to the space utilized by the products of the farm, whichever is less, shall be allocated to the sale of such products.

Floodplain. The relatively flat land following a watercourse which could be subject to periodic flooding, based on information available from the U.S. Army Corps of Engineers or any other official sources.

Floor Area. The total floor area in a structure measured by using the outside dimension of the building at each story. The gross floor area of units sharing a common wall shall be measured from the center of the interior walls and the outside of exterior walls. In residential uses, the gross floor area shall exclude the areas of the garage, attic, open porch or patio, cellar, utility areas, heating and cooling rooms, and all portions of floor areas which have a ceiling height above them of six feet eight inches for at least fifty percent of building area. In nonresidential structures, the gross floor area shall exclude areas used for utility and heating and cooling and other mechanical equipment, but shall include all other areas, including cellar and warehousing and storage areas, regardless of ceiling height.

Garage, Private. An accessory building or portion of a main building used only for the parking of
vehicles of the occupants or users of the principal use.

_Garden Apartment House._ Multifamily dwellings adhering to the standards in the schedule of limitations and in Section 16-210 and not exceeding thirty-five feet in height.

_Gross Floor Area._ Gross floor area shall be measured by using the outside dimensions of the building, excluding the area of an attached garage, open porch, patio or deck and the area used as a basement. Only those floor areas which have a ceiling height of seven feet or more shall be eligible for inclusion in the gross floor area. The gross floor area of an apartment dwelling unit shall be measured from the center of interior walls and the inside of exterior walls and shall include closets, bathrooms and hallways within the dwelling unit in addition to the area of all other rooms within the dwelling unit.

_Home Occupation._ An occupation being conducted wholly or in part from a residence or its residential lot as an accessory use. Such occupations shall be conducted solely by resident occupants of the residential building, except that no more than one person, not a resident of the building, may be employed or, provided that:

1. No more than nine hundred square feet, or the equivalent of the first floor area of the building, whichever is smaller, shall be used for such purposes;
2. The minimum area for the residence shall remain at least as large as that required for residences;
3. No display of products shall be visible from the street;
4. The residential character of the building shall not be changed;
5. No occupational sounds shall be audible outside the buildings;
6. No article shall be offered for sale from the premises;
7. No machinery or equipment shall be used which will cause interference with radio and television reception in the neighboring residences;
8. The use shall not reduce the parking or yard requirements of the principal residential use.

_Industrial Park._ Every industrial park shall be an area of not less than fifty acres wherein one or more buildings, structures, or facilities are erected or located in relation to one another as part of an integrated and comprehensively planned total unit, whether or not buildings, structures or facilities are erected simultaneously or over a period of time, and in, on or upon which buildings, structures and facilities permitted by this chapter are hereafter erected, and uses permitted by this chapter are performed.

_Junkyard._ Any area of land with or without buildings, regardless of size, devoted to the storage, keeping or abandonment of junk or debris, whether or not it is in connection with the dismantling, processing, salvage, sale or other use or disposition thereof, including, by way of illustration but not of limitation, two or more inoperative unlicensed vehicles, abandoned vehicles, tires, vehicle parts, paper, rags, metal, glass or plastic, old household appliances, or any other debris or material whatsoever.

_Loading Space._ An off-street or berth on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading material, measuring at least twelve feet by fifty-five feet with fifteen feet of vertical clearance.

_Lot._ A designated parcel, tract or area of land established by a plat or otherwise, as permitted by law and to be used, developed or built upon as a unit.

_Lot Area._ The area contained within the lot lines of the lot not including any portion of the street, access easement or right-of-way of any type.

_Lot, Corner._ A lot on the junction of and abutting two or more intersecting streets where the interior angle of intersection does not exceed one hundred thirty-five degrees.

_Lot Depth._ The horizontal distance between the front and rear lot lines, measured from the midpoint of the front lot line to the midpoint of the rear lot line.
Lot Frontage. The straight and horizontal distance between side lot lines measured along the approved street, right-of-way frontage.

Lot Width. The straight and horizontal distance between side lot lines measured along setback lines in accordance with the minimum area and yard requirements.

Lot, Interior. A lot other than a corner lot.

Lot Line. Any line forming a portion of the exterior boundary of a lot and the same line as the street line for that portion of a lot abutting streets.

Manufactured Home (Mobile Home). A structure, transportable in one or more sections, which, in the traveling mode is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred and twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and includes plumbing, heating air-conditioning and electrical systems contained therein; except that such term shall also include any structure which meets all of the requirements of this paragraph except the size requirements and with respect to which the manufacturer has voluntarily filed a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under 42 USC Section 5401, et seq.

Mining. An extractive process involving the removal of organic or mineral materials.

Mobile Home. A dwelling unit manufactured in one or more sections designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems. It shall be designed to be transported on its own wheels after fabrication arriving at the site, where it is to be occupied as a dwelling, complete, usually including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations. For purposes of this chapter, travel trailers, camper trailers and recreational vehicles shall not be considered as mobile homes.

Mobile Home Park. Two or more mobile homes on a single lot.

Motel. A building or group of buildings which:
1. Provides for transient guest rooms.
2. Has a public lobby.
3. May contain one or more dining rooms.

Nonconforming Building or Structure. A building or structure which in its location upon a lot or in its size or its use, does not conform to the regulations of this chapter for the zone in which it is located.

Nonconforming Lot. A lot, the area, dimension, or location of which was lawful prior to the adoption, revision or amendment of zoning ordinance, but fails to conform to the requirement 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 reasons of such adoption, revision or amendment.

Nursing Home. A structure designed and used for the housing and care of persons afflicted by illness or infirmity, before or following hospitalization, especially the care of elderly, infirm or handicapped persons in which surgical facilities are not provided, but where examination and treatment rooms including x-ray facilities may be provided.

Parking Space. An area within a structure or in the open for the parking of motor vehicles, exclusive of driveways, access drives, fire lanes and public rights-of-way, except that nothing shall prohibit private driveways from one family dwellings from being considered off-street parking areas provided that no portion of such private driveway within the right-of-way line of the street intersected by such driveway shall be considered off-street parking space.

Permitted Use. Any use of land or buildings as permitted by this chapter.

Principal Use. The main purpose for which a lot, building, or portion of a lot or building is used.

Professional Office. The office of a physician, surgeon, dentist, architect, clergyman, attorney,
engineer, real estate broker, insurance broker, psychologist, marriage counsellor, clinical social worker, surveyor, chiropractor, chiropodist, optometrist, accountant, speech pathologist, music instructor.

Restaurant. An eating establishment catering to indoor and outdoor customers, including any stand-up indoor eating places, drive-in or drive-thru or other such eating spaces. A restaurant may also include as an accessory use, facilities for the sale of alcoholic or other beverages.

Restaurant, Drive-In or Drive-Thru. A restaurant at which any food or refreshments shall be customarily served to or consumed by any patrons seated in automobiles or otherwise on or off the premises, whether or not, in addition thereto, seats or other accommodations are provided for patrons.

Right-of-Way. The land and space required on the surface, subsurface, and overhead for the construction and installation of materials, necessary to provide passageway for vehicular traffic, pedestrian, utility lines, poles, conduits and air established by law.

Service Station. Lands and buildings providing for the sale of fuel, lubricants for vehicles and automotive accessories and for providing maintenance and minor repairs for motor vehicles, but not including body repairs or painting or the storage of inoperable or wrecked vehicles.

Setback Line. A line drawn parallel with a street line or lot line and drawn through the point of a building nearest to the street line or lot line. The term “required setback” means a line that is established as a minimum horizontal distance from the street line or the lot line and beyond which a building or part of a building is not permitted to extend toward the street line or lot line.

Shopping Center. One or more buildings or parts thereof, which shall be occupied and used by more than one enterprise for the conduct of business as an integrated and comprehensively planned area.

Shopping Complex. One or more buildings, or parts thereof, which shall be occupied and used by more than one but less than ten enterprises for the conduct of business as an integrated and comprehensively planned area.

Sign. For the purpose of this chapter, the term “sign” shall mean and include any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interest of any person or product. Any such lighted device within a building designed to be seen outside a building is a sign.

Site Plan Review. The examination of the specific development plans for a lot, including all pertinent data required in this chapter. Wherever the term “site plan approval” is used in this chapter, it shall be understood to mean a requirement that the site plan be reviewed and approved by the township and/or county planning board and all applicable state agencies.

Street. Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing state, county or municipal roadway, or a street or way shown upon a plat hereinafter approved pursuant to law or approved by official action pursuant to the Municipal Land Use Law, R.S. 40:55D-1 et seq., as amended, or a street or way on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a planning board and the grant to such board of the power to review plats. It shall include the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street lines.

Street Line. The edge of the existing or future street right-of-way, whichever is greater as shown on an adopted master plan or official map, forming the dividing line between the street and a lot.

Structure. Anything constructed, assembled, or erected which requires location on the ground or attachment to something having such location on the ground, including buildings, fences, tanks, towers, signs and advertising devices.

Swimming Pools, Private. Private swimming pools shall mean and include any constructed pool, whether located above or below the ground, having a depth of more than two feet and/or a water surface of more than forty square feet, located on a lot as
an accessory use; and shall include all accessory buildings, structures and equipment.

Swimming Pool, Private Residential. Private residential swimming pool shall mean and include an artificially constructed pool, whether located above or below the ground, having a depth of more than two feet and/or a water surface of more than forty square feet; is designed and maintained for swimming and bathing purposes by an individual for use by members of his household and guests, and which is located on a lot as an accessory use; and shall include all accessory buildings, structures and equipment.

Swimming Pool, Public. Any swimming pool other than a wading pool or private swimming pool shall be classified as a public swimming pool.

Swimming Pool, Public or Private Club. Public or private club swimming pool shall mean and include either an outdoor or indoor pool which is artificially constructed to provide recreational facilities for swimming, bathing or wading.

Swimming Pools, Wading. Portable pools shall not be subject to the requirements of Section 16-280; and are those pools which:
1. Are not otherwise permanently installed;
2. Do not require water filtration, circulation and purification;
3. Do not exceed two feet in depth;
4. Do not exceed a water surface area of forty square feet;
5. Do not require braces or supports.

Use. The specific purpose for which a parcel of land or a building or a portion of either is used.

Yard, Front. An open space extending across the full width of the lot and lying between the street line and the closest point of the building. The depth of the front yard shall be measured horizontally and at right angles to either a straight street line or the point of tangent of a curved street line. The minimum required front yard shall be the same as the required setback.

Yard, Rear. An open space extending across the full width of the lot and lying between the rear lot line and the closest point of the building. The depth of the rear yard shall be measured horizontally and at right angles to either a straight rear lot line or the point of tangent of a curved rear lot line.

Yard, Side. An open space extending from the front yard to the rear yard and lying between each side lot line and the closest point of the building. The width of the required side yard shall be measured horizontally and at right angles to either a straight side lot line or the point of tangent of a curved side lot line.

Variance. Permission to depart from the literal requirements of a zoning ordinance pursuant to the Municipal Land Use Act, N.J.S.A. 40:55D-1 et seq. (Amended by Ord. 1989-12, § 2)
NORTH HANOVER TOWNSHIP
ORDINANCE #2009-19

An Ordinance Amending Chapter 16 “Zoning” by
Supplementing Section 060 Entitled “Definitions”
by Adding Definitions – by Repealing and Replacing
Section 080 Establishing Use and Bulk Regulations
For the RA-Residential Agricultural Zone – Enacting
A New Section, Section 081 Establishing Use and
Bulk Regulations for Planned Unit Residential
Developments and by Supplementing Section 250
Entitled “Conditional Uses” by Adding Conditional
Uses and Establishing Standards for the Same.

Section 1. This section amends the development regulations of the North
Hanover Township Code Chapter 16 “Zoning” by supplementing section 060 entitled
“Definitions” by adding the following definitions:

16-060 Definitions.

AGRICULTURAL EMPLOYEE HOUSING – On-site housing specifically set aside for
employees of the farm in agricultural uses and their immediate family members.

MIGRANT AGRICULTURAL EMPLOYEE HOUSING - Housing facilities used on a
seasonal basis for migratory farm workers employed solely in the farming operating of a
“commercial farm” of at least 10 acres as that term is otherwise defined in NJSA 4C-1 et seq.,
“The Right to Farm Act” and located on land owned by the owner of the commercial farm. Such
housing shall be periodically unoccupied during the non-operating season of the commercial
farm.

NON MIGRANT AGRICULTURAL EMPLOYEE HOUSING - Housing facilities occupied
on a year round basis by an employee engaged in the management of a “commercial farm” of at
least 10 acres as that term is otherwise defined in NJSA 4C-1 et seq., the “Right to Farm Act”.

AGRICULTURAL STRUCTURES AND AGRICULTURAL INFRASTRUCTURE –
Agricultural structures include but are not limited to barns, silos, tool and equipment sheds, farm
markets, packing houses and agricultural labor housing. Agricultural infrastructure includes but
is not limited to irrigation wells, systems, and ponds, fences, drainage ditches and swales, field
tile drains, farm roads and established access to adjoining roads.

AGRICULTURAL USE – The use of land for common farmsite activities, including but not
limited to: production, harvesting, storage, grading, packaging, processing and the wholesale
and retail marketing of crops, plants, animals and other related commodities and the use and
application of techniques and methods of soil preparation and management, fertilization, weed,
disease and pest control, disposal of farm waste, irrigation, drainage and water management, and
grazing.

AGRICULTURALLY VIABLE PARCEL – A parcel of land that is capable of sustaining a
variety of agricultural operations that yield a reasonable economic return under normal
conditions, solely from the parcel’s agricultural output.

BED AND BREAKFAST FACILITY- A bed and breakfast facility is one where an individual
or family resides in a house and rents bedrooms to overnight guests. A bed and breakfast may
also have visitors and non-resident employees.

BUILD-TO-LINE - A line parallel to the street right-of-way line at which a specified
percentage of residential dwelling units in a block must be located; in siting a residential
building, the principal structure (main body) of the house/ building is to be aligned with the
Build-To-Line irrespective of any porch, portico or other projection from the principal structure.
CLUSTER - A development design technique that concentrates buildings on part of a contiguous or noncontiguous parcel to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features and/or agricultural uses.

CLUSTERED PARCEL - A parcel of land that is the subject of contiguous or non-contiguous parcel clustering, where the owner of the parcel is receiving the potential lot yield of the preservation parcel, and on which increased density is allowed by reason of the transfer. The increase in density on the receiving parcel allows for both landowners to maintain their equity, preserves agricultural land and limits development.

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. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development.

COMMUNITY CENTER - A meeting place used by owners and residents of a planned development for social, cultural, or recreational purposes.

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

DWELLING UNIT – One or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within a building located on an individual lot.

ENVIRONMENTALLY SENSITIVE LANDS - Consist of: (1) special flood hazard area, (2) steep terrain (slope equal to or greater than 10%), (3) wetland/wetland transition area, and (4) watercourses/watercourse buffer zones.

FARM - A parcel of land used solely for agricultural use.

FARMLAND SOILS OF STATEWIDE IMPORTANCE - Soils classified as such by the Burlington County, New Jersey Soil Survey performed by the USDA Soil Conservation Service; predecessor of the National Resource Conservation Service. These soils produce high yields of crops when treated and managed according to acceptable farming methods, but have yields that are not as high as prime soils.

GENERAL DEVELOPMENT PLAN - A comprehensive plan for the development of a planned development as provided in NJS 40:55D-45.1 and 45.2.

HOMESTEAD - A single family detached dwelling occupied by family members of the landowner(s). "Family members" means and is limited to the landowner's parents or in-laws, brothers or sisters, children (biological or adopted), nieces and nephews and their spouses/domestic partners and dependents.

KENNEL - Any building, structure or premises in which one or more animals are kept, boarded, bred or trained for commercial purposes. Medical and surgical services, if any, shall be limited to incidental services provided solely for animals being boarded, bred or trained on the premises, animal kennel does not include animal hospitals.

"Planned Unit Residential Development - An area with minimum contiguous or non-contiguous acreage of 25 acres to be developed as a single entity according to a plan containing one (1) or more residential clusters, which may include appropriate commercial, or public or quasi-public uses all primarily for the benefit of the residential development."

PRESERVED FARMLAND PARCEL - Parcel of land that is or has been the subject of contiguous or non-contiguous parcel clustering, whose potential lot yield has been calculated and utilized in an associated clustered parcel in a Planned Unit Residential Development. Such
NORTH HANOVER TOWNSHIP
ORDINANCE #2009-18

An Ordinance Amending Chapter 16 “Zoning” by Repealing and Replacing
Section 070 Entitled “Zoning Districts and Zoning Map” – Repealing Section
350 Entitled “Residential Open Space Development in its Entirety and Repealing
Use and Bulk Regulations for Zone Districts that have been Eliminated

Section 1. This Ordinance Amends the development Regulations of the North
Hanover Township Code Chapter 16 “Zoning” by Repealing and Replacing Section
070 Entitled “Zoning Districts and Zoning Map” as follows:

16-070 Zoning Districts and Zoning Map.

16-070.1 Zoning Districts.

For the purpose of this chapter, the Township is divided into zoning districts as follows:

A. R-A Residential – Agricultural
B. R-1 Residential – Two Acres
C. R-2 Residential - High Density
D. C-1 Commercial
E. C-2 Commercial - Professional
F. I Industrial
G. FI Federal Installation

16-070.2 Zoning Map.

The boundaries of these zoning districts are established on the map entitled
"Zoning Map of the Township of North Hanover," revised, December 12, 2009, which
accompanies and is made a part of this chapter and is on file in the office of the Township
Clerk.

16-070.3 Interpretation of Boundaries.

Zoning district boundary lines are intended to follow right-of-way lines, streams and lot
or property lines as they exist at the time of the enactment of this chapter, unless
otherwise indicated by dimensions on the zoning map. Any dimensions shown shall be
in feet and measured horizontally, and, when measured from a street, shall be measured

16-070.4 District Regulations.

No building shall hereafter be erected, used, altered, converted, enlarged, added
to, moved or reduced, wholly or in part, nor shall any land be designed, used or
physically altered for any purpose or in any manner, except in conformity with this
chapter. Where a lot is formed from part of a lot already occupied by a building, the
subdivision shall be effected in a manner not to impair any of the requirements of this
chapter with respect to the existing building and all yards and other open space in
connection therewith, so that all resulting lots have adequate dimensions consistent with
the requirements of the zoning district in which they are located, and so that all lots have
the minimum required frontage on a street.
parcels remain in private ownership, permanently preserved for agricultural use by means of a deed of easement dedicated to the Township, the County or a farmland preservation entity.

**PRIME SOILS.** Soils classified as such by the Burlington County, New Jersey Soil Survey performed by the USDA Soil Conservation Service, predecessor of the National Resource Conservation Service. These soils have the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops. They have the quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed according to acceptable farming methods. Prime soils are not excessively erodible or saturated with water for a long period of time, and they either flood infrequently or are protected from flooding.

Section 2. This section Amends the Development Regulations of the North Hanover Township Code Chapter 16 “Zoning” by Repealing and Replacing Section 080 Establishing Use and Bulk Regulations for the “R-A Residential-Agricultural” Zone as follows:

**16-080 R-A Residential-Agricultural.**

This district represents the bulk of the land area in the Township and is the area targeted for additional preservation. Development will be permitted on conventional subdivisions of very large lots. To encourage preservation, growth will be directed onto contiguous and non-contiguous parcels in the form of planned unit residential development.

**16-080.1 Principal Permitted Uses.**

A. Agricultural uses and farms as defined in §16-060

B. Detached single-family dwellings

C. Farms and detached single-family dwellings

D. Planned Unit Residential Development in accordance with §16-081

E. Homesteads (See the definition of Homestead in §16-060)

**16-080.2 Accessory Uses Permitted.**

A. Farm stands

B. Off-street parking

C. Travel and camper trailers shall be parked or stored only. They may not be occupied at any time, except in accordance with the provisions of § 4-040.

D. Home occupations, as defined in § 16-060.

E. Fences and walls

F. Signs

G. Other customary accessory buildings and structures such as pools, sheds, garages, etc.

**16-080.3 Area and Yard Requirements.**

A. Requirements for detached single-family dwellings which are part of a conventional subdivision and not part of a planned unit residential development

1. **Minimum Lot Area Requirements**
   a. Lot area 25 acres
   b. Lot frontage along lot line 500 feet
   c. Lot width along front yard setback 500 feet
   d. Lot depth 500 feet
2. Principal Building setbacks
   a. Each side yard  50 feet
   b. Front yard setback  50 feet
   c. Rear yard setback  75 feet

3. Accessory Building Setbacks
   a. Each side yard  50 feet
   b. Rear yard setback  75 feet
   c. No accessory buildings are allowed in front yards.

4. Building Height. No building, with the exception of barns, silos, and other structures as they relate directly to the farm or wholesale or retail operation shall exceed thirty-five feet in height.

5. Maximum building coverage shall be 10,000 square feet for the principal building.

6. Maximum impervious coverage  15%

B. Requirements for Agricultural Uses and Farms with no structures

1. Minimum
   a. Lot size  5 acres

C. Requirements for Agricultural Uses and Farms with agricultural buildings or structures

1. Minimum requirements:
   a. Lot size  7 acres of land
   b. Lot frontage  200 feet
   c. Lot depth  400 feet
   d. Each side yard  50 feet
   e. Front yard setback  100 feet
   f. Rear yard setback  100 feet

2. Total building coverage shall not exceed twenty (20) percent.

3. Farm stands shall be set back at least 50 (fifty feet) from the street right-of-way.

D. Requirements for farm with single family residence which is not part of a planned unit residential development

1. Minimum Lot size  25 acres

2. Residential portion shall comply with §16-080.3.A.1. to 6.

3. Farm buildings and structures shall comply with setbacks listed §16-080.3C

16-080.4 Pre-existing Lots in the R-A Zone.

Notwithstanding the previous provisions of this section and of §16.310 of this Chapter and except as provided by NJSA 40:55D-35 and 36, vacant lots in either of the following two categories may be developed with single family homes and all permitted accessory buildings and structures, but only in compliance with the percolation/permeability requirements established in §16-081.2.c and the following bulk requirements:

1. Minimum lot area - 2 acres.
2. Lot frontage along lot line - 200 feet.
3. Lot width along setback line - 200 feet.
4. Lot depth - 200 feet.
5. Each side yard - 30 feet.
6. Front yard setback - 50 feet.
7. Rear yard setback - 75 feet.
8. Maximum building coverage – 12% for the principal building and 3% for accessory buildings.

A. Lots in single and separate ownership with a lot area of at least two (2) acres but less than twenty-five (25) acres in existence as of November 1, 2009, regardless of whether the lot was conforming or non-conforming as of that date.

B. Lots appearing on an approved subdivision plan and whose protection from zoning changes pursuant to the Municipal Land Use Law and/or the Permit Extension Act of 2008 has not expired.

This provision does not obviate the requirement that all other approvals required by law be obtained and that all required building permits be issued prior to construction.

Section 3. This section Amends the Development Regulations of the North Hanover Township Code Chapter 16 “Zoning” by Enacting a New Section – Section 081 Establishing Use and Bulk Regulations for Planned Unit Residential Developments as follows:

16-081 Planned Unit Residential Development

16-081.1 Purposes.

The Municipal Land Use Law gives municipalities the authority to create a zoning form, which permits dwelling units to be transferred from one parcel to another contiguous or non-contiguous parcel within a planned development. This allows for some lands to be preserved while others are developed at higher densities. Clustering must be undertaken in the context of a planned development and properties in the clustered and preserved farmland parcels must be developed as a single entity.

The basic purposes of permitting Planned Unit Residential Development through contiguous and non-contiguous parcel clustering are to:

1. Preserve on a permanent basis open space, natural features, and prime agricultural lands.
2. Protect landowner equity by preserving residential lot yield.
3. Promote cost savings in infrastructure installation and maintenance by such techniques as reducing the length of streets and vehicle miles traveled; and
4. Promote the timing and phasing of development and associated infrastructure in accordance with an approved General Development Plan (GDP) for the Planned Unit Residential Development (PURD).

16-081.2 Bulk Standards for Lot Yield Plans for Planned Unit Residential Developments.

a. In order to compute the number of lots permitted to be developed within a Planned Unit Residential Development, the applicant must submit a lot yield plan to the Joint Land Use Board, indicating the number of lots that could be developed on the overall tract of land in accordance with the area and yard requirements described below without bulk variances or design exceptions.

b. Minimum area and yard requirements for determining residential lot yields:

   a. Lot area: two to five acres
   b. Lot frontage along lot line: 200 feet
   c. Lot width along front yard setback line: 200 feet
   d. Lot depth: 200 feet

c. Lot requirement for single family dwelling and/or any such other uses permitted
Section 2. This section amends the development regulations of the North Hanover Township Code, Chapter 16 “Zoning”, by amending the following sections and subsections to read as follows:

16-081.2 Bulk Standards for Lot Yield Plans for Planned Unit Residential Developments.

e. Existing residences, homesteads, and non-migrant agricultural employee housing that are proposed to remain in a planned unit residential development shall be subtracted from the total lot yield. For example, if one existing farmhouse and one homestead are proposed to remain on one or more parcels in a PURD the total lot yield of the parcels in the PURD will be reduced by two. No reduction in lot yields will be made for dwelling units to be razed.
in this zone shall satisfy the following percolation and/or permeability tests:

### PERMEABILITY

<table>
<thead>
<tr>
<th>Seasonal High Groundwater Depth</th>
<th>6.0' and Over</th>
<th>5.0' - 5.9'</th>
<th>4.0' - 4.9'</th>
<th>3.0' - 3.9'</th>
<th>2.0' - 2.9'</th>
<th>Less than 2.0'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permeability Rate (inches per hour)</td>
<td>Minimum Lot Size</td>
<td>2.00 acres</td>
<td>2.23 acres</td>
<td>2.53 acres</td>
<td>2.90 acres</td>
<td>3.35 acres</td>
</tr>
<tr>
<td>20.000 to 3.01</td>
<td>2.00 acres</td>
<td>2.23 acres</td>
<td>2.53 acres</td>
<td>2.90 acres</td>
<td>3.35 acres</td>
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</tr>
<tr>
<td>3.0 to 2.41</td>
<td>2.05 acres</td>
<td>2.28 acres</td>
<td>2.58 acres</td>
<td>2.95 acres</td>
<td>3.40 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>2.400 to 2.007</td>
<td>2.14 acres</td>
<td>2.37 acres</td>
<td>2.67 acres</td>
<td>3.04 acres</td>
<td>3.49 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>2.000 to 1.1719</td>
<td>2.28 acres</td>
<td>2.51 acres</td>
<td>2.81 acres</td>
<td>3.18 acres</td>
<td>3.63 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>1.714 to 1.504</td>
<td>2.46 acres</td>
<td>2.69 acres</td>
<td>2.99 acres</td>
<td>3.36 acres</td>
<td>3.81 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>1.500 to 1.336</td>
<td>2.69 acres</td>
<td>2.92 acres</td>
<td>3.22 acres</td>
<td>3.59 acres</td>
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<tr>
<td>1.333 to 1.202</td>
<td>2.96 acres</td>
<td>3.19 acres</td>
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<td>1.200 to 1.093</td>
<td>3.28 acres</td>
<td>3.51 acres</td>
<td>3.81 acres</td>
<td>4.18 acres</td>
<td>4.63 acres</td>
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</tr>
<tr>
<td>1.090 to 1.001</td>
<td>3.65 acres</td>
<td>3.88 acres</td>
<td>4.18 acres</td>
<td>4.55 acres</td>
<td>5.00 acres</td>
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<tr>
<td>1 or less</td>
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<td></td>
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</tr>
</tbody>
</table>

The minimum lot area is determined by the permeability rate and depth to seasonal high groundwater.

### PERCOLATION

<table>
<thead>
<tr>
<th>Seasonal High Groundwater Depth</th>
<th>6.0' and Over</th>
<th>5.0' - 5.9'</th>
<th>4.0' - 4.9'</th>
<th>3.0' - 3.9'</th>
<th>2.0' - 2.9'</th>
<th>Less than 2.0'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percolation Rate (minutes per inch)</td>
<td>Minimum Lot Size</td>
<td>2.00 acres</td>
<td>2.23 acres</td>
<td>2.53 acres</td>
<td>2.90 acres</td>
<td>3.35 acres</td>
</tr>
<tr>
<td>0 to 19.9</td>
<td>2.00 acres</td>
<td>2.23 acres</td>
<td>2.53 acres</td>
<td>2.90 acres</td>
<td>3.35 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>20.0 to 24.9</td>
<td>2.05 acres</td>
<td>2.28 acres</td>
<td>2.58 acres</td>
<td>2.95 acres</td>
<td>3.40 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>25.0 to 29.9</td>
<td>2.14 acres</td>
<td>2.37 acres</td>
<td>2.67 acres</td>
<td>3.04 acres</td>
<td>3.49 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>30.0 to 34.9</td>
<td>2.38 acres</td>
<td>2.61 acres</td>
<td>2.91 acres</td>
<td>3.28 acres</td>
<td>3.73 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>35.0 to 39.9</td>
<td>2.78 acres</td>
<td>3.04 acres</td>
<td>3.34 acres</td>
<td>3.71 acres</td>
<td>4.17 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>40.0 to 44.9</td>
<td>3.08 acres</td>
<td>3.35 acres</td>
<td>3.64 acres</td>
<td>4.01 acres</td>
<td>4.47 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>45.0 to 49.9</td>
<td>3.38 acres</td>
<td>3.65 acres</td>
<td>3.94 acres</td>
<td>4.31 acres</td>
<td>4.77 acres</td>
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<tr>
<td>50.0 to 54.9</td>
<td>3.65 acres</td>
<td>3.92 acres</td>
<td>4.21 acres</td>
<td>4.58 acres</td>
<td>5.04 acres</td>
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</tr>
<tr>
<td>55.0 to 59.9</td>
<td>3.92 acres</td>
<td>4.18 acres</td>
<td>4.47 acres</td>
<td>4.84 acres</td>
<td>5.21 acres</td>
<td>N/A</td>
</tr>
<tr>
<td>60.0 or greater</td>
<td><strong><strong><strong>NOT ACCEPTABLE</strong></strong></strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The minimum lot area is determined by the percolation rate and depth to seasonal high groundwater.

1. Any individual subsurface sewage disposal systems that are designed on lots having a percolation rate greater than or equal to forty (40) minutes per inch or a permeability rate less than 1.0 inches per hour, shall utilize an alternative pressure-dosed sewage disposal system for the disposal and treatment of wastewater.

2. A percolation rate of sixty (60) minutes per inch and greater or a permeability rate less than 1 inch per hour is not acceptable and a depth to seasonal high groundwater of less than two (2) feet is not acceptable.

3. All state standards, specifically New Jersey Department of Environmental Protection Standards for the construction of Individual Subsurface Sewage Disposal Systems, shall apply. Any provisions herein that are more stringent than any provisions in the state standards, shall supersede and be applicable.

d. Each individual lot in the lot yield plan must be at least two (2) acres in area; at least
one (1) contiguous acre of each lot must be uplands, non-environmentally sensitive lands as that term is defined in §16.060.

c. Existing residences, homesteads, and non-migrant agricultural employee housing shall be subtracted from the lot yield of the preserved open space there is one existing farmhouse and one homestead, the number of development units shall be reduced to forty-eight (48). Existing dwelling units that will be razed on contiguous or non-contiguous parcels shall be added to the overall residential lot yield.

16.081.3 Principal Permitted Uses in a Planned Unit Residential Development.

1. Clustered Parcel
   a. Detached single-family dwellings

2. Preserved Farmland Parcel
   a. Agricultural uses and farms as defined in §16-060.
   b. Farms and detached single family dwellings
   c. Homesteads as defined in §16.060.

16.081.4. Accessory Uses Permitted.

1. Clustered Parcel
   a. Off-street parking (see §16-230).
   b. Home occupations, as defined in § 16-060.
   c. Other customary accessory buildings and structures such as pools, sheds, garages, etc.
   d. Fences and walls
   e. Signs

2. Preserved Farmland Parcel
   a. Farm stands and related off-street parking associated with farms.

Travel and camper trailers shall be parked or stored only. They may not be occupied at any time, except in accordance with the provisions of §4-040.

16-081.5 - Conditional Uses

Notwithstanding the provisions of §16-250.4 only the following conditional uses are permitted in planned unit residential developments.

A. Preserved Farmland Parcel
   1. Bed and Breakfast
   2. Farm Equipment sales, new and used farm equipment, sales and dealers and farm supply
   3. Kennel
   4. Veterinary offices and animal hospitals
   5. Agricultural employee housing

B. Clustered Parcel
   None

16-081.6 Bulk requirements for detached single-family dwellings on clustered parcel of a Planned Unit Residential Development.

1. Minimum Lot Area Requirements
   a. Lot area
   b. Lot frontage along lot line
   c. Lot width along frontyard setback
   d. Lot depth
   one acre
   100 feet
   100 feet
   100 feet

2. Principal Building setbacks
   a. Each side yard
   b. Front yard setback
   c. Rear yard setback
   15 feet
   35 feet
   30 feet
ORDINANCE 2010-1
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE DEVELOPMENT REGULATIONS OF THE NORTH HANOVER TOWNSHIP CODE

16-081.6 Bulk Requirements for Detached Single-Family Dwellings on Clustered Parcel of a Planned Unit Residential Development.

3. Accessory Building Setbacks
   a. Each side yard 10 feet
   b. Rear yard setbacks 10 feet
   c. No accessory building are allowed in front yards.

4. Building Height. No principal building shall exceed thirty-five (35) feet in height. No accessory building shall exceed twenty (20) feet in height.
d. 100% of units constructed in each block must have the same build-to-line.

3. Accessory Building Setbacks
   a. Each side yard 50 feet
   b. Rear yard setback 75 feet
   c. No accessory buildings are allowed in frontyards.

4. Building Height. No building shall exceed thirty-five feet in height.

5. Maximum building coverage shall be 10,000 square feet.

6. Maximum impervious coverage shall be 30%.
R-1 Residential-Two Acres.

This district represents an area within the township for new residential growth on the basis of single-family residential dwellings. Minimum density shall be one dwelling unit per lot and is a reflection of the attempt to recognize the inability of the soils to produce sufficient potable water via individual wells and to accept sewer via septic tank disposal methods. It is based upon the minimum lot size that is presumed to be able to support both a well and a septic system without polluting the groundwater supply. (Ord. 1989-12, § 5 (part); amended by Ord. 1987-4, § 2)
16-090.1 Principal Permitted Uses. A. Detached single-family dwellings;
B. Public recreational purposes, including fishing, trapping, forest and wildlife preserves, and other outdoor sports, public swimming pools, playgrounds, parks, tennis courts and ball fields;
C. Buildings or land used exclusively by federal, state, county or township government for public purposes.
(Amended by Ord. 1989-12, § 5 (1))

16-090.2 Accessory Uses Permitted. A. Private residential swimming pools in accordance with subsection 16-280.1;
B. Tool sheds, greenhouses and customary accessory buildings to single-family residential dwellings;
C. Off-street parking in accordance with Section 16-230;
D. Travel and camper trailers to be parked or stored only. They may not be occupied at any time, except in accordance with the provisions of Section 4-040;
E. Fences and walls. (Amended by Ord. 1989-12, § 5 (2))

16-090.3 Building Height. No building shall exceed thirty-five feet in height. (Amended by Ord. 1989-12, § 5 (3))

16-090.4 Area and Yard Requirements. A. Detached single-family dwellings shall meet the following requirements:
1. Lot area, two acres, plus;
2. Lot frontage along lot line, two hundred feet;
3. Lot width along setback line, two hundred feet;
4. Lot depth, two hundred feet;
5. Each side yard, thirty feet;
6. Front yard setback, fifty feet;
7. Rear yard setback, seventy-five feet.
B. Minimum gross floor area for dwelling units shall be:
1. One bedroom unit, nine hundred fifty square feet;
2. Two bedroom unit, one thousand one hundred square feet;
3. Three bedroom unit, one thousand two hundred fifty square feet;
4. Four bedroom unit or more, one thousand four hundred square feet plus one hundred fifty square feet per extra bedroom;
C. Maximum building coverage shall be twelve percent for a principal building and three percent for an accessory building. (Ord. 1989-12, § 5(4); amended by Ord. 1987-4, § 3)

16-090.5 Minimum Off-Street Parking. See Section 16-200. (Amended by Ord. 1989-12, § 5 (5))

16-090.6 Percolation Requirements. A. Lot area requirement for single-family dwellings and/or any such other uses permitted in this zone shall satisfy the following percolation tests:
<table>
<thead>
<tr>
<th>Percolation Rate (minutes per inch)</th>
<th>6.0' and over</th>
<th>5.9'</th>
<th>4.9'</th>
<th>3.9'</th>
<th>2.9'</th>
<th>less than 2.0'</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 19.9</td>
<td>2.00</td>
<td>2.23</td>
<td>2.53</td>
<td>2.90</td>
<td>3.35</td>
<td>N/A*</td>
</tr>
<tr>
<td>20.0 to 24.9</td>
<td>2.05</td>
<td>2.28</td>
<td>2.58</td>
<td>2.95</td>
<td>3.40</td>
<td>N/A</td>
</tr>
<tr>
<td>25.0 to 29.9</td>
<td>2.14</td>
<td>2.37</td>
<td>2.67</td>
<td>3.04</td>
<td>3.49</td>
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<tr>
<td>30.0 to 34.9</td>
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<td>2.51</td>
<td>2.81</td>
<td>3.18</td>
<td>3.63</td>
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<td>2.46</td>
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<td>40.0 to 44.9</td>
<td>2.69</td>
<td>2.92</td>
<td>3.22</td>
<td>3.59</td>
<td>4.04</td>
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<td>45.0 to 49.9</td>
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<td>60.0 or greater</td>
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<td></td>
<td></td>
<td><strong><strong><strong><strong><strong>NOT ACCEPTABLE</strong></strong></strong></strong></strong></td>
</tr>
</tbody>
</table>

* Not acceptable.
B. Any individual subsurface sewage disposal systems that are designed on lots having a percolation rate greater than or equal to forty minutes per inch, shall utilize an alternative pressure-dosed sewage disposal system for the disposal and treatment of wastewater.

C. A percolation rate of sixty minutes per inch and greater is not acceptable and a depth to seasonal high groundwater of less than two feet is not acceptable.

D. All state standards, specifically New Jersey Department of Environmental Protection Standards for the construction of Individual Subsurface Sewage Disposal Systems, shall apply. Any provisions herein that are more stringent than any provisions in the state standards, shall supersede and be applicable. (Ord. 1990-1, § 2)

16-100 R-2 Residential-High Density.
This district shall be designed to include high density housing for up to two dwelling units per acre. Mobile home parks may continue as a pre-existing nonconforming use subject to compliance with Section 4-040. The density of this district can only be accommodated with public water and sewer systems. (Amended by Ord. 1989-12, § 6 (part))

16-100.1 Principal Permitted Uses. A. Detached single-family dwellings;
B. Public recreation purposes including playgrounds, parks, tennis courts and ball fields;
C. Buildings or land used exclusively by federal, state, county or township government for public purposes. (Amended by Ord. 1989-12, § 6 (1))

16-100.2 Accessory Uses Permitted. A. Private residential swimming pools, see subsection 16-280.1;
B. Greenhouses and customary accessory buildings to single-family residential dwellings;
C. Off-street parking, see Section 16-230;
D. Travel and camper trailers shall be parked or stored only. They may not be occupied at any time, except in accordance with the provisions of Section 4-040;

E. Fences and walls. (Amended by Ord. 1989-12, § 6 (2))

16-100.3 Building Height. No building shall exceed thirty-five feet in height. (Amended by Ord. 1989-12, § 6 (3))

16-100.4 Area and Yard Requirements. A. Detached single-family dwellings shall meet the following requirements:
1. Lot area, twenty-two thousand square feet;
2. Lot frontage along right-of-way, one hundred feet;
3. Lot width along setback line, one hundred feet;
4. Lot depth, two hundred feet;
5. Each side yard, twenty feet;
6. Front yard setback, fifty feet;
7. Rear yard setback, fifty feet;
B. Mobile homes and mobile home parks shall be pre-existing nonconforming uses within the R-2 zone, and they shall comply with all requirements set forth in Section 4-040 relating to mobile home parks and mobile homes. The sale of mobile homes shall be permitted accessory use at any existing mobile home park.
C. Where there is no public water or sewer system, uses permitted in this district shall adhere to the area and yard requirements of the R-1 district. (Amended by Ord. 1989-12, § 6 (4))

16-110 Commercial.
This district is intended to provide those uses serving a regional as well as a local function. It is located along major highways for regional accessibility. The design standards are intended to permit individual lots and buildings, as well as shopping centers and office complexes. In all circumstances, the site planning and building designs shall be completed in a compatible manner with an overall plan for the development of all lands so zoned in order to coordinate traffic flow, parking needs, building orientation, landscaping, drainage and similar factors which have a relationship to development, whether implemented singularly and accumulated over a
period of years or implemented in one major development program. (Amended by Ord. 1991-6, § 1)

16-110.1 Principal Permitted Uses. A. Retail sales and rentals of goods and services as listed:

1. Household appliances,
2. Athletic equipment,
3. Automobiles and other motor vehicles,
4. Bakeries,
5. Beverages, alcoholic,
6. Bicycles,
7. Cameras and photo equipment,
8. Clothing,
9. Furniture,
10. Musical instruments,
11. Optical goods,
12. Shoes,
13. Tobacco,
14. Home accessories,
15. Garden markets;
B. Theaters, bowling alleys, restaurants, including drive-in or drive-through;
C. Offices, banks, post offices and substations;
D. Service stations;
E. Shopping centers;
F. Warehouses, not including truck terminals;
G. Shopping complexes;
H. Kennels;
I. Barber shops;
J. Beauty shops;
K. Electronic data process;
L. Fire stations;
M. Florists and nurseries;
N. Dry cleaning — pickup and delivery stations;
O. Hardware stores; home improvement;
P. Office equipment;
Q. Pet shops;
R. Drug stores;
S. Convenience stores;
T. Professionals. (Amended by Ord. 1991-6, § 2)

16-110.2. Accessory Uses Permitted. A. New motor vehicle sales and rentals;
B. Used motor vehicle sales as part of a new motor vehicle sales agency;
C. See subsection 16-17.2, accessory buildings. (Amended by Ord. 1991-6, § 3)

16-110.3 Building Height. A maximum of four stores or thirty-five feet, except a service station, which shall not exceed eighteen feet in height, and where the requirements of the Federal Aviation Administration dictate a lesser maximum height. (Amended by Ord. 1991-6, § 4)

16-110.4 Area and Yard Requirements. A. A shopping center site shall not be less than ten acres. The minimum frontage shall be four hundred feet along at least one public street and building coverage shall not exceed twenty percent. Building setback shall not be less than two hundred feet from any lot line or street line. All buildings within the shopping center shall be in either a group or groups, either physically attached or, if separated, having a separation of at least fifteen feet. Sidewalks and walkways adjacent to buildings may be protected from the weather by overhead roofs which may extend between separated buildings as long as an opening fifteen feet wide by fifteen feet high is provided to allow emergency vehicle access.
B. All other uses shall have a minimum lot size of one acre, with a minimum of one hundred and fifty feet frontage on an existing public street. Minimum lot depth shall be two hundred feet; minimum front yard shall be fifty feet; each side yard twenty feet; and rear yard forty feet. The building coverage shall not exceed twenty percent.
C. An attached or abutting group of commercial buildings may be considered as one building in applying yard space and building coverage requirements.
D. A buffer strip, not less than twenty-five feet wide, consisting of conifers shall be provided along all lot lines which form a common boundary with any residential district. The conifers shall be a minimum of five feet in height when planted and shall be at intervals of ten feet or less.
E. All portions of the property not utilized by buildings or paved surfaces shall be landscaped, utilizing combinations such as landscaped fencing, shrubbery, lawn area, ground cover, rock formations, contours, existing foliage and the planting of conifers and/or deciduous trees native to the area, in order to either maintain or reestablish the tone of the vegetation in the area and lessen the visual impact of the structures and paved areas. The established grades on any site shall be planned for both aesthetic and drainage purposes. The grading plan, drainage facilities, and landscaping shall be coordinated to prevent erosion and silting, as well as assuring that the capacity of any natural or manmade drainage system shall be sufficient to handle the water generated and anticipated both from the site and contributing upstream areas. The landscaping shall be in accordance with the plan of the township planning board and shall be maintained in accordance with the plan.

F. Service stations shall have a minimum front yard of fifty feet, each side yard forty feet, and rear yard forty feet. The building coverage shall not exceed ten percent.

G. No livestock enterprises except pet shops.

H. Shopping complexes shall meet the requirements for permitted uses in the C-1 district.
   1. Maximum paved surface shall be:
   2. Shopping centers, forty percent;
   3. Service stations, forty-five percent;
   4. Other uses, forty percent. (Amended by Ord. 1991-6, § 5)

16-110.5 Minimum Off-Street Parking and Loading. See Section 16-230 of this chapter.

16-120 C-2 Commercial-Professional.

16-120.1 Permitted Uses. A. All uses permitted in C-1;

B. Offices in which personnel will be employed for work in one or more of the following fields: executive, administrative, writing, clerical, stenographic, accounting, insurance, banking, real estate;

C. Offices of technicians and therapists in medically related fields;

D. Professional office buildings may contain, as an addition to previously mentioned permissible uses, an apothecary or ethical drugstore or a sales or rental office containing no inventory or storage, other than samples dealing in such products as hospital appliances, fixtures, artificial limbs, wheel chairs and similar or related medical products. (Amended by Ord. 1991-6, § 6)

16-120.2 Permitted Accessory Buildings and Structures. A. Signs, subject to the provisions of the sign ordinance.

B. Fences and walls, subject to the provisions of this revision.

C. Private garages.

D. Off-street parking facilities, subject to the provisions of Section 16-200.

16-120.3 Area and Bulk Requirements. A. Professional Offices.

1. The minimum lot area shall be twenty-five thousand square feet.

2. Minimum lot dimensions shall be one hundred fifty foot depth by one hundred fifty foot width.

3. Minimum yard dimensions for the principal building shall be:
   a. Front yard, fifty feet.
   b. Each side, twenty feet.
   c. Rear yard, forty feet.

B. Accessory Building. Minimum setbacks from:

1. Front lot line, sixty feet.
2. Side lot line, fifteen feet.
3. Rear lot line, fifteen feet.
4. Principal building, fifteen feet.

C. Maximum Requirements.

1. Principal building coverage, twenty percent.
2. Accessory building coverage, five percent.
3. Paved surface, forty percent.
4. Building height, thirty-five feet.
Ordinance 2009-18 Section 2. This ordinance Amends the Development Regulations of the North Hanover Township Code Chapter 16 “Zoning” by Repealing Use and Bulk Regulation for Eliminated Zone Districts.

A. The following sections of Chapter 16 are hereby repealed in their entirety:

1. §16-130  C-3  Commercial – convenience stores
2. §16-140  C-4  Commercial – two acres
3. §16-150  C-4A Commercial – one acre
4. §16-170  IP  Industrial Park
5. §16-180  FP  Floodplain
B. Light industry where the only activity involved is one of the fabricating or the assembling of standardized parts as contrasted to a processing activity which would involve a physical or chemical process intended to change the nature or character of the product or raw material.

C. Laboratories including research, experimenting or testing.

D. Wholesaling of goods or services including the warehousing or storage of goods.

E. A building, structure or facility may be erected or used, and a lot may be used or occupied, for the fabrication, preparation, service, distribution or storage of, or business operation facilities for, the following uses and purposes and no others, provided that no use shall be permitted which shall create a noxious, offensive or hazardous condition beyond the district boundary lines, and all processing, manufacture, assembly, compounding, fabrication, construction, repairing, refinishing, selling, exchanging or distribution, as the case may be, shall be conducted within a completely enclosed building:

1. Awnings or canvas.
2. Bakery and bakery goods.
4. Blueprinting.
5. Cabinet and woodworking.
6. Catering of foods and beverages.
7. Contractor's storage.
8. Custom dressmaking, millinery and tailoring.
9. Electrical contractor facility.
10. Florist and floral products, wholesale or distribution.
11. Frozen food locker.
12. Furniture refinishing, dipping and stripping.
13. Laboratory, medical and dental.
14. Office furniture, appliances and supplies.
15. Parcel delivery station.
16. Plumbing and heating contractor.
17. Printing, lithography, publishing and photocopying.
18. Radio or television broadcasting station, including studies, auditoriums and other rooms for performances, and including office and other space incident to and necessary for the principal use.

16-160.1 Principal Permitted Uses. A. All uses permitted in the R-A and C districts.
19. Repair or service facility for household furnishings or personal goods.
20. Shoe manufacturing or repair facility.
21. Sheet metal facility.
22. Signs and billboards.
24. Taxidermist.
25. Upholstery and furniture refinishing.

F. A building, structure or facility may be erected or used, and a lot may be used or occupied, for the industrial and manufacturing facilities for the fabrication, assembly, compounding, treatment, packaging, building or manufacturing of the following uses and purposes and no others, provided that no use shall be permitted which shall create a noxious, offensive or hazardous condition beyond the district boundary lines and all processing, manufacture, assembly, compounding, fabrication, construction, repairing, refinishing, selling, exchanging or distribution, as the case may be, shall be conducted within a completely enclosed building:

1. Small electrical or electronic appliances, lamps, fixtures, instruments, accessories and devices for home, commercial or industrial use, including the manufacture of small parts therefor.
2. Boats.
3. Electric and neon signs, billboards, commercial advertising structures, light sheet metal processes, such as stamping and extrusion of small products and metal finishing, cleaning, heat-treating, plating, polishing, rust-proofing and sharpening.
4. Musical and small precision instruments, controls, watches and clocks, toys, novelties and athletic equipment.
5. Articles or merchandise from the following previously prepared materials: metal, bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shells, textiles, tobacco, yarns and wood, but not including planing mill for wood, and paint, but not employing a boiling process for paint.
6. Candy, confectionery goods, cosmetics, perfumes, soap, soft drinks, toiletries and food products, fish, meat, poultry, sauerkraut, vinegar, and yeast; but not including the rendering or refining of fats, oils, tallow, or wax.
7. Food and food products for consumption by packaging, canning, freezing or preserving of fruits, vegetables, juices, sauces, jellies and other specialties thereof, dairy products, eggs, fish, meat, poultry, sauerkraut, vinegar and yeast.
8. Textile products, including clothing, apparel and other finished products made from fabrics and similar materials, including the manufacture of textiles, fabrics, fibers and threads.
9. Lumber and wood products, including mill work, prefabrication of structural wood products, wooden containers, household and office furniture.
10. Paper products, including the conversion of paper and paperboard, but excluding the manufacture of paper.
11. Printed products, including publishing, lithographing or engraving thereof, plate printing, greeting card manufacture and bookbinding.
12. Chemicals and drugs into pharmaceutical products and preparation.
13. Jewelry, silverware, musical instruments, sporting and athletic goods, pens, pencils and buttons.
14. Public or private warehouses and storage facilities for household goods, farm products, refrigerated warehousing and storage of special products not of an explosive, lethal, toxic, volatile or radioactive nature.
15. Cafeteria, first aid or medical facilities located within a building and operated by or for the employer and for the exclusive use of employees or guests.
16. Industrial Parks. Every industrial park shall be an area of not less than fifty acres herein one or more buildings, structures, or facilities are erected or located in relation to one another as part of an integrated and comprehensively planned total unit, whether or not the buildings, structures or facilities are erected simultaneously or over a period of time, and in, or upon which buildings, structures and facilities permitted by this chapter are hereafter erected, and uses permitted by this chapter are carried on. (Amended by Ord. 1991-6 § 8)
16-160.2 Accessory Uses Permitted. A. Off-street parking, fences and walls.
B. Uses and structures customarily accessory and incidental to the permitted use.
D. See land subdivision and site plan ordinances of the township. (Amended by Ord. 1991-6, § 9)

16-160.3 Building Height. No structure shall exceed four stories or thirty-five feet in height except as provided under Section 16-290, height limits, and except where the requirements of the FAA dictate a lesser maximum height.

16-160.4 Area and Bulk Requirements. A. Permitted Uses.
1. Minimum lot area, one acre.
2. Minimum lot width dimensions, one hundred fifty feet.
3. Minimum lot depth dimensions, two hundred feet.
4. Minimum yard dimensions for principal building:
   a. Front, fifty feet.
   b. Each side, twenty feet.
   c. Rear, forty feet.
B. Minimum Accessory. Building setbacks shall be from:
1. Front lot line, sixty feet.
2. Side lot line, fifteen feet.
3. Rear lot line, twenty-five feet.
4. Principal building, fifteen feet.
C. Maximum Requirements.
1. Principal building coverage, twenty-five percent.
2. Accessory building coverage, ten percent.
3. Paved surface, forty percent.
4. Building height, thirty-five feet. (Amended by Ord. 1991-6, § 10)
16-190 Federal Installation.

16-190.1 District Established. The Pinelands area of Maguire Military Installation, as delineated by the Pinelands Protection Act, R.S. 13:18A-1, et seq., is established as a district superimposed upon other districts established pursuant to this zoning chapter.

16-190.2 Permitted Uses. Used associated with the function of the federal installation or another essential public service sanctioned by the installation are permitted, provided that:

A. All development undertaken by the federal government substantially meets the standards of N.J.A.C. 7:50-6 of the Pinelands Comprehensive Management Plan or an intergovernmental agreement entered into pursuant to N.J.A.C. 7:504, Part IV; and

B. All development undertaken by another level of government meets the standards of N.J.A.C. 7:50-6 of the Pinelands Comprehensive Management Plan or an intergovernmental agreement entered into pursuant to N.J.A.C. 7:-50-4, Part IV. (Amended by Ord. 1988-24 § 2)

16-200 Lot Use.

16-200.1 Principal Use. No lot shall have erected upon it more than one principal use. No more than one principal dwelling or building shall be permitted on one lot except shopping centers and apartments receiving site plan approval where all uses are permitted for that zone and except agricultural uses where the residence and permitted agricultural business are permitted on the same lot. This restriction shall not apply to housing facilities for farm laborers employed on the premises during the term of their employment.

16-200.2 Accessory Buildings. A. Accessory Buildings as Part of Principal Buildings. Any accessory building attached to a principal building shall be considered part of the principal building and the total structure shall adhere to the yard requirements for the principal building regardless of the technique of connecting the principal and accessory buildings.

B. Accessory Buildings Not to be Constructed Prior to Principal Buildings. No building permit shall be issued for the construction of an accessory building prior to the issuance of a building permit for the construction of the main building upon the same premises. If construction of the main building does not precede or coincide with the construction of the accessory building, the construction officer shall revoke the building permit for the accessory building until construction of the main building has proceeded substantially toward completion. The construction officer may, however, issue a permit for temporary construction buildings used only during the construction of the principal and accessory buildings. Temporary permit shall be for a period not to exceed a period of one year and shall be renewed only while construction is actually in progress. All temporary construction buildings shall be removed upon the expiration of the permit.

C. Poultry or Livestock Shelter. No poultry or livestock shelter shall be erected nearer than one hundred feet to any lot line.

D. Height and Area of Accessory Building. Accessory buildings shall not exceed two stories or twenty-five feet in height and may not occupy more than twenty-five percent of the yard in which it is located or a maximum of one thousand two hundred square feet, whichever is smaller, except that agricultural buildings shall be excluded from these requirements.

E. Location of Accessory Building. An accessory building or a private parking area shall not be located in any required front yard space.

F. Side and Rear Setbacks. Accessory buildings used for temporary housing shall conform to side yard and rear yard setbacks. The side yard and rear yard setback for other accessory buildings shall be
equal to the height of the accessory building, but not less than ten feet.

16-210 Performance Standards.

16-210.1 Buffers. Buffer areas shall be required along property and street lines of all commercial, apartment, industrial, institutional and mobile home park uses where such property lines or the centerline of the street are also zoning district lines. Buffer areas shall comply with the following standards:

A. The buffer area shall be measured from the district boundary line or from the near street line where that street centerline serves as the district boundary line.

B. Buffer areas shall be maintained and kept clean of all debris, rubbish, weeds and tall grass.

C. No structure, activity, storage of materials, or parking of vehicles shall be permitted in the buffer area or such larger portions of the buffer area, if specified for a particular zoning district in subsection 16-070.5, district regulations, except access drives from public streets, one unlighted directional sign per each direction of traffic per access drive, and signs as specified in the Design Standards Code.

D. Buffer widths shall be established in each zoning district. No less than the exterior half of the buffer area shall be planted and maintained with grass or ground cover, massed evergreens, and deciduous trees and shrubs of such species and size as will produce, within two growing seasons, a screen at least four feet in height and of such density as will obscure, throughout the full course of the year, all of the glare of automobile headlights emitted from the premises. The preservation of all natural wooded tracts, rock outcroppings or topographic features shall be an integral part of all site plans regardless of their proximity to required buffer areas.

1. Massed evergreens used in screen planting shall be at least four feet in height when planted and produce a complete visual screen year-round.

2. The screen planting shall be maintained permanently and any plant material which does not live shall be replaced within one year.

3. The screen planting shall be so placed that at maturity it will be no closer than three feet from any street or property line.

4. The screen planting shall be broken only at points of vehicular and pedestrian ingress and egress. In accordance with the provisions of subsection 16-220.1 and 16-220.2, a clear-sight triangle shall be maintained at all street intersections and at all points where private accessways intersect public streets.

E. No screen planting shall be required along streets which form district boundary lines provided that:

1. No outdoor processing or manufacturing activity and no outdoor storage of materials shall be so located that it is visible from the adjacent residential district or street.

2. Only the front of any proposed building shall be visible from the adjacent residential district.

16-210.2 Electricity. Electric or electronic equipment shall be shielded so there is no interference with any radio or television reception at the lot line or beyond as the result of the operation of such equipment.

16-210.3 Glare. No use shall produce a strong dazzling light or a reflection of a strong dazzling light or glare beyond its lot lines. Exterior lighting shall be shielded, buffered and directed so that glare will not become a nuisance to adjoining properties, adjoining districts or streets.

16-210.4 Heat. No use shall produce heat perceptible beyond its lot lines. Further, no process shall be permitted which would cause the temperature to rise or fall in any part of ponds, streams or other watercourses.

16-210.5 Storage and Waste Disposal. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall any substance, which can contaminate a stream, watercourse or underground aquifer or otherwise render such
stream, watercourse or underground aquifer undesirable as a source of water supply or recreation, or destroy aquatic life, be allowed to enter any stream, watercourse or underground aquifer. All materials or wastes which might cause fumes or dust or which constitute a fire or explosion hazard or which may be edible or otherwise attractive to rodents or insects shall be stored indoors or enclosed in appropriate containers adequate to eliminate such hazards.

16-210.6 Vibrations. No use shall cause earth vibrations or concussions in excess of the standards outlined below, with the exception of that vibration produced as a result of construction activity. The standards below are as set forth in the Table of Frequency Amplitude Relations. Vibrations shall be expressed as displacement in inches and shall be measured with a standard three-component measuring system, which is a device for recording the intensity of any vibration in three mutually perpendicular directions.

16-210.7 Other Standards. All other standards including, but not limited to: radiation, smoke emission, solid particle emission or steam or noxious gas emission shall be regulated by the Air Pollution Code of the New Jersey Department of Environmental Protection and shall meet the maximum standards set forth therein.

<table>
<thead>
<tr>
<th>Ground Motion In Cycles per Second</th>
<th>Max. Amplitude of Ground Motion in Inches</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 10</td>
<td>.0305</td>
</tr>
<tr>
<td>10 - 20</td>
<td>.0153</td>
</tr>
<tr>
<td>20 - 30</td>
<td>.0102</td>
</tr>
<tr>
<td>30 - 40</td>
<td>.0076</td>
</tr>
<tr>
<td>40 - 50</td>
<td>.0061</td>
</tr>
<tr>
<td>50 - 60</td>
<td>.0051</td>
</tr>
</tbody>
</table>

16-220 Design Standards.
16-220.1 Sight Triangles. Sight triangles shall be required at each quadrant of an intersection of streets, and streets and driveways. The area within sight triangles shall be either dedicated as part of the street right-of-way or maintained as part of the lot adjoining the street and set aside on any subdivision or site plan as a sight triangle easement. Within a sight triangle, no grading, planting or structure shall be erected or maintained more than thirty inches above the street centerline or lower than twelve feet above the street centerline. The sight triangle shall be that area bounded by the intersecting street lines and a straight line which connects the "sight point" located on each of the two intersecting street centerlines the following distances away from the intersecting street centerlines: arterial streets at three hundred feet; collector streets at two hundred feet; and primary and secondary local streets at ninety feet. Where the intersecting streets are both arterial, both collectors, or one arterial and one collector, two overlapping sight triangles shall be required formed by connecting the sight points noted above with a sight point ninety feet on the intersecting street. The classification of existing and proposed streets shall be those shown on the adopted master plan or as designated by the planning board at the time of the application for approval for a new street not included on the master plan. A sight triangle easement dedication shall be expressed on the site plan as follows: "Sight triangle easement subject to grading, planting and construction restrictions as provided for in the Zoning Ordinance of the Township of North Hanover." Portions of a lot set aside for the sight triangle may be calculated in determining the lot area and may be included in establishing the minimum setback provisions of this chapter.

16-220.2 Fences and Walls. Fences and walls shall not be located in any required sight triangle and shall not be higher than four feet, unless setback from the street line the minimum setback required for the zone, except that there shall be no height limitations other than the maintenance of a clear sight triangle on living fences, fences around agricultural uses, and fences around utility and industrial uses. Fences and walls shall not exceed six feet in height when located more than the required setback from the street line in a residential zone. Fences and walls located in the required setback area shall have
open space for light and air representing at least fifty percent of the fence area.

16-220.3 Grading. All lots being filled shall be filled with clean fill and/or topsoil to complete surface draining of the lot into local storm systems or natural drainage rights-of-way. No construction shall be permitted which creates or aggravates water stagnation or a drainage problem on adjacent properties or any public right-of-way.

16-220.4 Lighting. All area lighting shall provide for nonglare, color corrected lights directed downward, or translucent fixtures with shields around the light source. The light intensity provided at ground level shall average a maximum of five-tenths foot candle over the entire area, and the spacing shall be such that the ratio of maximum to minimum illumination shall not exceed a six:one ratio. For each fixture and lighted sign, the total quantity of light radiated above a horizontal plane passing through the light source shall not exceed seven and one-half percent of the total quantity of light emitted from the light source. Any other outdoor lighting shall be shown on the site plan in sufficient detail to allow determination of the effects at the property line and on nearby streets, driveways, residences and overhead sky glow. The objective of these specifications shall be to minimize undesirable off-site effects. No lighting shall shine directly or reflect into windows, or onto streets and driveways in such a manner as to interfere with driver vision. No lighting shall be of yellow, red, green or blue beam nor be of a rotating, pulsating, beam or other intermittent frequency. The intensity of such light sources, light shielding, the direction and reflection of the lighting and similar characteristics shall be subject to site plan approval by the planning board.

16-220.5 Yards. A. Yards; Used by Another Building Prohibited. No open space provided around any principal building for the purposes of complying with the front, side, rear or other yard provisions of the chapter shall be considered as providing the yard provisions for another principal building.

B. Yards; Size Regulations. Front yards shall be measured from the lot line immediately adjacent to the street line as defined in this chapter. On a lot which extends through a block in a manner resulting in frontage on two or more streets, including corner lots, the building setback from each street, whether considered the front, side or rear yard, shall not be less than the required depth of a front yard in the district in which such lot or applicable portion of the lot is located.

16-230 Off-Street Parking and Loading.

16-230.1 Access to Lots. Access drives shall be limited to a maximum of two to any street; centerlines shall be spaced at least sixty-five feet apart. Each access drive shall:

A. Handle no more than two lanes of traffic.

B. Be at least fifty feet or one-half the lot frontage, whichever is greater, but need not exceed two hundred feet from the street line of any intersecting street.

C. Be at least twenty feet from any property line. When the width of a property along any one street exceeds five hundred feet in length, one access drive may be permitted for each two hundred fifty feet of property frontage. The width of the curb cut shall be determined by the type traffic to be handled and the limitation to no more than two lanes of traffic. Driveways with widths exceeding twenty-four feet shall be reviewed by the planning board giving consideration to the width, curbing, direction of traffic flow, radii of curves, and traffic lane divider. Curbing shall be either depressed at the driveway or have the curbing rounded at the corners with the access drive connected to the street in the same manner as another street.

16-230.2 Access to Parking and Loading Spaces. Individual parking and loading spaces shall be served by internal, on-site driveways designed to permit each motor vehicle to proceed to and from each parking and loading space without requiring the moving of any other motor vehicle and shall be dimensioned as outlined in subsection 16-230.5 of this section. Where the angle of parking is different
on both sides of the aisle or driveway, the larger aisle width shall prevail.

16-230.3 Buffers. Parking and loading areas for apartment, townhouse, commercial and industrial uses shall be buffered from adjoining streets, existing residential use, or any residential zoning district in a manner meeting the objectives of Section 16-210.

16-230.4 Curbing. All off-street parking and loading areas shall have concrete or belgian block curbing around the perimeter of the parking and loading areas and to separate major interior driveways from parking spaces. Curbing may also be installed within the parking or loading areas to define segments of the parking or loading areas. Concrete wheel blocks may be located within designated parking or loading spaces. All curbing shall be located in conjunction with an overall drainage plan. Curbing installed at locations requiring pedestrian or bicycle access over the curbing shall be designed with breaks in the curb height with ramps from the street grade to the sidewalk. The breaks shall be either opposite each traffic lane or no less frequent than one every sixty-five feet along the curb.

16.230.5 Dimensions. Off-street parking spaces shall be ten feet wide and a minimum of nineteen feet long in accordance with the following schedule. In any event a minimum of five spaces, but not more than five percent of all spaces, shall be a minimum of twelve feet wide. These wider spaces shall be located in one area and designated as parking for the handicapped. They shall be located so that access does not require wheeling or walking behind parked cars.

A. Parking Spaces. Specifications for parking spaces ten feet wide shall be:

<table>
<thead>
<tr>
<th>Angle of Parking</th>
<th>One-Way Aisle</th>
<th>Two-Way Aisle</th>
</tr>
</thead>
<tbody>
<tr>
<td>90 degrees</td>
<td>25 feet</td>
<td>25 feet</td>
</tr>
<tr>
<td>60 degrees</td>
<td>20 feet</td>
<td>22 feet</td>
</tr>
<tr>
<td>45 degrees</td>
<td>18 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>30 degrees</td>
<td>15 feet</td>
<td>18 feet</td>
</tr>
<tr>
<td>parallel</td>
<td>12 feet</td>
<td>18 feet</td>
</tr>
</tbody>
</table>

B. Off-Street Loading. Off-street loading spaces shall have fifteen feet of vertical clearance and be designed in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Loading Space Length</th>
<th>Apron-Aisle Width</th>
<th>Apron-Aisle 90 Degrees</th>
<th>Apron-Aisle 60 Degrees</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 feet</td>
<td>10 feet</td>
<td>72 feet</td>
<td>66 feet</td>
</tr>
<tr>
<td>60 feet</td>
<td>12 feet</td>
<td>63 feet</td>
<td>57 feet</td>
</tr>
<tr>
<td>60 feet</td>
<td>14 feet</td>
<td>60 feet</td>
<td>54 feet</td>
</tr>
</tbody>
</table>

16-230.6 Drainage. All parking and loading shall have catch basins and drainage facilities installed in accordance with good engineering practice as approved by the township engineer. Where subbase conditions are wet, springy, or of such nature that surfacing would be inadvisable without first treating the subbase, these areas shall be excavated to a depth of at least six to twelve inches below the proposed finished grade and filled with a suitable subbase material as determined by the township engineer. Where required by the engineer, a system of porous concrete pipe subsurface drains shall be constructed beneath the surface of the paving and connected to a suitable drain. After the subbase material has been properly placed and compacted, the parking area surfacing material shall be applied.

16-230.7 Surfacing to be Approved as Part of the Site Plan Approval. A. Areas of ingress and egress, loading and unloading areas, major interior driveways and aisles, and other areas likely to experience similar heavy traffic shall be paved with not less than four inches of compacted base coarse of plant-mixed bituminous stabilized base coarse constructed in layers not more than two inches compacted thickness, or equivalent, and prepared and constructed in
accordance with Division 3, Section 2A, of the New Jersey Department of Transportation Standard Specifications for Roads and Bridge Construction (1961), and amendments thereto. A minimum two inch thick compacted wearing surface of bituminous concrete (FABC), or equivalent, shall be constructed thereon in accordance with Division 3, Section 10, of the New Jersey Department of Transportation Specifications and amendments thereto.

B. Parking space areas and other areas likely to experience light traffic shall be paved with not less than three inches of compacted base coarse of plant-mixed bituminous stabilized base coarse, or equivalent, prepared and constructed in accordance with Division 3, Section 2A of the New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction (1961) and amendments thereto. At least one and one-half inch compacted wearing surface of bituminous concrete (FABC), or equivalent, shall be constructed thereon in accordance with Division 3, Section 10, of the New Jersey Department of Transportation Specifications and amendments thereto.

16-230.8 Landscaping for Parking and Loading Areas. Landscaping in parking and loading areas shall be shown on the landscaping plan. Trees shall be staggered or spaced so as not to interfere with driver vision, have branches no lower than six feet, and placed at the rate of at least one tree for every ten parking spaces. All areas between the parking area and the building shall be landscaped per approved drawings. Any plantings which do not live shall be replaced within one year or one season. A majority of the parking area shall be obscured from streets by buildings, landscaped berms, natural ground elevation or plantings, singularly or in combination. Whenever possible landscape shall conform to predominating architectural features of structures, e.g. Spanish and Desert, stone mulches; Early American, formal lines.

16-230.9 Minimum Loading Requirements. Adequate off-street loading and maneuvering space shall be provided for every use. There shall be a minimum of one space per use except that where more than one use shall be located in one building or where multiple uses are designed as part of a shopping center or similar self-contained complex, the number of loading spaces shall be based on the cumulative number of square feet within the building or complex, shall be dispersed throughout the site to best serve the individual uses, and shall have site plan approval.

There shall be a minimum of one trash-garbage pickup location separate from the parking and loading areas and located either within or outside a building in steel-like, totally enclosed containers located and screened to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts. If located within the building, the doorways may serve both the loading and trash-garbage functions. If a container is used for trash-garbage collection functions and is located outside the building, it may be located adjacent to or within the general loading areas, provided the containers in no way interfere with or restrict the loading or unloading functions.

The minimum number of spaces shall be based on the following schedule. Those uses not listed shall provide sufficient spaces as determined under site plan review.

Where any use is located on a tract of at least fifty acres and no portion of a loading area, including maneuvering areas, is closer than two hundred feet to any property line and where the length of the driveway connecting the loading area to the street is at least three hundred feet, the number of off-street loading spaces may be less than the number required by the above schedule provided the applicant as part of the site plan application shall indicate on his site plan and shall document to the planning board how the number of spaces to be provided will be adequate to meet the needs of the specific use proposed.
| Residential, church | | | |
| School, pool, fire house, | | | |
| Golf course, day care | | | |
| Center, service station, | | | |
| Movie theater, car wash | | | |
| Auto-truck sales | 1 | 10,000 | 40,000 | 40,000 |
| Bowling alley | 1 | 10,000 | 100,000 | 100,000 |
| Contractor’s yard | 1 | 10,000 | 25,000 | 20,000 |
| Financial institution | 0 | 10,000 | 100,000 | 100,000 |
| Hospital | 1 | 10,000 | 100,000 | 100,000 |
| Library | 0 | 10,000 | 100,000 | 100,000 |
| Lumber yard | 1 | 10,000 | 25,000 | 20,000 |
| Mfg. ass’y. fabricating | 1 | 5,000 | 40,000 | 30,000 |
| Medical center | 0 | 10,000 | 100,000 | 100,000 |
| Mortuary | 1 | 10,000 | 100,000 | 100,000 |
| Motel | 1 | 10,000 | 100,000 | 100,000 |
| Municipal building | 0 | 10,000 | 100,000 | 100,000 |
| Night club | 1 | 10,000 | 25,000 | 20,000 |
| Office and office bldg. | 1 | 10,000 | 100,000 | 100,000 |
| Personal service | 0 | 10,000 | 20,000 | 20,000 |
| Professional office | | | |
| As home occupation | 0 | 10,000 | N.A. | N.A. |
| Research | 1 | 5,000 | 40,000 | 40,000 |
| Restaurant | 1 | 10,000 | 25,000 | 20,000 |
| Retail store | 1 | 10,000 | 20,000 | 20,000 |
| Shopping center | 1 | 10,000 | 10,000 | 40,000 |
| Veterinary hospital | 1 | 10,000 | 100,000 | 100,000 |
| Warehouse, shipping | | | |
| and receiving | 1 | 5,000 | 40,000 | 30,000 |
| Wholesale fuel | | | |
| distribution | 1 | 10,000 | 40,000 | 30,000 |

* The minimum number of spaces shall prevail for uses that have not attained the gross floor area where the first space is required.
16-230.10 Minimum Parking Requirements. The number of parking spaces for each use shall be determined by the number of dwelling units, the amount of gross floor area as defined in this chapter, or such other measure as noted below. Where a particular function contains more than one use, the total parking requirements shall be the sum of the component parts.

Minimum parking requirements shall be as follows:

Auto-truck sales, one space for each fifty square feet showroom area and sales office.

Bowling alley, four spaces each alley.

Car wash, eight spaces per washing lane.

Church, one space for each three seats.

Community swimming pool, one space for fifteen square feet of water surface area.

Day care center, one space for each six hundred square feet G.F.A.

Detached dwelling, two.

Financial institution, one space for each two hundred fifty square feet of G.F.A.

Fire house, one space for each four hundred square feet of G.F.A.

Garden apartments:

Efficiency unit, one unit.

One bedroom unit, one and one-half unit.

Two bedroom unit, one and three-quarters unit.

Three bedroom plus unit, two units.

Golf course, four spaces per hole.

Hospital, one and one-half spaces per bed.

Library, one space for each three hundred square feet G.F.A.

Lumber and contractor’s yard, one space per five thousand square feet gross yard area required for the use.

Manufacturing, assembly, fabrication, one space each eight hundred square feet G.F.A.

Medical center, doctor or dentists’ office, one space each one hundred fifty square feet G.F.A.

Mortuaries, ten spaces, viewing room and chapel.

Motel, one and one-tenth space per unit.

Movie theater, one space each three seats, one space each four seats in shopping centers.

Municipal building, one space each six hundred square feet G.F.A.

Night club, one space each three seats.

Office and office building, one space each two hundred fifty square feet G.F.A.

Personal service, one space each two hundred square feet G.F.A.

Professional office as home occupation, one space each two hundred square feet G.F.A., minimum of six spaces.

Research, one space each one thousand square feet G.F.A.

Restaurant, one space per two seats.

Retail store, one space, each two hundred square feet G.F.A.

Schools:

Elementary, one and two-tenth spaces each classroom plus a minimum of one space for teacher and staff.

Intermediate, one and one-half spaces per classroom plus a minimum of one space for teacher and staff.

Secondary, one space for classroom plus a minimum of two spaces for teacher and staff plus one space per ten students based on school capacity.

Service station, four spaces each bay and work area.

Shopping center, five and one-half spaces each one thousand square feet G.F.A.*

Structure with two dwelling units, four.

Townhouse, two.

Veterinary hospital, six spaces per examination room or doctor, whichever is greater.

Warehouse, shipping and receiving, one space each five thousand square feet G.F.A.

Wholesale fuel distribution, one space, each ten thousand square feet gross yard area required for the use.

* Maximum twenty percent of G.F.A. can be office use without additional parking for the office use. Office use above twenty percent shall require parking at the appropriate rate.

Note: G.F.A. equals gross floor area.
16-230.11 Location of Parking and Loading Areas. A. No off-street loading and maneuvering areas shall be located in any front yard.

B. Loading spaces shall be located on the same lot as the use being served, may abut the building being served rather than requiring a setback from the building, and shall be located to directly service the building for which the space is being provided. Parking spaces shall be located at least twenty feet from any building being served.

C. No loading and parking spaces shall be located in any required buffer area.

D. Off-street parking spaces for office buildings, other than offices in shopping centers, may have parking located in the front yards limited to not more than twenty percent of the total number of spaces required.

E. Parking spaces located to service residential uses shall be within one hundred fifty feet of the entrance of the building. Parking spaces located to service commercial or industrial uses shall be within three hundred feet of the building entrances.

F. No parking shall be permitted in fire lanes, streets, driveways, aisles, sidewalks, or turning areas.

G. Parking spaces for shopping centers may be located in any yard. Parking spaces for residential uses may be located in any yard as designated for individual structures within a complex, but parking shall be discouraged from being located in the yard space between the existing public streets and the setback line, but when located within this yard area, shall be set back from the street a minimum of one hundred feet.

16-230.12 Commercial and Recreational Vehicles in Residential Zones.

A. No person shall park any truck, bus, trailer or tractor, the gross registered weight of which exceeds eight thousand pounds, out-of-doors within the R-1 or R-2 zones in the township. This requirement shall not pertain to farms.

B. Nothing within this chapter shall be construed as preventing vehicles exceeding a gross registered weight of eight thousand pounds from making deliveries of merchandise within the R-1 or R-2 zones or as prohibiting any vehicle exceeding the gross registered weight of eight thousand pounds, used by any public utility company in connection with the construction, installation, operation or maintenance of public utility facilities, from parking while being used for such purposes. Neither shall this chapter be construed as preventing vehicles exceeding a gross registered weight of eight thousand pounds from being used in cases of emergencies within the R-1 or R-2 zones of the township, in order to preserve and protect persons and property within the R-1 or R-2 zones.

C. Recreational vehicles may be parked outside, in side or rear yard areas only with a limit of one recreational vehicle per family permitted outside a building. Recreational vehicles so parked shall not be used for temporary or permanent residential purposes, except in accordance with Section 4-040 of this code.

16-230.13 Waiver of Parking or Loading Requirements. The planning board may waive a portion of the parking or loading requirements of this section or may require additional space if the particular use warrants, provided the following requirements are met:

A. The variation is no greater than twenty percent of the requirements set forth herein.

B. The variation is based on testimony presented or a report prepared by a recognized traffic expert.

C. The variation is determined after a public hearing on the site plan with appropriate notice given to property owners within two hundred feet of the property in question.

16-240 Nonconforming Use, Structures or Lots.

16-240.1 Continuance. Except as otherwise provided in this section, the lawful use of land, buildings or structures existing at the date of the adoption of this chapter may be continued, although such use does not conform to the regulations specified by this chapter for the zone in which such land, buildings or structures are located; provided that no existing
buildings or structures devoted to a use not permitted by this chapter in the district in which such buildings or structures are located shall be enlarged, extended, constructed, reconstructed, substituted, relocated, erected, converted to another use or structurally altered except in conformity with the regulations of this chapter for the district in which such buildings or structures are located. Also, land on which a nonconforming use or structure is located shall not be reduced in size, nor shall any lot already nonconforming be made more nonconforming in any manner.

16-240.2 Abandonment. A nonconforming use shall be considered abandoned if:

A. It is terminated by the owner.

B. A nonconforming use of a structure or a structure and land in combination is discontinued or abandoned for twelve consecutive months.

C. A nonconforming use of land ceases for a period of twelve months. Thereafter the use of such building, structure and/or land shall be in conformity with this chapter.

16-240.3 Conversion to Permitted Use. Any nonconforming structure or use which has been changed to a conforming structure or use shall not be changed back again into a nonconforming structure or use.

16-240.4 Restoration. Any nonconforming structure or use which has been destroyed or damaged by fire, explosion, flood, windstorm or other act of God shall be examined by the township construction official, the owner or an architect or engineer selected by the owner, and a third person agreed to and paid in equal portions by the township and the owner. If, in the opinion of a majority of these three people, the damage is such that it is not repairable, it may be rebuilt only upon approval of a use variance as provided by law.

In the event of a damaged or condemned structure where the damage is repairable in the opinion of the majority of the above three people, the nonconforming structure or use may be rebuilt and used for the same nonconforming use provided it does not exceed the height, area and volume of the original structure and the reconstruction shall commence within one year from the date the building was damaged or condemned and shall be carried on without interruption.

16-240.5 Repairs and Maintenance. Repairs and maintenance work required to keep a structure in sound condition may be made to a nonconforming structure or a structure containing a nonconforming use.

16-240.6 Sale. Any nonconforming use, structure or lot may change ownership and continue to function as the same nonconforming use, structure or lot, provided the other provisions of this section are met and it is not in conflict with any existing ordinances.

16-240.7 Undersized Lots. Any existing lot on which a building or structure is located and which lot does not meet the minimum lot size or a structure which does not meet all the yard requirements, may have additions to the principal building and/or construct an accessory building without an appeal to the board of adjustment provided:

A. The total permitted building coverage is not exceeded.

B. The accessory building and/or any addition do not violate any other requirements of this chapter such as, but not limited to, height, setback and parking.

16-250 Conditional Uses.

16-250.1 Definition. "Conditional use" means a use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in the zoning ordinance, and upon the issuance of an authorization therefore by the planning board. (Ord. 1992-1, § 2)

16-250.2 General Provisions and Principles. A. Conditional uses are so classified because they have
specific characteristics making them unsuitable, in a planning sense, for indiscriminate location within a district, and same are uses ordinarily requiring special standards related to traffic patterns, street access, parking and the like in order to assure their functional and physical compatibility with the district as a whole and their appropriate integration into the district or zone.

B. Recognizing that certain uses, activities and structures are necessary to serve the needs and convenience of the township and at the same time recognizing that such uses may be or become inimical to the public health, safety and general welfare if located and operating without proper consideration being given to existing conditions and character of the surrounding area, said uses shall be designated as “conditional uses,” in addition to other powers conferred by this section and applicable statutes, the planning board shall have original jurisdiction pursuant to the procedural requirements established in this section to grant authorization for a conditional use under the terms and conditions established by this section. (Ord. 1992-1, § 3 (part))

16-250.3 General Guidelines. A. Before a building permit or certificate of occupancy shall be issued for any conditional use as permitted, application shall be made to the planning board. The planning board shall grant or deny said application within ninety-five days of submission of a complete application or within such further time as may be consented to by the applicant.

B. The review by the planning board of conditional use shall include site plan review pursuant to the site plan review requirements of the land use ordinance of the township. Public notice and a hearing shall be required. Public notice shall be that as required for a variance pursuant to the New Jersey Municipal Land Use Act, NJSA. 40:55D-11 and 12 et seq.

C. In all requests for approval of conditional uses the burden of proof shall be upon the applicant. In making it’s decision on an application for a conditional use, the board shall take no action which will be detrimental to the public welfare or which shall substantially impair the intent and purpose of the land use ordinance or master plan. The board may attach terms and conditions to an approval of such application if, in its judgment, it will preserve such public welfare or such intent and purpose as above. The board shall be guided by the following principles:

1. The proposed use will not be prejudicial to the character of the neighborhood.

2. The proposed use does not affect adversely the general plans for the physical development of the township as it is embodied in the land use ordinances for the township and the master plan or any portion thereof.

3. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

4. The proposed use will not be affected adversely by the existing uses.

5. The proposed use will adequately provide for access facilities for the estimated traffic from public streets and sidewalks.

6. The proposed use shall be subject to the off street parking, loading and service requirements as set forth herein.

7. Screening or buffer strips, as required, shall be installed.

8. No outdoor flood lighting or spot lighting shall be permitted to shine directly or indirectly on any abutting property.

9. The proposed use shall be reasonable in terms of the logical, efficient and economical extension of public services and facilities such as water, sewers, police and fire protection, transportation, recreation and public schools.

10. Each proposed use shall be further subject to specific conditions as set forth in subsection 16-250.5 of this section. Such conditional uses shall adhere to the minimum standards specified for the particular use herein and to such additional conditions and safeguards as in the opinion of the planning board will implement the intent and objectives of this section. Unless otherwise specified herein, each proposed use shall be subject to the standards for design or otherwise as set forth in the revised
general ordinances of the township and the Municipal Land Use Act, NISA 40:55D-1, et seq. (Ord. 1992-1, § 3 (part))

16-250.4 Conditional Uses; Zones. The following uses shall be defined as conditional uses as allowed in this section and specifically authorized as such for the specified zone or zones.
1. Public schools — all zones;
2. Parochial or private day schools — all zones;
3. Churches — residential/agricultural zone;
4. Libraries — residential/agricultural zone;
5. Regulation golf courses — residential/agricultural zone;
6. Country clubs — residential/agricultural zone;
7. Community centers — residential/agricultural zone;
8. Nursing homes — residential/agricultural zone;
9. Hospitals and medical centers — All zones except R-1 and R-2;
10. Bakery and baked goods retailing in conjunction with farm stands — residential/agricultural zone;
11. Philanthropic or eleemosynary uses — all zones except R-1, RA and R-2;
12. Quasi public buildings — all zones;
13. Public utility uses — all zones except R-1 and R-2;
14. Cemeteries — all zones except R-1 and R-2;
15. Camps and campgrounds — residential/agricultural zone;
16. Childcare centers — commercial zone;
17. Clubs, lodges, social buildings and fraternal organizations — all zones except R-1 and R-2;
18. Hotels and motels — C-1 zone;
19. Medical institutions — all zones except R-1 and R-2;
20. Adult care centers — all zones except R-1 and R-2;
21. Raising, breeding and keeping of small animals raised for sale as pets or for laboratory research purposes — residential/agricultural zone;
22. Motor freight terminals — industrial zone;
23. Satellite dish antennas — all zones;
24. Bed and breakfast — RA and commercial zone;
25. Communication towers — commercial and industrial zones. (Ord. 1992-1, § 3 (part))

16-250.5 Performance Standards for Uses. An application for a permit shall provide documentation that the intended use will comply with the performance standards enumerated below. In the case of a structure being built where the future use is not known, a construction permit may be issued with the condition that no certificate of occupancy will be issued until such time as this documentation is submitted with respect to the particular occupant. A new application and a new certificate of occupancy shall be required in the event of a change of any user of any structure. In reviewing any site plan, the board shall consider the following:

A. Traffic. Pedestrian and vehicular traffic movement within and adjacent to the site, with particular emphasis on the provision and layout of parking areas, off-street loading and unloading and movement of people, foods and vehicles from access roads within the site, between buildings and between buildings and vehicles, should be carefully reviewed. The board shall ensure that all parking spaces are usable and are safe and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.

B. Design and Layout. The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection, impact on surrounding development and contiguous and adjacent buildings and lands.

C. Lighting. Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be of a type approved by the board. Directional lights shall be arranged so as to minimize glare and reflection on adjacent properties.
Ordinance 2009-19 Section 4. This section amends the development regulations of the North Hanover Township code by supplementing section 250 entitled "Conditional Uses" by adding Conditional Uses and establishing standards for the same.

16-250.4 Conditional uses zones

26. Farm Equipment sales, new and used farm equipment sales and dealers (RA Zone)
27. Kennel (RA Zone)
28. Veterinary offices and animal hospitals (RA Zone)
29. Agricultural employee housing (RA Zone)
D. Buffers. Buffering shall be located around the perimeter of the site and/or in groupings at strategic locations in order to minimize the glare of headlights of vehicles, lights from structures, noise and the movement of people and vehicles and to shield activities from adjacent properties, etc. Buffering may consist of fencing, evergreens, shrubs, bushes, deciduous trees, etc., or combinations thereof to achieve the stated objectives.

E. Landscaping. Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking and buffering requirements. Landscaping shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and the use of building and paving in an imaginative manner.

F. Signs. Signs shall be designed so as to be aesthetically pleasing, harmonious with other signs on the site and located so as to achieve their intended purpose without constituting a hazard to vehicles and pedestrians.

G. Storm Drainage, Sanitary Waste Disposal and Water Supply. Storm drainage, sanitary waste disposal and water supply shall be reviewed and considered. Particular emphasis shall be given to the adequacy of the existing system and the need for improvement, both on-site and off-site, to adequately carry runoff and sewerage and to maintain an adequate supply of water at sufficient pressure.

H. Garbage Disposal. Garbage disposal should be adequate to ensure freedom from vermin and rodent infestation.

I. Environmental Elements. Environmental elements relating to soil erosion, preservation of trees, protection of watercourses and resources, emission of glare, noise, odor, air and water pollution, aesthetic conditions, topography, soil and animal life shall be reviewed and the design of the plan shall minimize any adverse impact on these elements.

J. Support Facilities. Support facilities, including the proximity and capacity of community facilities necessary to sustain the needs and demands of the proposed development, should be carefully considered so as to maintain and promote balanced community environments. These support facilities may include phone booths, benches, bike racks, trash receptacles, bus shelters, tot-lots, game fields, open space and land dedication for educational facilities, firehouses, etc.

K. Electrical and/or Electronic Devices. All electrical or electronic devices shall be subject to the provisions of Public Law. 90-602, 90th Congress, HR 10790, dated October 18, 1968, entitled "An Act for the Protection of Public Health and Safety from the Dangers of Electronic Production Radiation." Radiation products, as defined in DHEW Publication No. (FDA) 78-8003, shall be so limited and controlled that no measurable energy can be recorded at any point beyond the property boundaries. The applicant, upon request, shall produce certified data wherein measurements made in accordance with the procedures and standards set forth in the DHEW Publication No. (FDA) 75-8003 adequately demonstrate compliance with the minimum standards established by the act. All other forms of electromagnetic radiation lying between 100KHz and 10MHz shall be restricted to the technical limits established in the Federal Communication Commission’s Rules and Regulations. Additionally, electric or electronic equipment shall be shielded so that there is no interference with any radio or television reception at the lot line (or beyond the operator’s dwelling unit in the case of multifamily dwellings) as a result of the operation of such equipment.

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

M. Heat. No use shall produce heat perceptible beyond its lot lines. Further, no use shall be permitted which would cause the temperature to rise or fall in any body of water.

N. Odor. Odors due to nonagricultural operations shall not be discernable at the lot line or beyond.

O. Storage and Waste Disposal. No materials or wastes shall be deposited upon a lot in such form or
manner that they may be transferred off the lot by natural causes or forces, nor shall any substance be deposited which can contaminate an underground aquifer or otherwise render such underground aquifer undesirable as a source or water supply or recreation, or which will destroy aquatic life. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored indoors and enclosed in appropriate containers adequate to eliminate such hazards. With respect to solid wastes, each business and industry shall:

1. Assume full responsibility for adequate and regular collection and removal of all refuse;

2. Comply with all applicable provisions of the Air Pollution Code, including prohibition of open burning on dumps and regulations applicable to sanitary landfill and incineration, except with proper permits from local, state or federal agencies;

3. Comply with all provisions of the State Sanitary Code, Chapter VIII, Refuge Disposal, Public Health Council of the State Department of Health;

4. Permit no accumulation on the property of any solid waste, junk or other objectionable materials.

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

Q. Radiation. All use of materials, equipment or facilities which are or may be sources of radiation shall comply with all controls, standards and requirements of the Radiation Protection Act, Chapter 116, P.L. 1958, as amended December 4, 1961, and any codes, rules or regulations promulgated under such act. No radioactive materials shall be buried on the premises. This provision shall not be effective until approved by the Commissioner of the Department of Health as provided in N.J.S.A. 26:2d-17.

R. Noise and Vibration Noise. Noise levels shall be designed and operated in accordance with local regulations and those rules established by the New Jersey State Department of Environmental Protection, as they are adopted and amended.

1. When measured at any point along the lot line, the sound pressure level radiated continuously from a facility between the hours of ten p.m. and seven a.m. shall not exceed the following in any octave band of frequency:

<table>
<thead>
<tr>
<th>Frequency Band</th>
<th>Sound Pressure Level in decibels re 0.0002 microbar</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 — 75</td>
<td>69</td>
</tr>
<tr>
<td>75 — 150</td>
<td>54</td>
</tr>
<tr>
<td>150 — 300</td>
<td>47</td>
</tr>
<tr>
<td>300 — 600</td>
<td>41</td>
</tr>
<tr>
<td>600 — 1200</td>
<td>37</td>
</tr>
<tr>
<td>1200 — 2400</td>
<td>34</td>
</tr>
<tr>
<td>2400 — 4800</td>
<td>31</td>
</tr>
<tr>
<td>4800 — 9600</td>
<td>28</td>
</tr>
</tbody>
</table>

2. If the noise is not smooth and continuous and is not radiated at nighttime, one or more of the following corrections shall be added to or subtracted from each of the decibel levels given below:

<table>
<thead>
<tr>
<th>Type of Operation or Character of Noise</th>
<th>Correction in Decibels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daytime operation only</td>
<td>+ 5</td>
</tr>
<tr>
<td>Noise source operates less than 20% of the time</td>
<td>+ 5*</td>
</tr>
<tr>
<td>Noise source operates less than 5% of the time</td>
<td>+ 10*</td>
</tr>
<tr>
<td>Noise source operates less than 1% of the time</td>
<td>+ 15*</td>
</tr>
<tr>
<td>Noise of impulsive character (hammering, etc.)</td>
<td>- 5</td>
</tr>
</tbody>
</table>
Noise of periodic character (hum, screech, etc.)

* Apply one of these corrections only.

3. The sound pressure shall be measured with a sound level meter conforming to American Standard Specification for General — Purpose Sound Level Meters, S.1.4-1961, rev. of Z 24.3-1944, and to an octave band analyzer conforming to the American Standard Specification for an Octave-Band Filter Set for the Analysis of Noise and Other Sounds, Z 24.10-1953, Vibration. No manufacturing, fabricating, research, testing or other processes requiring the use of blasting shall be permitted. Any necessary occasional, emergency or construction blasting shall conform to the limits of the table of frequency-amplitude relations and all other requirements of the Rules and Regulations Governing Blasting or Construction and Related Operations, Bureau of Engineering and Safety, State Department of Labor and Industry. No machinery, process or other use will be permitted that causes any mechanical or earth vibration that is detectable beyond the lot line. When operations involve the use of heavy machinery, testing or other facilities likely to produce mechanical vibration, the building shall be constructed and the machinery and equipment shall be installed in such manner as to eliminate the possibility of mechanical vibration or earth vibration of such extent that it is detectable beyond the lot line. For the purpose of measuring compliance, no mechanical vibration or earth vibration shall be permitted that exceeds ten percent of the limits of the aforementioned table of frequency-amplitude relations.

S. Fire and Explosion Hazards. As a condition to approval, the planning board shall require proof that the applicant for a proposed industry has registered such industry with the Commissioner of Labor and Industry. If, in the judgment of the planning board, a proposed building, use, structure, process, product or material appears to involve a fire or explosion hazard, the planning board may require the applicant to supply:

1. A copy of the approved plans from the State Department of Labor and Industry showing that adequate safeguards against the origin and spread of fire have been or shall be taken in regard to such things as the construction and materials of the building or structure, the installation of safety and warning devices and the adoption of fire prevention procedures in operations.

2. Statement from the appropriate township fire company officials that the applicant has complied with all applicable township fire prevention regulations. (Ord. 1992-1, § 4)

16-250.6 Specific Standards. A. Public and Parochial Schools and Colleges.


2. On-site parking areas, theaters, auditoriums, stadiums, gymnasia, cafeterias and dormitories must be located at least one hundred feet from any property line adjoining a residential zone and be heavily buffered with evergreen plantings and fencing.

3. All colleges and universities must prepare a community impact analysis, including but not limited to a traffic impact study.

4. All junior and senior high schools and colleges and universities must have primary access to an eighty-foot-wide or wider right-of-way and a fifty-foot-wide cartway.


1. The minimum lot area shall be five acres.

2. The property should have primary access to a right-of-way sixty-six feet or greater in width.

3. All buildings shall conform to the minimum height standard for the zone.

4. The applicant should submit a list of proposed activities, anticipated participants and a timetable reflecting the hours in which each building
will be in use so that parking requirements can be determined.

5. No building, activity area or parking facility shall be located within thirty-five feet of any property line. The above-mentioned facilities shall be buffered from any residential property or zone with a live buffering of massed evergreens as well as fencing.

6. No parking shall be permitted between any right-of-way line and the front yard requirement of the zone in which the structures are proposed to be located.

7. Any church existing prior to February 1, 1992, is exempt from the standards and subject only to site plan review.

C. Nursing Homes.

1. The minimum lot area for a nursing home shall be five acres.

2. The minimum lot width at the front building line shall be three hundred feet.

3. The minimum front yard shall be one hundred feet.

4. There shall be two side yards no less than one hundred feet in aggregate width, and neither yard shall be less than fifty feet.

5. There shall be a rear yard with a depth of not less than one hundred feet.

6. Not more than twenty percent of the area of each lot may be occupied by buildings.

7. No buildings or structures shall exceed a height of thirty-five feet or two and one-half stories.

8. Each nursing home should have adequate water supply and sanitary sewer facilities.

9. Along each side or rear property line an evergreen buffer strip shall be provided.

10. No service areas may be on any street frontage.

11. Off-street loading and parking shall be required as per Section 16-230 of this chapter.

D. Hospitals, Medical Institutions and Philanthropic or eleemosynary uses.

1. The minimum lot size for all facilities shall be ten acres.

2. Along all residential zoning districts, a buffer fifty feet wide, consisting of massed evergreens, fencing and lawn, shall be provided.

3. The primary access to any facility must be to a right-of-way, eighty feet or greater in width, and a fifty-foot cartway.

4. All mechanical equipment which produces noise, vibration, radiation or any other potentially adverse condition shall be sheltered and so located on the property as not to create an unhealthful situation on-site or beyond the property lines.

5. All provisions of Section 16-230 of this chapter relative to the provision of off-street parking and loading shall be adhered to.

6. No parking shall be permitted between any right-of-way line and the front yard requirement of the zone in which the structures are proposed to be located.

E. Public Utility Uses.

1. For the purposes of this chapter, the term "public utility uses" shall include such uses as telephone dial equipment centers, power substations and other public utility services.

2. The proposed installation in a specific location must be reasonably necessary for the satisfactory provision of service by the utility to the neighborhood or area in which the particular use is to be located.

3. The design of any building in connection with such facilities must conform to the general character of the area and not adversely affect the safe, comfortable enjoyment of property rights in the zone in which it is located.

4. Adequate fences and other safety devices must be provided as may be required. Fences, when used to enclose public utility facilities such as electrical power substations, shall be built in accordance with the applicable requirements of the New Jersey Board of Public Utility Commissioners and the National Electrical Safety Code in effect at the time of construction.

5. Sufficient landscaping, including shrubs, trees and lawns, shall be provided and maintained.
6. Off-street parking shall be provided as determined by the planning board during site plan review.

7. All of the area, yard, building coverage and height requirements of the respective zone and other applicable requirements of this chapter must be met.

F. Camps and Campgrounds.
   1. No building, tent, activity area or recreation facility shall be less than two hundred feet from any lot line and no two buildings intended for use as sleeping quarters shall be closer than thirty feet to each other, except that tents shall be not less than ten feet apart.

   2. Screening and buffering are required between camps and any other use.

   3. The minimum lot area shall be at least fifty acres.

   4. All camps shall adhere to the performance standards listed in subsection 16-250.5(C) of this section as it relates specifically to the glare of lights and to noise.

G. Child-Care and Infant-Care Centers.
   1. All child-care center facilities to be used by the children shall be located on the principal entrance floor and any other level which is not more than one-half story above or below the grade at the location from which egress is provided to the street.

   2. A minimum of one hundred square feet per child of outdoor space shall be provided and shall be adequately fenced or otherwise protected from hazards, traffic and driveways.

   3. The minimum site area shall be two acres.

   4. The hours of operation should be limited to seven a.m. to six p.m.

   5. All loading and unloading of children shall take place on-site and not in the public right-of-way.

   6. The child care centers must be accepted by the N.J. Department of Human Services per their standards.

   1. Such uses shall be permitted on lots of not less than five acres. Such uses which do not rent facilities for social affairs may be permitted on lots of not less than two acres.

   2. The minimum width of the lot shall be one hundred fifty feet.

   3. Eating and drinking facilities shall be accessible only from within the main structure except for loading and unloading areas, kitchen and emergency exists. Picnic grounds are permitted, provided that they are located one hundred feet from any residence or residential zone.

   4. Off-street parking shall be provided at a ratio of one paved parking space per three seats or per three persons of rated capacity.

   5. Minimum front, rear and side yards shall be one hundred feet for five-acre lots and meet the area requirements for conditional uses indicated in the chart found in subsection 16.250.7 of this section, for lots less than five acres. Adequate buffers to protect adjacent uses from nuisance characteristics shall be provided, as the planning board may require.

I. Hotels and Motels.
   1. Any hotel must meet the following minimum standards:

      a. A minimum of one hundred guest rooms must be provided. Each room must be a minimum of three hundred fifty square feet in area.

      b. A minimum of ten thousand square feet of conference space and banquet space must be provided.

      c. A minimum of one outdoor swimming pool must be provided. The pool shall contain an area equal to ten square feet per guest room.

      d. A minimum of two square feet per guest room for lockers, showers and toilet area must be provided.

      e. A minimum of two square feet per guest room for health club space must be provided.

   2. Restaurant space equal to at least six percent of the floor area of the hotel must be provided.

   3. A minimum of six hundred square feet of retail space must be provided within the hotel. Retail space is limited to those businesses which are commonly found within hotels and provide services to hotel guests. A maximum of ten percent of the floor area of the hotel may be devoted to such retail uses.
4. Parking requirements are as follows:
   a. One parking space per guest room;
   b. One parking space for each employee. The shift having the most employees shall be used to calculate employee parking needs;
   c. One parking space for every three seats in the restaurant(s) and/or lounge(s) and/or conference/banquet space. Where it can be proved that shared parking will occur, reductions in the required number of parking spaces may be permitted.

5. The main lobby must contain a minimum area of three thousand square feet, exclusive of conference, banquet, restaurant, cocktail or lounge space and retail space. This does not preclude restaurant, cocktail or lounge space and retail space within the lobby so long as the space is in addition to the minimum area required in subsections (I)(2) and (I)(3) of this section. Not more than fifty percent of the lobby may be used for commercial purposes such as restaurant, cocktail or lounge space and retail space.

6. The maximum building height permitted is fifty feet. This does not preclude restaurant, cocktail or lounge space and retail space with the lobby so long as this space is in addition to the minimum area required in subsections (I)(2) and (I)(3) of this section. Significant public features such as gardens, sculptures, ornamental pools, plazas, etc., must be provided within the lobby. A proposed increase of height may be rejected or modified if found to have a potentially adverse affect upon a residential zone.

J. Raising, Breeding and Keeping of Small Animals Raised for Sale as Pets or for Laboratory Research Purposes.

1. No building, run, exercise pen or other enclosure shall be closer to any property or street line than two hundred feet.

2. All outside areas used for the enclosure of animals shall be fenced with six-foot-high chain link fence or an equivalent barrier satisfactory to the reviewing board.

3. All outside enclosures visible from adjoining properties and rights-of-way must be adequately screened with continuous evergreen plantings at a minimum of eight feet in height at planting.

K. Motor Freight Terminals.

1. The minimum lot area shall be ten acres.

2. At least the fifty feet from any street line and the first twenty-five feet from any property line shall not be used for the parking, storing or maneuvering of trucks. This area shall be planted and maintained in lawn area or ground cover or landscaped with evergreen shrubbery.

3. Trucks, including tractor or trailer units, parked or stored on the lot shall be arranged in an orderly manner in allocated spaces as shown on an approved site plan.

4. Trailer units shall be parked or stored only on paved surfaces, and concrete surfaces shall be required under trailer support devices (e.g., crank-down wheels or pads).

5. All repair and service operations shall take place within completely enclosed buildings in compliance with setback requirements for the zone.

6. At least thirty percent of the area devoted to truck parking and storage shall be landscaped. The landscaping should be located in protected areas along walkways, center islands and at the ends of bays.

L. Satellite Dish Antennas. No satellite dish antennae shall be constructed without a construction permit.

1. General Requirements. Satellite dish antennas proposed to be constructed and operated with North Hanover Township shall comply with all of the following general requirements:

   a. A statement certified by the applicant shall be submitted, which sets forth the range of azimuth and elevation angles within which the proposed satellite dish antenna may be operated and the maintenance program which will be observed by the application with respect to the proposed satellite dish antenna, and which states that the proposed satellite dish antenna fully complies with all applicable federal and state statutes, regulations and requirements. Attached thereto shall be copies of any license or approval for the construction, placement or operation of the proposed satellite dish antenna required by any federal or state agency having jurisdiction.
b. In connection with an application for a satellite dish which is to be used for transmission of signals, a statement, certified by a licensed engineer registered to practice in the state of New Jersey, shall be submitted, which sets forth the maximum anticipated effective radiated power and the antenna pattern of the proposed satellite dish antenna. This statement shall contain a structural engineering analysis of the proposed satellite dish antenna and the extent to which the proposed satellite dish antenna complies with the design standards applicable to satellite dish antennas as set forth in this section.

c. A satellite dish antenna or any necessary building used for housing equipment necessary for the operation of the satellite dish antenna shall only be located in a rear yard and shall not be located in a buffer area. Where the buffer setback requirements for rear yards and side yards exceed those minimum rear yard and side yard setback requirements for accessory buildings, the buffer setback requirements shall govern.

d. A satellite dish antenna or any accessory building used for housing equipment necessary for the operation of satellite dish antenna shall not violate the rear yard or side yard setback requirements applicable to accessory buildings within the particular zoning district as set forth in this chapter. Where the accessory building setback requirements are less than the height of the satellite dish antenna, the required setback shall be that of the height of the satellite dish antenna.

e. Any accessory building used for housing equipment necessary for the operation of the satellite dish antenna shall not exceed a building height of twelve feet, shall not exceed one hundred fifty square feet in area and shall be finished in the same architecture, with the same roofing and siding materials and in the same colors as the principal building.

f. The minimum distance requirements between principal buildings and accessory buildings shall not apply to a satellite dish antenna and any accessory building used for housing equipment necessary for the operation of the satellite dish antenna.

g. A satellite dish antenna shall be constructed upon a concrete slab capable of supporting the weight of the satellite dish antenna.

h. All wiring and connecting cables between the satellite dish antenna and the principal and accessory buildings on the property shall either be buried underground at least four inches and placed within a rigid PVC conduit (Schedule 40) or, if not placed in a rigid PVC conduit, shall be buried at least two feet underground.

i. A satellite dish antenna may be surrounded by a nonclimbable fence or other suitable barrier a maximum of six feet in height, designed to prevent access to the satellite dish antenna. Said fence or barrier may be equipped with appropriate lighting and an alarm system which shall not be offensive to surrounding properties. No barbed wire or metal spikes shall be used as part of the fence or barrier.

j. A screening plan shall be submitted with every application for a permit for the installation of a satellite dish to provide a buffer for adjoining neighbors’ property.

k. No existing tree shall be removed to accommodate the installation, construction or operation of a satellite dish antenna or accessory building necessary for the use of the same unless the planning board concludes that, due to a special condition or situation of the property, the dish could not be installed elsewhere on the property in conformity with this section.

l. Only one satellite dish antenna shall be permitted on the applicant’s property.

m. The reception or transmission of electrical signals to or from a satellite dish antenna or from an off-site ground location shall only be through underground wire, underground cable or underground fiber-optic facilities. Terrestrial microwave communication directly between earth terminals or via passive reflectors shall be prohibited.

n. All structural supports shall be of galvanized metal.

o. A satellite dish antenna shall be designed to withstand a wind force of seventy-five miles per hour without the use of supporting guy wires.
p. Any driving motor shall be limited to one hundred ten volts maximum power design and shall be enclosed in protective guards.

q. A satellite dish antenna shall be bonded to a grounding rod.

r. A satellite dish antenna shall be of mesh-type construction, and shall be painted so as to blend in with the immediate natural environment.

s. No satellite dish antenna shall obstruct the view of the traveling public.

t. No satellite dish antenna shall contain, be used as or be situated in such a manner so as to constitute a sign.

u. No satellite dish antenna shall be constructed on the roof, wall or any other part of any structure nor shall a satellite dish antenna be affixed to utility poles, signs, trees or fences.

v. The construction and operation of a satellite dish antenna shall fully comply with all applicable federal and state statutes, regulations and requirements, including those pertaining to safety levels of radio frequency electromagnetic fields with respect to human exposure. In the absence of federal or state regulation pertaining to safety levels of radio frequency electromagnetic fields with respect to nonoccupational human exposure, the levels of electromagnetic energy emitted by a satellite dish antenna as measured at the closest accessible point shall be no more than one-tenth of the applicable safety levels as set forth in the American National Standard Institute’s Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, three hundred kHz to one hundred GHz, ANSI C95.1-1982.

2. Properties in a commercial or industrial zone must conform to the following standards:

a. Any person or persons, firm, corporation, association or partnership desiring to construct and operate a satellite dish antenna in the commercial or industrial zoning districts shall, prior to such construction and operation, submit the following:

i. A site plan including all the details outlined in Chapter 15 of the North Hanover Land Development Ordinance;

ii. The exact location, height and dimensions of the proposed satellite dish antenna and any accessory building used for housing equipment necessary for the operation of the satellite dish antenna, and the diameter of the dish itself;

iii. Existing and proposed plantings or other natural barriers to provide protection and screening;

iv. A description of the type of satellite dish antenna proposed, including photographs;

v. Construction plans and specifications prepared by a licensed engineer registered to practice in the state of New Jersey.

b. The height of the satellite dish antenna, measured vertically from the ground level to the area on which the satellite dish antenna is located and up to and including the highest point of the satellite dish antenna when extended to its fullest height, shall not exceed twenty-five feet.

c. The dish itself of the satellite dish antenna shall not exceed a diameter of twelve feet.

d. A satellite dish antenna shall be accessory to the principal building and incidental to the use of the principal building, and the applicant shall be the principal user of the satellite dish antenna.

3. Properties in single-family residential zones shall also comply with the following:

a. Any person or persons, firm, corporation, association or partnership desiring to construct and operate a satellite dish antenna in the single-family residential zoning districts shall, prior to such construction and operation, submit the following:

i. A property survey, prepared and sealed by a licensed land surveyor or engineer registered to practice in the state of New Jersey, showing the following:

(A) The exact location, height and dimensions of the proposed satellite dish and any accessory building used for housing equipment necessary for the operation of the satellite dish antenna, and the diameter of the dish itself,

(B) The exact locations and dimensions of all buildings and structures on the premises on which the satellite dish antenna is to be located,

(C) Existing and proposed plantings or other natural barriers to provide protection and screening;
ii. A description of the type of satellite dish antenna proposed, including photographs;
iii. Construction plans and specifications prepared by a licensed engineer registered to practice in the state of New Jersey.

b. The height of the satellite dish antenna, measured vertically from the ground level to the area on which the satellite dish antenna is located and up to and including the highest point of the satellite dish antenna when extended to its fullest height, shall not exceed fifteen feet.

c. The dish of the satellite dish antenna shall not exceed a diameter of twelve feet.

d. A satellite dish antenna shall only be used by the residents of the principal building on the applicant's property.

e. No satellite dish antenna shall be linked, physically or electronically, to a receiver which is not located on the same premises as is the satellite dish antenna.

M. Communications Towers. Radio or television broadcasting towers or antennas may be permitted in C and RA zones only, provided that the following conditions are met:

1. Setbacks from all property lines must be a minimum of one foot of setback for each one foot in height for the tower or antenna. Under no circumstances shall the setback be less than one hundred feet.

2. The antenna or tower shall be located within the rear yard. If the lot has two frontages and one frontage is along a limited-access highway, the rear yard shall be defined as that which is adjacent to the limited-access highway.

3. Antennas or towers shall not be located on rooftops.

4. All antennas, towers and their support systems must be designed, constructed and finished to be as transparent as is reasonably practicable.

5. No signage or other methods of providing messages or commercial statement may be attached, suspended or otherwise a part of the antenna or tower structure.

6. Towers and antennas are not limited in height under this conditional use section. The towers and antennas must be the primary signal source.

7. Towers and antennas must be placed on lots that are conforming within their respective zones.

8. In conjunction with the conditions stated above, satellite dish antennas must follow conditions stated in Conditional Use "L" found in Section 16-250.6(L), except for height limitation.

9. Any person or persons, firm, corporation, association or partnership wishing to construct a radio or television broadcasting tower or antenna in the C and RA zoning districts shall, prior to such construction or operation, submit the following:

a. A site plan including all the details outlined in Chapter 15 of the North Hanover Township land development ordinance;

b. The exact location, height and dimensions of the proposed tower or antenna and any accessory buildings, driveways and parking areas necessary for the operation;

c. Construction plans and specifications prepared by a licensed engineer registered to practice in the state of New Jersey;

d. Proof that the applicant complies with all federal, state and local regulations with respect to towers and antennas.

10. The towers and antennas must be associated with radio or television broadcasting stations, including studios, auditoriums and other rooms for performances, and including office and other space incident to and necessary for the principal use, exclusive of broadcasting towers and antennas. (Ord. 1992-1, § 5)
ORDINANCE 2010-1
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE
DEVELOPMENT REGULATIONS OF THE NORTH HANOVER TOWNSHIP
CODE

16-250.6 Specific Standards

N. Bed and Breakfast

7. The total number of parking spaces shall be determined as follows:
   one parking space for each bedroom in the bed and breakfast; one parking
   space per employee per shift; and two parking spaces for the residence.

Section 3. In the event a portion or portions of this Ordinance shall be declared invalid
by a court of competent jurisdiction, such partial invalidity shall not affect the remaining
sections of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon passage, publication and
filing with the County Planning Board and as required by law.
Ordinance 2009-19
16-250.6 Specific Standards

N. Bed and Breakfast

These regulations are intended to allow for a more efficient use of larger, older houses in residential areas if the agricultural character is preserved to maintain both the agricultural experience and the bed and breakfast experience. These regulations enable owners to maintain larger residential structures in a manner which keeps them primarily in residential uses. The proprietor can take advantage of the scale and often the architectural and historical significance of a residence. These regulations also provide an alternative form of lodging for visitors who prefer a residential setting.

1. A bed and breakfast facility must be accessory to a residential use in a home that is at least five (5) years old. This means that the individual or family who operate the facility must occupy the house as their primary residence.

2. Bed and breakfast facilities are limited to a maximum of five (5) bedrooms for guests. In the R-A zone, a bed and breakfast facility over this size is prohibited.

3. Bed and breakfast facilities may have nonresident employees for such activities as booking rooms and food preparation, if approved as part of the conditional use review. Hired service for normal maintenance, repair and care of the residence or site, such as yard maintenance, may also be approved. The number of employees and the frequency of employee auto trips to the facility may be limited or monitored as part of a conditional use approval.

4. Serving food to guests and visitors is allowed.

5. Bed and breakfast facilities must comply with the bulk regulations of the zone.

6. Residential structures may be remodeled for the development of a bed and breakfast facility. However, structural alternations may not be made which prevent the structure being used as a residence in the future. Internal or external changes that will make the dwelling appear less residential in nature or function are not allowed. Examples of such alterations include paving of required setbacks, and commercial-type exterior lighting.

7. The total number of required parking spaces shall be determined as follows: one parking space for each bedroom in the bed and breakfast; one parking space for each employee per shift; and one parking space for each resident.

8. See 16-250.7 for bulk and area requirements.

O. Farm Equipment sales, feed production (excluding manufacturing) and farm supply, provided that the:

1. Development must not interfere with ongoing agricultural practices on adjacent lands.

2. Parking and loading areas shall have direct access to and from a public right-of-way and shall be paved.

3. Number and width of access drives shall be so located so as to minimize traffic congestion and traffic hazards.

4. Storage of materials shall be limited to material and goods directly associated with the business. Outside storage shall be limited and located within the area identified on the submitted site plan. No outside storage area shall be allowed in the setbacks.

5. Proposed use will not negatively impact local water quality.

6. Proposed use will not adversely increase the quantity of water runoff.
7. See 16-210.1 for buffer requirements.

8. The maximum gross floor area of the building shall not exceed 5,000 square feet.

9. Outside storage space shall not exceed 10,000 square feet.

10. See 16-250.7 for bulk and area requirements.

P. Kennel

A kennel, for which a state kennel license is required for the boarding, selling or breeding of dogs, subject to the following:

1. All kennels shall have a minimum area of five acres.

2. All kennels shall comply with Township, county and state regulations concerning required facilities and sanitation.

3. After initial issuance, all permits shall be renewable annually by the Zoning Officer, subject to compliance with the conditions which may have been imposed the previous year.

4. See 16-250.7 for bulk and area requirements.

5. Off-street parking shall be provided in accordance with the following:
   a. One (1) space per two hundred (200) square feet of gross floor area used for offices or sales; plus
   b. One (1) space per five hundred (500) square feet of gross floor area used for boarding; plus
   c. One (1) space per thousand (1,000) square feet of gross floor area used for storage.

Q. Veterinary offices and animal hospitals

A veterinary hospital is a facility operated by a licensed veterinarian or veterinarian surgeon which engages in the practice of treating diseases and injuries of farm and domestic animals, surgically or medically, shall be permitted as conditional use within the R-A District provided that the Approving Authority finds that the following standards are met:

1. See 16-250.7 for bulk and area requirements.

2. Off-street parking shall be provided in accordance with the following:
   a. One (1) space per two hundred (200) square feet of gross floor area used for offices or sales; plus
   b. One (1) space per five hundred (500) square feet of gross floor area used for animal surgery; plus
   c. One (1) space per thousand (1,000) square feet of gross floor area used for storage.

R. Agricultural employee housing

1. Migrant agricultural employee housing

   a. All migrant housing buildings must be located on the commercial farm property where the migrant workers perform their labor.
   b. All buildings must comply in every respect with the existing statutes, laws, rules, and regulations of the Federal Government and to the State of New Jersey concerning migrant labor housing. New construction of migrant housing facilities shall meet Federal established standards specific to migrant housing.
   c. Farm owners shall show proof of an annual preoccupancy inspection from the State or Federal Department of Labor to North Hanover Township for migrant housing
facilities. Upon that proof of a passing inspection, an annual township permit for use shall be issued.

d. All buildings shall be 200’ from the nearest public street or not visible from that street and 150’ from any adjoining property.
e. There shall be one parking space, located on the farm for every six (6) agricultural employees.
f. See 16-250.7 for bulk and area requirements.

2. Non-migrant agricultural employee housing

a. The farm shall contain at least ten (10) acres of agricultural production.
b. All Farms shall be pre-qualified for farm land assessment and maintain that qualification annually.
c. Occupants, with exception of the spouse and dependants of the employee, shall be employed fulltime in the management of the farm (principal employment) by the owner or operator of the farm on which the housing is constructed.
d. The farmer shall show proof of employment of the occupant via payroll records to the township bi-annually (January and July). These records must correspond in a rational way to the farm’s gross income.
e. If a farm with non migrant agricultural housing becomes disqualified from any of the stated requirements, such housing is to become and remain unoccupied until the legal requirements are met.
f. Mobile homes may not be used for non-migrant agricultural employee housing.
g. Any non-migrant agricultural housing existing and occupied on the date of the adoption of this ordinance, shall continue to be permitted until the use of such housing is abandoned, at which time the future use must comply with the new standards.
h. See 16-250.7 for bulk and area requirements.

16-250.7 Bulk and Area Requirements.

Each of the foregoing conditional uses shall conform to the area, frontage, setback and other requirements identified in the following chart, unless a dimensional exception is permitted in subsection 16-250.6 of this section.
<table>
<thead>
<tr>
<th>Use</th>
<th>Permitted</th>
<th>Minimum Lot size</th>
<th>Lot Frontage</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
<th>Parking Set back</th>
<th>Max Bldg Height</th>
<th>Buffer to Residential</th>
<th>Max % Impervious</th>
<th>Min % Vegetated</th>
<th>Architectural Requirements</th>
<th>Other Standards</th>
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<tbody>
<tr>
<td>Bed and Breakfast</td>
<td>R-A</td>
<td>10 acres</td>
<td>200’</td>
<td>75’</td>
<td>50’</td>
<td>100’</td>
<td>35’</td>
<td>50’</td>
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<td>80%</td>
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<tr>
<td>Farm equipment sales and repair and Feed Stores and Feed Manufacturing</td>
<td>R-A</td>
<td>10 acres</td>
<td>200’</td>
<td>100’</td>
<td>100’</td>
<td>100’</td>
<td>35’</td>
<td>50’</td>
<td>50’</td>
<td>20%</td>
<td>80%</td>
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<tr>
<td>Kennel</td>
<td>R-A</td>
<td>5 acres</td>
<td>200’</td>
<td>75’</td>
<td>50’</td>
<td>100’</td>
<td>35’</td>
<td>50’</td>
<td>50’</td>
<td>20%</td>
<td>80%</td>
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<td>Minimum distance of any outside kennels or pens for animals (other than livestock) shall be 200 feet from the closest lot line.</td>
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<tr>
<td>Veterinary offices and animal hospitals.</td>
<td>R-A</td>
<td>4 acres</td>
<td>200’</td>
<td>75’</td>
<td>50’</td>
<td>100’</td>
<td>35’</td>
<td>50’</td>
<td>50’</td>
<td>20%</td>
<td>80%</td>
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<td>Agricultural employee housing</td>
<td>R-A</td>
<td>10 acres</td>
<td>200’</td>
<td>200’</td>
<td>50’</td>
<td>100’</td>
<td>35’</td>
<td>50’</td>
<td>50’</td>
<td>20%</td>
<td>80%</td>
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<td>Distance to livestock: 100 feet.</td>
</tr>
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<td>Use</td>
<td>Permitted</td>
<td>Minimum Lot Size</td>
<td>Lot Frontage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Rear Yard</td>
<td>Parking Setback</td>
<td>Max. Bldg. Ht.</td>
<td>Buffer to Residential</td>
<td>Max. % Impervious</td>
<td>Min. % Vegetation</td>
<td>Architectural Requirements</td>
<td>Other Standards</td>
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<tr>
<td>Camps &amp; Campgrounds</td>
<td>R/A</td>
<td>50 acres</td>
<td>1000'</td>
<td>200'</td>
<td>200'</td>
<td>200'</td>
<td>35'</td>
<td>100'</td>
<td>30%</td>
<td>70%</td>
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<td>Area of vehicle parking and/or vehicle camp sites limited to 15% of total tract</td>
<td>Parking to be screened from the road.</td>
</tr>
<tr>
<td>Child-care</td>
<td>C</td>
<td>2 acres</td>
<td>150'</td>
<td>50'</td>
<td>25'</td>
<td>25'</td>
<td>15'</td>
<td>75'</td>
<td>60%</td>
<td>40%</td>
<td></td>
<td>Fencing of play areas.</td>
<td></td>
</tr>
<tr>
<td>Club, Lodges, Social Bldg.</td>
<td>2 acres</td>
<td>150'</td>
<td>100'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>35'</td>
<td>25'</td>
<td>60%</td>
<td>40%</td>
<td></td>
<td>To be complimentary to the area. No metal buildings</td>
<td>Parking along the side and the rear yard.</td>
</tr>
<tr>
<td>Hotels &amp; Motels</td>
<td>C-1</td>
<td>5 acres</td>
<td>300'</td>
<td>100'</td>
<td>50'</td>
<td>100'</td>
<td>35'</td>
<td>50'</td>
<td>50'</td>
<td>70%</td>
<td>30%</td>
<td>Masonry accent.</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Permitted Lot Size</td>
<td>Minimum Lot Size</td>
<td>Lot Frontage</td>
<td>Lot Yard</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Rear Yard</td>
<td>Parking Setback</td>
<td>Max. Bldg. Ht.</td>
<td>Buffer to Residential</td>
<td>Max. % Impervious</td>
<td>Min. % Vegetated</td>
<td>Architectural Requirements</td>
</tr>
<tr>
<td>----------------------------</td>
<td>--------------------</td>
<td>------------------</td>
<td>--------------</td>
<td>----------</td>
<td>------------</td>
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<td>------------------</td>
<td>----------------</td>
<td>----------------------</td>
<td>------------------</td>
<td>-----------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Private Day Schools</td>
<td>All</td>
<td>2 acres</td>
<td>150'</td>
<td>50'</td>
<td>25'</td>
<td>75'</td>
<td>25'</td>
<td>35'</td>
<td>25'</td>
<td>60%</td>
<td>40%</td>
<td>Same as above</td>
<td>Fencing of play areas</td>
</tr>
<tr>
<td>Nursery Schools</td>
<td>R/A</td>
<td>5 acres</td>
<td>300'</td>
<td>100'</td>
<td>50'</td>
<td>100'</td>
<td>35'</td>
<td>35' except steeple up to 50'</td>
<td>25'</td>
<td>60%</td>
<td>40%</td>
<td>No metal siding. Articulated surfaces every thirty feet</td>
<td>Parking in the sides or the rear yard of the property.</td>
</tr>
<tr>
<td>Churches</td>
<td>R/A</td>
<td>2 acres</td>
<td>200'</td>
<td>100'</td>
<td>50'</td>
<td>100'</td>
<td>25'</td>
<td>35'</td>
<td>25'</td>
<td>60%</td>
<td>40%</td>
<td>If proposed in an historic setting, building should respond to historic character</td>
<td>Parking on the side or in the rear yard of the property.</td>
</tr>
<tr>
<td>Library</td>
<td>R/A</td>
<td>150 acres</td>
<td>600'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
<td>35'</td>
<td>35'</td>
<td>0 golf</td>
<td>20%</td>
<td>80%</td>
<td>Another architectural requirement.</td>
</tr>
<tr>
<td>Golf Course</td>
<td>R/A</td>
<td>150 acres</td>
<td>600'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
<td>35'</td>
<td>50' club house</td>
<td>60%</td>
<td>40%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Country Clubs</td>
<td>R/A</td>
<td>150 acres</td>
<td>600'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
<td>35'</td>
<td>50' club house</td>
<td>60%</td>
<td>40%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Conditional Use Standards

<table>
<thead>
<tr>
<th>Use</th>
<th>Permitted</th>
<th>Minimum Lot Size</th>
<th>Lot Frontage</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
<th>Parking Setback</th>
<th>Max. Bldg. Ht.</th>
<th>Buffer to Residential</th>
<th>Max. % Impervious</th>
<th>Min. % Vegetated</th>
<th>Architectural Requirements</th>
<th>Other Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Centers</td>
<td>All</td>
<td>3 acres</td>
<td>300'</td>
<td>100'</td>
<td>50'</td>
<td>100'</td>
<td>35'</td>
<td>35'</td>
<td>25'</td>
<td>60%</td>
<td>40%</td>
<td>Building to be in a campus setting with interconnections if more than 1 bldg.</td>
<td></td>
</tr>
<tr>
<td>Nursing Homes</td>
<td>R/A</td>
<td>5 acres</td>
<td>300'</td>
<td>100'</td>
<td>50'</td>
<td>100'</td>
<td>35'</td>
<td>35'</td>
<td>50'</td>
<td>60%</td>
<td>40%</td>
<td>Building to be in a campus setting with interconnections if more than 1 bldg.</td>
<td></td>
</tr>
<tr>
<td>Hospitals, Medical Centers, Medical Inst.</td>
<td>All zones except R-1 &amp; R-2</td>
<td>10 acres</td>
<td>400'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
<td>50'</td>
<td>35'</td>
<td>50'</td>
<td>60%</td>
<td>40%</td>
<td>All medical wastes to be removed to a certified receiving location.</td>
<td></td>
</tr>
<tr>
<td>Bakery &amp; Baked Goods w/farm</td>
<td>R/A</td>
<td>2 acres</td>
<td>150'</td>
<td>50'</td>
<td>25'</td>
<td>75'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>60%</td>
<td>40%</td>
<td>Two story unit Parking in the side or the rear yard.</td>
<td></td>
</tr>
</tbody>
</table>

(Ord. 1992-1 § 6)
**16-260 Motels.**

16-260.1 Construction Requirements. Any motel constructed on a lot or parcel of land shall contain a minimum of at least 20 units of accommodation, exclusive of a permanent, on-site superintendent's living quarters. There shall be no separate single units of accommodation built. The minimum number of units of accommodation in any single building shall be ten. Such motel shall contain a minimum square foot area for each unit of accommodation of 200 square feet of floor space thereof; floor space shall be calculated on the basis of total habitable room area. Ceilings shall be a minimum of seven feet in height. The height of any building or buildings shall not exceed 35 feet and there shall be no more than two stories.

Motel construction shall be subject to approval by the applicable state agencies regulating motel and hotel development. All buildings shall conform to a single architectural style.

16-260.2 Guest Accommodations and Facilities. Each unit of accommodation shall include a minimum of two rooms, a bedroom and a separate bathroom which affords privacy to a person within such room and which is equipped with a "flush water closet," a "lavatory basin" and a "bathtub" or "shower," all properly connected to a water and sewer system.

Separate buildings, or the use of a portion of the main building thereof, shall be permitted for accessory uses to any motel. Such separate buildings or parts of the main building shall be restricted to accessory uses customarily incident to the operation of a motor hotel, motor or motor court, including but not limited to rest rooms, swimming pools, cabanas, meeting rooms, and lounge. Restaurants shall be permitted in such accessory building or portion of the main building thereof. These buildings shall have permanent walls and display windows which may be necessary for ventilation. The complete sales transaction and delivery of merchandise shall be conducted inside the walls of the building.

16-260.3 Parking. One parking space for each unit of accommodation where the motel is located shall be provided. Not more than 40 percent of the area of the lot may be paved.

All open areas other than those areas used for parking purposes shall be landscaped and maintained by the owner of the motel.

16-260.4 Restrictions on Occupancy. There shall be a residency limitation on all guests of 30 days maximum. The foregoing residency limitation shall not apply to an employee living on the premises.

**16-270 Service Stations.**

16-270.1 Location. No service station shall have an entrance or exit for vehicles within two hundred feet along the same side of a street of any fire house, school, playground, church, hospital, public building or institution, except where such property is in another block or abuts another street which the lot in question does not abut. No service station shall be less than five thousand two hundred and eighty feet from another existing service station, which distance shall be measured along the curb line following the most direct route. All service stations shall meet the requirements for site plan review.

16-270.2 Facilities. All pits, storage areas and trash facilities, other than gasoline filling pumps or air pumps, shall be within a building. In reviewing the site plan, the planning board may permit outside trash facilities so long as they are properly screened or enclosed. Gasoline filling pumps and air pumps shall be permitted within the required front yard space of service stations, but shall be no closer than fifty feet to any future street line. All lubrication, repair or similar activities shall be performed in a fully enclosed building and no dismantled parts shall be displayed outside of an enclosed building.

16-270.3 Motor Vehicle Storage. No junked motor vehicle or part thereof, or motor vehicles not licensed for normal operation upon the highways, shall be permitted on the premises of any service station. It shall be deemed evidence of violation of
this section if more than four motor vehicles incapable of operation are located at any one time upon any premises not within a closed and roofed building excepting that a number not exceeding six motor vehicles may be located upon any service station premises outside of a closed or roofed building, for a period of time not to exceed fourteen days and providing the owners are awaiting repair of such motor vehicles.

16-270.4 Lot Coverage. Not more than ten percent of the lot may be covered by the principal and accessory buildings. Not more than forty-five percent of the lot may be paved.

16-280 Swimming Pools.
16-280.1 Private Pools; Standards. Private permanent residential swimming pools shall adhere to the following standards:
A. All pools shall be located in rear and side yard areas. Pools shall occupy no more than twenty-five percent of the rear yard area or a maximum of eight hundred square feet as measured along the surface of the water, whichever is smaller.
B. No edge of any pool shall be closer to any lot line than ten feet.
C. In case of a corner lot, a permanent private swimming pool shall not be constructed, erected, installed or maintained closer to the side street line than the prevailing setback line on that street.
D. The pool may be lighted by underwater or exterior lights, or both, provided all exterior lights are located so that the light is neither directed nor reflected upon adjacent properties in such a manner as to be a nuisance or any annoyance to neighboring properties.
E. The pool shall be completely surrounded by protective fencing a minimum of five feet in height.
F. No sound amplifying system shall be used with a private swimming pool.

16-280.2 Public Pools; Standards. Public swimming pools or clubs intended for open use or the public or to club members shall adhere to the following standards:
A. Such pools shall be located within a lot area of a minimum of one acre and within such area may also be located terraces, change house, refreshment stand and similar accessory uses.
B. The pool shall occupy no more than twenty percent of the lot area. Such area shall include total water surface including separate wading pools, swimming tanks and diving tanks.
C. No edge of any pool or separate swimming tank shall be closer to any property line than twenty feet.
D. The pool shall be enclosed with a fence of a minimum of six feet in height.
E. The pool shall be lighted both internally and externally, but in no case shall any light be directed in a direct or indirect fashion upon any adjacent property. All standards used for exterior lighting shall not exceed twenty-five feet to the edge of any pool.
F. All pools shall be constructed below the surface of the ground except that, for a period not to exceed one swimming season, any public pool may be erected above ground after which such pool shall be located below ground if it remains on the same tract.
G. All pools shall be landscaped to effectively screen the view and noise of the pool from neighboring properties.
H. All loud speakers or public address systems shall be located on or in the immediate area of the pool and be directed so that such speakers are not directly aimed at any adjacent residential buildings.
I. One off-street parking space shall be provided for every thirty square feet of water surface. The planning board may require additional off-street parking in conjunction with review of the site plan. The number of off-street parking spaces shall be in accordance with the determination of the planning board.

16-280.3 Apartment Development Pools. Pools included as part of the overall development of apartments, whether open to the public or used as a private facility for the apartment residents, shall adhere to the following standards:
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON  
ORDINANCE 2007-08

AN ORDINANCE OF THE TOWNSHIP OF  
NORTH HANOVER AMENDING CHAPTER 16 OF THE  
"REVISED GENERAL ORDINANCES OF THE  
TOWNSHIP OF NORTH HANOVER, 1994" BY ADDING  
A NEW SECTION 16-285 ENTITLED "RESIDENTIAL LOT  
GRADING PLAN."

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of North Hanover that  
Chapter 16 of the Revised General Ordinances of the Township of North Hanover is hereby amended by adding a new  
section 16-285, entitled "Residential Lot Grading Plan" which shall read as follows:

16- 285 Residential Lot Grading Plan

A. Purpose. The purpose of this chapter is to provide rules, regulations and standards for grading of residential lots in the Township of North Hanover in a manner which will promote the public health, safety, morals and general welfare.

B. Applicability. This ordinance shall be applicable to all residential lots and the residential portion of agricultural lots within the Township of North Hanover where an overall grading plan has already been reviewed and approved by either the Planning Board or the Zoning Board of Adjustment or where the review and approval of an individual lot grading plan prior to the issuance of a building permit is required. The following development activities require grading plan review and approval:

a. Construction, reconstruction or relocation of a residential structure;
b. Enlargement of a residential structure resulting in a land disturbance of 500 square feet or more;
c. The construction or replacement of an accessory structure on a residential lot resulting in a land
disturbance of 500 square feet or more;

d. The construction of an above or in-ground swimming pool resulting in a land disturbance of 500 square feet or more.

e. In the case of a major or minor subdivision if no prior grading review has been done.

C. Procedures. An applicant desiring to proceed with a Residential Lot Grading Plan in the Township of North Hanover shall provide the following documents to the Township Engineer for each lot proposed to be developed:

a. Completed lot grading application, copies of which may be obtained from the Township of North Hanover Construction Office;

b. Appropriate fee(s), as required below in Subsection E of this section;

c. Five copies of a lot grading plan signed and sealed by an Engineer licensed in the State of New Jersey.

D. Application Fee. The applicant shall submit to the clerk, at the time of the submission of an application for a Residential Lot Grading Plan, payment of the fee provided in this chapter.

E. Permit and review fees. The following fees shall apply to applications for approval of grading in connection with zoning permit applications. With respect to subdivisions, “lot” means each lot that results or will result from the subdivision:

(1) Permit, review and inspection fees for individual or multiple lot grading plans. Any person who seeks approvals as provided in this section must pay the following fees for each grading approval requested in connection with a zoning permit application, building permit and/or site inspection and, if seeking approval of an individual or multiple lot grading plan, the following per-lot fees for review of such initial, revised or as-built individual or multiple lot grading plan (unless such person is an applicant for development as specified in Subsection I(2),
below, in which instance a per-lot zoning permit grading application fee for each individual or multiple lot grading plan must be paid at the time of each zoning permit or building permit, application that involves grading review, but the fees and costs of the Township Engineer’s review and inspection can, at such applicant’s option, be paid for on a time-and-materials basis as set forth in Subsection I(2), below, instead of a flat-fee basis as provided in this Subsection I(1)(b) through (e)):

a) Grading approval application fee (per lot, in addition to zoning permit fee): $35;

b) Engineer’s review fee upon initial individual or multiple lot grading plan submission (per lot): $150;

c) Engineer’s review fee upon each revised or as-built individual or multiple lot grading plan submission (per lot): $100;

d) Initial site inspection fee (upon request for initial site inspection): $200 per lot; and

e) Site reinspection fee (upon each request for site reinspection): $100 per lot.

(2) Option to pay review and inspection costs based on time and materials; payment from application escrows. Applicants for development who have posted review/inspection escrows with the Township in connection with any application for site plan, subdivision, or other Planning Board, Zoning Board or Township Committee approval may elect in writing to have the Township Engineer paid for any grading-related review and/or inspection pursuant to this section based on time expended and materials used rather than at the flat fee rates set forth in Subsection E(1)(b) through (e), above. Additionally, any such applicant may elect, in writing, that any Township Engineer grading-related review/inspection fees (whether based on flat fee or time and materials) be paid from such applicant’s review/inspection escrow(s), in which instance such applicant’s grading plan(s) and/or lot(s), as elected, will be reviewed/inspected by the Township Engineer as part of such site plan, subdivision, or other Planning Board, Zoning Board or Township
Committee application, whereupon all of the Township Engineer's fees and costs for grading-related review/inspection will be reimbursed from such applicant's review/inspection escrow(s) along with all other review and inspection costs and fees relating to such application.

F. Design and Performance Standards for Residential Lot Grading Plan

(1) All grading shall be done in a manner that will not adversely impact adjacent properties. Properties with natural swales and/or wetlands must be evaluated to insure that adequate capacity is available to accept the runoff from the site being developed and graded. Whenever possible, the land shall be graded in one of the following three methods:

(a) The rear yard shall drain overland to the street through side yard swales on either side of the house, located on the common property lines with adjoining lots, if possible, and the front yard shall drain directly to the street; or the rear yard shall drain and be collected in a system of interior yard inlets and piping designed in accordance with accepted standards, connected to the development's overall stormwater drainage system, and the front yard shall drain directly to the street; or

(b) The rear yard shall drain overland onto adjoining properties only as permitted by right, i.e., no net increase in rate of runoff intensity or manner of flow or via an acceptable easement. The rear yard shall be graded to drain as required in
subsection F(1) above. The front yard shall drain directly to the street.

(2) No more than two lots in a row shall be allowed to drain through a swale unless protected by an acceptable easement. The applicant shall confirm to the Engineer that any approved easement has been properly conveyed and recorded and that it is not subject or subordinate to any other interest that could extinguish it or otherwise diminish its effectiveness.

(3) The minimum slope for swales, lawns and disturbed areas shall be 2% and for smooth, hard surfaces, i.e., driveways, 1%.

(4) Slopes shall not be steeper than three horizontal to one vertical (3:1).

(5) No grading shall occur within five feet of a property line unless necessary to direct drainage off or onto the property, and then into acceptable drainage facilities. All drainage directed off the property shall conform to the requirements listed in subsection E(1) above.

(6) The maximum grade for driveways shall be 10%.

(7) The top of block elevation shall be a minimum of eight (8) inches above the highest adjacent grade and shall be provided on all grading plans. The notation of the finished floor alone is not acceptable.

(8) Grading within 10 feet of the dwelling shall be in accordance with local building codes.

(9) Retaining walls over three feet in height must be designed by an Engineer licensed in the
State of New Jersey and then reviewed and approved by the Township Engineer.

(10) Grading necessary to construct an in-ground swimming pool shall not interrupt the existing and/or approved drainage patterns. Finished deck elevations shall be set above the natural grade occurring on the lot to prevent water from flowing into the swimming pool.

(11) The applicant may request a waiver of a particular performance standard upon presentation of a reasonable justification. The Township Engineer shall have the authority to review the request and issue an administrative change, provided it does not violate the intent of the ordinance.

G. Residential Lot Grading Plan Requirements

(1) Lot Grading Plans

(a) Title block in accordance with N.J.A.C. 13:40-1.3 including name, address, site address, lot and block.
(b) The plan must be signed by a New Jersey licensed professional engineer, licensed planner or registered architect.
(c) The plan must be drawn legibly at a scale of no less than 1"=30’.
(d) North Arrow
(e) Benchmark: datum, location and elevation
(f) Existing and proposed contours at one (1) foot intervals no less than twenty-five (25) feet beyond the property lines
(g) Location of all property lines, easements and required setback lines (by a land surveyor only).
(h) An as-built shall be submitted showing construction, grading, building, location, piping and finished floor elevations if, in the opinion of the Township Engineer, it is required.
(i) Existing proposed ground elevations at all property corners, building corners and changes in slope
(j) Proposed top of block, finished floor and garage floor elevations
(k) Existing street elevations including top of curb and/or edge of pavement elevations opposite property corners and the driveway centerline

(l) All existing and proposed structures site improvements with offset distances to the nearest property lines to demonstrate conformity with minimum setback requirements

(m) Proposed clearing limits

(n) Proposed building footprint

(o) Proposed driveway slope

(p) All proposed utility services

(q) Inlet grate elevations

(r) Sump pump discharge line location and invert

(s) Location and grade of septic system and all related components

(t) The grading plan must indicate all stream encroachments, wetlands and wetland buffer lines and floodplains on the lot to be developed. Additionally, delineation of wetlands shall be required where hydric soils are identified as being present on the property by the National Wetlands Inventory Maps or where currently delineated N.J.D.E.P. wetlands extend from adjacent properties to the subject property. The required wetlands delineation shall be satisfied by submission with the plan of one or more of the following, together with wetland buffers shown on the plan as may be required from various N.J.D.E.P. documents, as may be appropriate:

1. A current N.J.D.E.P. letter of interpretation;
2. A current permit from N.J.D.E.P. for a determination of the presence or absence of wetlands on the subject property; or
3. A current N.J.D.E.P. permit to disturb wetlands in accordance with state law.

4. If a basement is proposed, soil borings must be obtained and analyzed to determine the soil types and the depth of seasonal high-water table at the lot to be developed in order to reduce the risk of flood damage by confirming that the floor of the proposed basement will be higher than the seasonal high-water table. The results of analysis must be included in or filed with this completed
checklist. Soil boring tests taken to satisfy requirements for septic permits shall be satisfactory to meet this requirement.

(u) Location of landscape and/or retaining walls with top and bottom of wall elevations
(v) Flow arrows
(w) Building cover percentage
(x) Impervious cover percentage

H. Performance bond and inspection escrow.

Where a performance bond and inspection escrow have already been or will be established, the requirements relating to the posting of the fees may be waived upon written request of the applicant for billing to be applied to the escrow account. In those instances, a separate line item for lot grading shall be included in the performance bond estimate and the inspection escrow deposit shall be calculated per the Municipal Land Use Law (Chapter 291, Laws of N.J. 1975, N.J.S.A. 40:55D-1 et seq.) The bonding for lot grading shall not convert over to any subsequent maintenance bond.

I. Penalties. Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties: $1,000.00.

The Ordinance, #2007-08, entitled above was introduced by the members of the North Hanover Township Committee, at a meeting held on May 24, 2007. It will be further considered for final passage after a public hearing at the meeting to be held on July 5, 2007, at the Municipal Building, 41 Schoolhouse Road, Jacobstown, NJ, at 7:00 p.m. prevailing time at which time and place any persons desiring to be heard upon the same will be given an opportunity to do so. Copies are available free of charge at the Municipal Clerk’s Office prior to and at the public hearing.

MONICA L. PASCARELLA, RMC
Municipal Clerk
A. Pools shall be located within an area no less than four thousand square feet that is devoted to the use of the pools.

B. The total area of the surface of the water including separate wading pools, swimming tanks and diving tanks shall be no more than forty percent of the land area devoted to the use of the pools.

C. No edge of any pool or separate swimming tank shall be closer to any building or property line than 20 feet.

D. The total land devoted to the use of the pool shall be enclosed with a fence no less than six feet in height nor more than ten feet in height.

E. The pool shall be lighted both internally and externally, but in no case shall any light be directed in a direct or indirect fashion upon any apartment house or adjacent property.

F. All pools shall be constructed below the surface of the ground.

G. If any portion of the pool, part of the land devoted to the use of the pool, light standard or loud speakers are located closer to any residential building or other property line of another lot more than 50 feet, adequate buffers of trees or shrubs shall be provided.

16-280.4 Maintenance of Pool Area. All pools shall have all the area surrounding the pool made and kept neat and attractive so as to be in conformity with surrounding property and no rubbish, debris or litter shall be permitted to remain or accumulate in or about the pool.

16-290 Right to Farm. See next pg.

16-290.1 Purpose. It is the intent of this section to define and prescribe acceptable, necessary and recognized farming practices and to guarantee that they may be encouraged, established and preserved within all zoning districts. (Ord. 1992-5, § 2 (part))

16-290.2 The Right to Farm Activities Protected. In accordance with the purposes set forth in subsection 16.290.1, the following farming activities shall be deemed established as acceptable, recognized and entitled to protection and encouragement; subject in all cases, however, to all applicable, federal, state, county and local regulations.

A. The production of agricultural and horticultural crops, landscaping and natural Christmas trees, livestock, poultry and other related commodities;

B. The processing and packaging of agricultural output produced on the farm;

C. Wholesale and retail marketing, including "U-Pick" marketing and sales of agricultural output produced on the farm;

D. The construction of off-street parking, loading and driveway areas as they relate to the movement of goods to and from the site and as they relate to the wholesale and retail marketing operation;

E. The construction of barns, silos and other structures as they directly relate to the farm or wholesale and retail operation;

F. The replenishing of soil nutrients including but not limited to the spreading of manure and applying chemical organic fertilizer;

G. The use of federally approved products in accordance with labeled instructions as recommended by the New Jersey Agricultural Experiment Station and the United States Environmental Protection Agency or their successor agencies, for the control of pests, predators, varmints, diseases affecting plants and livestock and for the control of weed infestation;

H. The use of irrigation pumps and equipment and the use of aerial and ground seeding and spraying using tractors and other necessary equipment;

I. The hiring and utilization of necessary farm labor;

J. The construction of fences appropriate in connection with farming;

K. Transporting large, slow-moving equipment over roads within the township;

L. Conducting farm activities year-round including weekends and holidays, in the hours of the day and night and noise, odors, dust and fumes that are caused by such activities are also specifically permitted as part of the exercise of this right;

M. It is expressly found that whatever nuisance caused to others by such uses and activities so conducted is more than offset by the benefits from
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON
ORDINANCE NO. 2009-04

AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER AMENDING CHAPTER 16 OF THE "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF NORTH HANOVER, 1994" REPEALING AND REPLACING SECTION 16-290 ENTITLED "RIGHT TO FARM"

WHEREAS, the Township Committee of the Township of North Hanover has determined that the Township's current "Right to Farm" ordinance found at section 16-290 is insufficient and needs to be revised and replaced with a new "Right to Farm" ordinance;

NOW, THEREFORE, BE IT ORDEAED by the Township Committee of the Township of North Hanover in the County of Burlington, the State of New Jersey, that section 16-290 of the Revised General Ordinances of the Township of North Hanover, 1994, is hereby repealed and replaced as follows:

Section 1. 16-290 Right to Farm

A. As used in this ordinance, the following words shall have the following meanings:

"Commercial farm" means:

1. A farm management unit of no less then five acres producing agricultural or horticultural products worth $2,500 or more annually, and satisfying the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, N.J.S.A. 54:4-23.1 et seq.; or
2. A farm a management unit less then five acres, producing agricultural or horticultural products worth $50,000 or more annually and otherwise satisfying the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, N.J.S.A. 54:4-23.1 et seq.

"Farm management unit" means a parcel or parcels of land, whether contiguous or noncontiguous, together with agricultural or horticultural buildings, structures and facilities, producing agricultural or horticultural products, and operated as a single enterprise.

"Farm market" means a facility used for the wholesale or retail marketing of the agricultural output of a commercial farm, and products that contribute to farm income, except that if a farm market is used for retail marketing at least 51 percent of the annual gross sales of the retail farm market shall be generated from sales of agricultural output of the commercial farm, and except that if a retail farm market is located on land less then five acres in area, the land on which the farm market is located shall produce annually agricultural or horticultural products worth at least $2,500.

"Pick-your-own operation" means a direct marketing alternative wherein retail or wholesale customers are invited onto a commercial farm in order to harvest agricultural, floricultural or horticultural products.

B. The right to farm is hereby recognized to exist in this Township and is hereby declared a permitted use in all zones of this Township. This right to farm includes, but not by way of limitation:

(1) Production of agricultural and horticultural crops, trees, apiary and forest products, livestock, poultry and other commodities as
described in the Standard Industrial Classification for agriculture, forestry, fishing and trapping.

(2) Housing and employment of necessary farm laborers.
(3) Erection of essential agricultural buildings, including those dedicated to the processing and packaging of the output of the commercial farm and ancillary to agricultural and horticultural production.

(4) The grazing of animals and use of range for fowl.

(5) Construction of fences.

(6) The operation and transportation of large, slow-moving equipment over roads within the Township.

(7) Control of pests, including but not limited to insects and weeds, predators and diseases of plants and animals.

(8) Conduction of agriculture-related educational and farm-based recreational activities provided that the activities are related to marketing the agricultural or horticultural output of the commercial farm and permission of the farm owner and lessee is obtained.

(9) Use of any and all equipment, including but not limited to: irrigation pumps and equipment, aerial and ground seeding and spraying, tractors, harvest aids, and bird control devices.

(10) Processing and packaging of the agricultural output of the commercial farm.

(11) The operation of a farm market with attendant signage, including the construction of building and parking areas in conformance with Township standards.

(12) The operation of a pick-your-own operation with attendant signage.

(13) Replenishment of soil nutrients and improvement of soil tilth.

(14) Clearing of woodlands using open burning and other techniques, installation and maintenance of vegetative and terrain alterations and other physical facilities for water and soil conservation and surface water control in wetland areas.

(15) On-site disposal of organic agricultural wastes.

(16) The application of manure and chemical fertilizers, insecticides and herbicides.

(17) Installation of wells, ponds and other water resources for agricultural purposes such as irrigation, sanitation and marketing preparation.

(18) Commercial farm operators may engage in any other agricultural activity as determined by the State Agricultural Committee and adopted by rule or regulation pursuant to the provisions of the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.).

C. Commercial farm operators are strongly advised to adhere to generally accepted agricultural management practices that have been:

(a) promulgated as rules by the State Agriculture Development Committee;

(b) recommended as site-specific agricultural management practices by the county agriculture development board;

(c) approved by the local soil conservation district in the form of a farm conservation plan that is prepared in conformance with the United States Department of Agriculture, National Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG), revised April 20, 1998, as amended and supplemented; or

(d) recommended by the Rutgers Agricultural Experiment Station.

D. The foregoing activities must be in conformance with the applicable Federal and State law.
E. The foregoing practices and activities may occur on holidays, weekdays and weekends by day or night and shall include the attendant or incidental noise, odors, dust and fumes associated with these practices.

F. It is hereby determined that whatever nuisance may be caused to others by these foregoing uses and activities is more then offset by the benefits of farming to the neighborhood community and society in general.

G. Any person aggrieved by the operation of a commercial farm shall file a complaint with the applicable county agriculture development board, or the State Agriculture Development Committee in counties where no county board exists, prior to filing an action in court.

H. To help parties resolve conflicts involving the operation of commercial farms, the State Agriculture Development Committee has also established an Agricultural Mediation Program. Mediation is a voluntary process in which a trained, impartial mediator helps disputing parties examine their mutual problems, identify and consider options, and determine if they can agree on a solution. A mediator has no decision-making authority. Successful mediation is based on the voluntary cooperation and participation of all the parties.

I. An additional purpose of this ordinance is to promote a good neighbor policy by advising purchasers and users of property adjacent to or near commercial farms of accepted activities or practices associated with those neighboring farms. It is intended that, through mandatory disclosures, purchasers and users will better understand the impacts of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near land actively devoted to commercial agriculture or in an Agricultural Development Area, meaning an area identified by a county agriculture development board pursuant to the provisions of N.J.S.A. 4:1C-18 and certified by the State Agriculture Development Committee.

The disclosure required by this section is set forth herein, and shall be made a part of, the following disclosure form:

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

This disclosure statement concerns the real property situated in the Township of North Hanover described as Block ____, Lot ____. This statement is a disclosure of the conditions of the above-described property in compliance with Ordinance No. 2009-04 of the Township of North Hanover. It is not a warranty of any kind by the seller(s) or any agent(s) representing any principal(s) in this transaction, and is not a substitute for any inspections or warranties the principal(s) may wish to obtain.

I.

Seller’s Information

The seller discloses the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property. The following are representations made by the seller(s) as required by the Township of North Hanover and are not the representation of the agents, if any. This information is a disclosure and is not intended to be part of any contract between the buyer and seller.
The Township of North Hanover permits the operation of generally accepted agricultural management practices within the municipality. If the property you are purchasing is located near land actively devoted to commercial agriculture or in an Agricultural Development Area, meaning an area identified by a county agricultural development board pursuant to the provisions of N.J.S.A.4:1C-18 and certified by the State Agriculture Development committee, you may be affected by these agricultural activities or practices. The effect of these activities or practices may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24 hour period, storage and disposal of manure and compost, and the application by spraying or otherwise of fertilizers, soil amendments, herbicides and pesticides. One or more of the effects described may occur as the resolute of any agricultural operation, which is in conformance with existing Federal and State laws and regulations and accepted customs and standards. If you live near an agricultural area, you should strive to be sensitive to the needs of commercial farm operators, as their presence is a necessary aspect of an area with a strong rural character and a strong agricultural sector. The State Agriculture Development Committee has established a formal complaint process as well as an informal Agricultural Mediation Program to assist in the resolution of any disputes, which might arise between the residents of the Township of North Hanover regarding the operations of commercial farms.

SECTION 2. In the event that any portion of this ordinance is determined to be invalid, such determination shall not affect the remaining portions of ordinance, which are hereby declared to be severable.

SECTION 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect after its final passage and publication according to law.

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NOTICE

The foregoing ordinance was finally adopted by the Township Committee of the Township of North Hanover on February 26, 2009 after a public hearing held at the Municipal Building on Schoolhouse Road in the Township of North Hanover, County of Burlington, State of New Jersey.

Monica L. Zur, RMC
Municipal Clerk
farming to the neighborhood and community and to society in general, by the preservation of open space, the beauty of the country side and clean air and by the preservation and continuance of farming operations in North Hanover Township and in New Jersey as a source of agricultural products for present and future generations;

N. If building structures are proposed, the owner/applicant shall provide architectural plans prepared by a professional architect or engineer licensed in the state of New Jersey. All plans shall satisfy BOCA requirements;

O. The construction code official shall review all plans for any application for construction in conjunction with an active farming operation as outlined above;

P. Building permits are required for all structures. (Ord. 1992-5, § 2 (part))

16-290.3 Notice of Farm Use. For the purpose of giving due notice of nearby farming uses to proposed new residential areas adjacent to unimproved land then being commercially farmed or suitable therefor, the planning board shall require an applicant for an adjacent major or minor subdivision, as a condition of approval of such application, to include as a provision in each and every contract for and deed conveying all or any portion of the lands thereby subdivided as well as on final subdivision maps, the following record notice to and waiver by guarantees of such present or future proximate farming uses, which provision shall be made to run with the land. Grantee hereby acknowledges notice that there are presently or may in the future be farm uses adjacent to or in close proximity to the above-described premises from which may emanate noise, odors, dust and fumes associated with lawful agricultural practices permitted under applicable right to farm laws, regulations and ordinances and, by acceptance of this conveyance, Grantee does hereby waive objection to such activities. (Ord. 1992-5, § 2 (part))

16-290.4 Rights and Privileges. With respect to all persons and properties affected by this section, including cases where a farm is under state or municipally approved farm land preservation or agricultural retention program, this chapter shall not limit the activities and/or rights currently or in the future provided under the law; however, in cases where this chapter broadens a farmer's rights or privileges, all persons and properties affected by this chapter shall be entitled to the benefits thereof. (Ord. 1992-5, § 2 (part))

16-300 Exceptions and Modifications.

16-300.1 Area Requirements. Whenever title to two or more contiguous lots is held by the same owner, regardless of whether or not each of such lots may have been approved as portions of a subdivision or acquired by separate conveyance or by other operation of law and one or more of such individual lots should by reason of exceptional shallowness, topographical conditions, substandard area of yard space not conform with the minimum lot area and dimension requirements for the zone in which it is located, the contiguous lots of such owner shall be considered as a single lot and the provisions of this chapter shall hold. Whenever land has been dedicated or conveyed to the township by a lot owner to meet the minimum street width requirement of the land subdivision chapter or to implement the official map or master plan of the township, the zoning officer shall issue building and occupancy permits for the lot whose depth and/or areas are rendered substandard in area only because of such dedication and where the owner has no other adjacent lands to provide the minimum requirements.

16-300.2 Corner Lots. Structures located on a corner shall be set back from both streets the required front yard distance, but in no case less than required in the applicable zone.

16-300.3 Height Limits. Penthouses or roof structures for the housing of stairways, tanks, ventilating fans, air conditioning equipment or similar equipment required to operate and maintain the building and fire or parapet walls, skylights, spires, cupolas,
steeples, flagpoles, chimneys, water tanks, silos or similar structures may be erected above the height limits prescribed by this chapter, but in no case more than twenty-five percent more than the maximum height permitted in the district except spires, steeples, silos, water towers and radio and television towers shall have no height restrictions.

16-310 Preexisting Lots; Outstanding Building Permits and Site Plan Approvals.

Any approved subdivided lot or one with a minimum lot area of one acre existing at the adoption of Ordinance 1989-12 and shown on the tax map of the township which does not meet minimum lot size shall remain as a valid lot and shall be exempt from the minimum lot size requirements of this chapter. Front and rear yard setbacks as well as side yard requirements for such lots shall be those applicable prior to the passage of Ordinance 1989-12.

Nothing in this chapter shall require any change in the plans, construction, size or designated use of any building, structure or part thereof for which any building permit or site plan approval has been granted before the enactment of this chapter, provided that construction from such plans shall have been started within sixty days after the enactment of this chapter and shall be diligently and continuously pursued to completion. Otherwise such approval shall be void. (Amended by Ord. 1995-11, § 1)

16-320 District Changes and Ordinance Amendments.

This chapter may be amended from time to time by the township committee after the appropriate referrals, notices, hearings and other requirements of law.
### 16-330 Schedule of Area and Bulk Regulations

<table>
<thead>
<tr>
<th>District</th>
<th>Uses</th>
<th>Minimum Lot Requirements</th>
<th>Minimum Yard Requirements</th>
<th>Conform to R-A Requirements</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Area</td>
<td>Frontage (ft.)</td>
<td>Width (ft.)</td>
<td>Depth (ft.)</td>
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<td>R-A</td>
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<td>5 Acres</td>
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<td></td>
<td>5 Acres</td>
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<td>300</td>
<td>100</td>
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<tr>
<td>R-1</td>
<td>Single Family</td>
<td>1 acre</td>
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<td>R-2</td>
<td>Single Family</td>
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<td>C-1</td>
<td>All Uses Permitted in R-A</td>
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<td></td>
<td>Shopping Centers</td>
<td>10 Acres</td>
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<td></td>
<td>Garden Apartments</td>
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<td>300</td>
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<td></td>
<td>Motels</td>
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<td></td>
<td>Service Stations</td>
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<td>All R-A and C Uses Permitted Uses Accessory Buildings</td>
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¹ Rear: Minimum setback from rear property line.
² One Side: Minimum setback from side property line.
³ From Principal Building: Minimum setback from principal building.
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<tr>
<th>District</th>
<th>Uses</th>
<th>Area</th>
<th>Frontage (ft.)</th>
<th>Width (ft.)</th>
<th>Depth (ft.)</th>
<th>Front (ft.)</th>
<th>Rear¹ (ft.)</th>
<th>One Side² (ft.)</th>
<th>From Principal Building (ft.)</th>
<th>Principal Building Coverage %</th>
<th>Maximum Building Height (ft.)</th>
<th>Maximum Paving %</th>
<th>Accessory Building Coverage %</th>
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<tbody>
<tr>
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<td>33 1/3¹</td>
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<td>Industrial Park Lots</td>
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¹ Total Building Coverage
² Parking Area
³ Accessory Buildings Offset is 1 ft./ft. of height, 10 ft. min.
Development Applications.


A. All development applications pertaining to lands which abut lands presently zoned residential-agricultural or the abutting lands which are being devoted to agricultural purposes shall, as part of the designed standards hereby required, provide for the installation on the lands being developed and immediately adjacent to the adjoining lands, a six-foot cyclone chain-link fence to be erected along the common boundary the entire length thereof.

B. The provisions of this requirement may, in whole or in part, be waived by the planning board where the developer demonstrates that topography or proposed layout of the development plan and the intended uses thereon will not present a danger to the adjoining land owner or to the unwary who may be hurt or injured by pesticides or farm equipment being utilized or which may reasonably be utilized in conjunction with the agricultural uses permitted.

C. The weight of the mesh as well as the location of any gates or fence support, piping or struts shall be delineated on the development plan for which approval is being sought.

D. Maintenance.

1. The owner of any lands upon which fencing has been installed by virtue of development applications approved subsequent to the adoption of the ordinance codified in this subsection shall be responsible for its maintenance.

2. Should the owner of any lands be found to be in violation of the ordinance codified in this subsection, the Municipal Court of North Hanover may impose such fines, penalties, or other impositions as may then be permitted by statute or rule of court. (Ord. 1988-11, §§ 1, 2; Ord. 1988-8, §§ 1, 2, 3)
Ordinance 2009-18 Section 3. This ordinance Amends the Development Regulations of the Code of North Hanover Township Chapter 16 “Zoning” by Repealing Section 350 Entitled “Residential Open Space Development” in its entirety as follows:

A. Chapter 16, Section 350, Subsections 1 through and including 7 are hereby repealed.

Section 5. In the event a portion or portions of this Ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not effect the remaining sections of this Ordinance.

Section 6. This Ordinance shall take effect immediately upon passage, publication and filing with the County Planning Board as required by law.

NOTICE:

The Ordinance entitled above was adopted by the Members of the North Hanover Township Committee, at a meeting held on December 3, 2009, after a public hearing was held on said date. It will become effective upon publication and notification according to law.

Monica L. Zur, RMC – Municipal Clerk
16-350.8 Standards. Unless otherwise specified, each proposed use shall be subject to the standards for design or otherwise as set forth in the Revised General Ordinances of the Township of North Hanover. (Ord. 1992-7 § 1 (part))