TOWNSHIP OF WALL

ORDINANCE NO. 9 - 1989

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER XVI "SITE PLAN" OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, PERTAINING TO SITE PLAN APPLICATION REQUIREMENTS.

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

Section 1. Chapter XVI, "Site Plan"of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, Sections 16-6 "Application", 16-7 "Required Distribution of Copies", and 16-8 "Standards Considered in Planning Board Review" are hereby deleted and the following substituted therefor:

"16-6 SITE PLAN REQUIREMENTS

16-6.1 Plan Conformity

a. No plan shall be accepted for consideration unless it fully conforms to the following requirements as to form, content and accompanying information and is prepared by a professional engineer, professional planner, architect or land surveyor licensed to practice in the State of New Jersey as required by law, and shall bear the signature, seal and license number and address of the preparer. All plans shall be submitted on one or more sheets of the following standard sheet sizes: 8½" x 13"; 15" x 21"; 24" x 36", and 30" x 42". If a plan consists of more than one sheet, all sheets shall be the same size and at the same scale with matchlines or references on each sheet to the adjoining sheets. If more than one sheet is necessary to show the entire area of the project, then a project keysheet shall be included on each sheet, at a smaller scale, which shows the overall project with the subsheet and matchline delineation.

b. The land use officer shall refer any site plan to the

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approving agency for its review, and shall forward copies to the township engineer, the township planner, the police department, the public works department, the building department, and the tax assessor's department for their review and recommendation.

16-6.2 Standards for Preliminary and Final Site Plan Submission.

A preliminary and final site plan shall be clearly and legibly drawn at a scale of one (1") inch equal thirty (30') feet or less for a tract up to five (5) acres in size and one (1") inch equals fifty (50') feet or less for a tract greater than five (5) acres. The plan shall be designed in accordance with the standards of this chapter and any applicable portions of the zoning ordinance and land subdivision ordinance. The plan shall accurately and clearly show the existing conditions of the site and surrounding areas and all proposed changes, structures and improvements associated with the application. The plan shall show as a minimum the following information:

a. All pages of the site plan submitted shall be consecutively numbered, bound together on the left edge, and the first page shall contain a table showing page number, title, original issue date, all revision dates and a summary of revisions for each sheet involved in the site plan. This summary shall be updated each time a sheet is reissued. The first page shall also provide an approval block for the reviewing board to sign once the site plan is approved.

b. A key map showing the location of the entire tract in relation to all features shown on the tax map within five hundred (500') feet of the extreme limits of the site, at a scale of one (1") inch equals four hundred (400') feet or less. Also, all zoning districts within this five hundred (500') feet limit shall be delineated.

c. The name, address and signature of the owner of the property and the applicant for the project.

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d. The name and address of all property owners within two hundred (200') feet of the site and their lot and block numbers as disclosed by the most recent tax records. The two hundred (200') feet limit shall also be depicted on the required keymap.

e. The project name, tax map sheet number, block and lot number, zoning district and the area in acres and square feet, together with the dimensions of the entire property to be developed. The north arrow, reference meridian, date and scale (both written and graphic) of the plan.

f. A chart and tabulation of the "schedule of area, yard and building requirements" for the applicable zone in which the property is situated, showing the requirements of the zone and that proposed by the application. In addition, the tabulation shall include the required and proposed amount of parking and loading spaces; the percentage of impervious lot coverage; landscaped areas; buffer areas; and undisturbed open space on the tract.

g. 1) The exact area and exact dimensions of the site to be built upon.

2) The location and layout of all existing structures, buildings, site improvements, driveways on the site, and on adjacent properties within two hundred (200') feet of the site.

3) The location, size, shape, dimensions, setbacks and layout of all proposed buildings, structures, roadways, parking areas, loading areas, fire zones, walkways, sight triangles, landscaped areas, buffer areas, outdoor lighting fixtures, fences, refuse and recycling areas and signs as the same may be permitted or required by Township Ordinances.

4) In cases where less than 10 percent of a tract of land of 20 acres or more, located in the M-1, M-2, B-1, B-2, B-3 or interim airport zones, is proposed for development, the applicant may submit the following in lieu of a site plan for the entire tract:

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a) A map of the entire tract, such as a deed plotting, or tax maps with a minimum scale of one (1") inch equal to four hundred (400') feet showing thereon the existing and proposed traffic circulation, the overall development concept for the entire tract in schematic land use, traffic patterns and all major natural features such as streams, wooded areas and steep slopes.

b) A full site plan containing all of the site plan requirements as set forth herein but limited to the areas to be developed and within two hundred (200') feet from the perimeter thereof. In no event shall the area to be developed shown on the site plan be less than the minimum lot size requirements of the zoning district in which the property is located.

h. The location and width of all existing and proposed utility and other easements in the area to be developed, stating the purpose of the easement and to whom the easement has or will be granted.

i. All existing streets or roads within or adjoining the proposed development with the name, right-of-way widths and paved widths clearly shown. All existing curbs, sidewalks and utilities within the adjoining streets shall also be shown.

j. The location of all wooded areas and size and species of isolated trees which, if proposed to be removed would require a tree removal permit under the applicable provisions of the zoning ordinance.

k. The location, size and direction of flow of all streams, brooks, 100 year flood plains, freshwater and tidal wetlands, wetland (hydric) soils, ditches, swales, gulleys or drainage courses and drainage structures within the limits of the development and within two hundred (200') feet thereof.

l. Existing and proposed contour lines over the entire area of the proposed development and extending a minimum of 100 feet beyond the boundary of the project site with spot elevations, as needed, so that the plan

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adequately shows the slope and natural flow of surface drainage and the final disposal of the surface waters. The contour lines shall be shown at a one foot (1') contour interval for slopes of four percent (4%) or less; a two foot (2') contour interval for slopes of greater than four percent (4%) and up to ten percent (10%); and a five foot (5') contour interval for slopes greater than ten percent (10%). All elevations shall be certified as to accuracy by a New Jersey licensed land surveyor and shall be related to United States Coast and Geodetic Survey Datum. The monument, disk or bench mark utilized to establish the elevations shown shall be designated on the plan. A site benchmark, related to the elevations shown, shall be established at the site and designated on the plan.

m. When the site abuts an existing Township roadway for which curbing and/or pavement widening is required or proposed, centerline profiles and cross sections at a maximum interval of fifty feet (50') shall be provided, showing the existing elevations and design elevations for the improvements.

n. Plans for any storm drainage systems including, as a minimum, the following:

1) All existing or proposed storm sewer lines within or adjacent to the development showing size and profile of the lines, elevations at and slopes between structures, and the location of each catch basin, inlet and manhole.

2) The location and extent of any proposed ground water recharge basins, detention basin or other water conservation devices.

3) A report by the design engineer containing the criteria, alternates considered, reasons for the selected alternate and the design calculations for all drainage facilities for the 2-year, 10-year, 5-year storm and 100-year storm event.

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4) Construction details for all pipe and drainage structures shall be provided.

5) For all drainage facilities the plan shall indicate whether the ultimate responsibility for maintenance and repair of such facilities is proposed to be public or private.

o. All existing and proposed water courses, including lakes and ponds, which are within or abut the site or into which discharge is proposed shall be shown and accompanied by the following information or data:

1) When a brook or stream is proposed for alteration, improvement or relocation or when a structure or fill is proposed over, under, in or along a running stream, evidence of submission of an application to the New Jersey Department of Environmental Protection, Division of Water Resources shall be required. Any and all permits required for the aforesaid encroachments shall be obtained by the developer prior to the granting of preliminary site plan approval by the Board.

2) Cross-sections and profiles of water courses at an appropriate scale showing extent of flood plain (if defined), top of bank, normal water level and bottom elevations at the following locations:

a) Any point where a water course crosses a boundary of the development.

b) At fifty (50') foot intervals for a distance of three hundred (300') feet upstream and downstream of any proposed culvert or bridge, adjacent to or within one thousand (1,000') feet downstream of the development.

c) Immediately upstream and downstream of any juncture of two (2) or more water courses in, or within one thousand (1,000') feet of, the development.

d) At a maximum of five hundred (500') foot intervals along all water courses which run

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through or adjacent to the development.

e) When ditches, streams, brooks or water courses are to be altered, improved or relocated, the method of stabilizing slopes, and measures to control erosion and siltation, including typical ditch sections and profiles, shall be shown on the plan or shall accompany it. Similar information shall be provided for control of erosion and siltation (whether temporary or permanent) due to road construction and other site changes and improvements.

f) The boundaries of the 100-year Flood Plain of all water courses within or adjacent to the development.

3) The runoff from the twenty-five year storm and 100-year storm event of the drainage basin for any water course running through or adjacent to the development.

4) The runoff in the drainage basin to the nearest downstream drainage structure and the runoff in the development which drains to the structure for 25-year and 100-year storm events.

5) The metes and bounds location and extent of drainage and conservation easements.

6) The location, extent and water level elevation of all existing or proposed lakes or ponds within or adjacent to the development.

p. Plans showing existing and proposed sanitary sewerage facilities serving the site, including plans and profile views with details for the location, size and profile of all sanitary sewer lines; elevations at and slope between structures, manholes, building connections, pumping stations, lift stations and connections to existing facilities, all of which shall be designed and drawn in accordance with N. J. D. E. P. standards, rules and regulations.

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q. Plans, profiles and details of all water mains and appurtenances thereto to service the site, whether existing or proposed, shall be shown to include the proposed connection to the existing water main system and to any proposed or existing buildings.

r. Plans of any other underground utilities and the easements to accommodate them such as gas, electricity, telephone, cable television and the like, shall be clearly indicated on the plan. If private utilities are proposed, they shall comply fully with all Township, County and State regulations. If a utility service will be provided by an existing company, a letter from that company stating that service will be available before occupancy and that the service to be supplied will meet applicable Township, County and State requirements shall be submitted.

s. When on-lot water supply or sewage disposal is proposed, the plan for such systems shall be subject to approval by the Monmouth County Board of Health and the appropriate State agencies and the results of percolation tests and soil borings in locations where such installation(s) are proposed shall be submitted with the site plan. All tests and data required by the Standards for the Construction of Individual Subsurface Sewage Disposal Systems and the Standards for Construction of Public, Non-community and Non-public Water Systems of the New Jersey Department of Environmental Protection shall be submitted.

t. A copy of any protective covenants or deed restrictions which apply to the land being developed or which are proposed to be imposed thereon; and the location and width of all existing and proposed utility and other easements in the area to be developed, stating the purpose of each easement and to whom the easement has or will be granted.

u. The applicant shall submit a separate soil erosion and sediment control plan for the site in accordance with

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the Standards for Soil Erosion and Sediment Control adopted by the New Jersey Conservation Committee and administered by the Freehold Soil Conservation District pursuant to N. J. S. A. 4:24-39.

v. Landscaping proposed for the site must be shown. All existing wooded areas, trees or shrubbery to remain shall be clearly designated. All proposed landscaping showing the species, size, type, quantity and seed mixtures must be provided along with a tabulation of the plant material and planting details for trees and shrubs. All ground cover and mulching material shall be designated.

w. Plans for all site lighting, both existing and proposed, must be provided. Details for the poles and light fixtures must be provided to include location, mounting height, type of fixture, light intensity provided at ground level shown by footcandle projections, total quantity of light emitted from the light source and the quantity emitted above the horizontal plane and any proposed shielding.

x. Technical specifications prepared by a licensed engineer containing, as a minimum, the materials and methods of construction to be employed in the construction of all proposed improvements.

y. Elevations and floor plans for all existing and proposed structures and buildings on site, including the proposed exterior material and color, and roof lines.

z. Detailed information pertaining to the nature of the proposed use and operations to be conducted on the site in sufficient detail to permit the appropriate Township officials to determine whether or not the proposed use and operation of the development will be in compliance with the standards promulgated herein and in the Zoning Ordinance.

aa. Certification that the applicant is the owner of the land, or that the owner has given consent to the development.

bb. Certification from the Township Tax Collector that all taxes are paid to date.

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cc. If a site is to be developed in phases, a phasing plan shall be submitted defining each phase and indicating the following:

1) The order and timing for each phase.

2) All structures, buildings and improvements to be constructed within each phase.

3) In each phase, all required improvements must be installed and all requirements of the Zoning Ordinance must be satisfied for that phase prior to the issuance of any certificate of occupancy for that phase.

16-7 GUARANTEES AND FEES REQUIRED.

16-7.1 Inspection Fees.

Prior to the commencement of the construction of any building, or of site improvements required by this chapter, the developer of a project shall pay to the Land Use Officer, in the form of a certified or bank check, or bank money order, a fee in the amount set forth herein to cover inspection costs relating to all improvements to be owned by or dedicated to the Township including but not limited to streets, pavement, grading, gutters, curbs, sidewalks, street lighting, shade trees, surveyor's monuments, water mains, culverts, storm sewers, sanitary sewers or other means of sewage disposal, drainage structures, erosion control and sedimentation devices, public improvements of open space; as well as other on-site improvements, including landscaping.

a. Prior to the commencement of any construction governed by this chapter, the developer shall arrange for a pre-construction conference between the developer, contractor and township engineer.

b. The township engineer shall be notified by the developer 14 days in advance of the commencement of initial construction and five days in advance of all subsequent phases of construction, if a time period of five (5) days has lapsed since the date of last inspection. The developer shall be responsible for the payment of

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all reasonable inspection fees and such payments shall be in addition to the performance guarantees and all other required fees.

c. The developer shall pay to the Land Use Officer, prior to the preconstruction conference, an initial inspection fee in an amount computed by the township engineer based upon his estimate of the costs of constructing all public improvements to be owned by or dedicated to the Township, as follows:

1) Estimated construction costs of five thousand ($5,000.00) dollars or less; a fee of three hundred fifty ($350.00) dollars.

2) Estimated construction costs of over five thousand ($5,000.00) dollars and less than or equal to ten thousand ($10,000.00) dollars; a fee of three hundred fifty ($350.00) dollars plus six percent (6%) of the excess over five thousand ($5,000.00) dollars.

3) Estimated construction costs of over ten thousand ($10,000.00) dollars and less than or equal to fifty thousand ($50,000.00) dollars; a fee of six hundred twenty-five ($625.00) dollars plus five percent (5%) of the excess over ten thousand ($10,000.00) dollars.

4) Estimated construction costs of over fifty thousand ($50,000.00) dollars and less than or equal to seventy-five ($75,000.00) dollars; a fee of two thousand six hundred twenty-five ($2,625.00) dollars plus four and one-half percent (4½%) of the excess of over fifty thousand ($50,000.00) dollars.

5) Estimated construction costs of over seventy-five thousand ($75,000.00) dollars and less than or equal to one hundred thousand ($100,000.00) dollars; a fee of three thousand seven hundred fifty ($3,750.00) dollars plus four percent (4%) of the excess over seventy-five thousand ($75,000.00) dollars.

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6) Estimated construction costs of over one hundred thousand ($100,000.00) dollars; a fee of four thousand seven hundred fifty ($4,750.00) dollars plus three and one-half percent (3½%) of the excess over one hundred thousand ($100,000.00) dollars.

d. The aforesaid inspection fees and any additional inspection fees deposited with the township as set forth herein shall be used to pay the engineering inspection fees incurred by the township in connection with the development.

e. The improvement costs to be calculated by the township engineer shall include the cost of material, construction and installation, costs of grading, pavement, surveyor's monuments, drainage structures, storm sewers, sanitary sewers and other means of sewage disposal, water mains, fire protection features, streets, gutters, curbs, driveway, culverts, sidewalks, street lighting, shade trees, parking areas, landscaping, street signs, erosion control and sedimentation control devices, public improvements of open space, off-tract improvements as may be required by this chapter or by the terms of site plan approval, and the reasonable engineering and legal costs to be incurred in connection therewith. The township engineer shall also include in his calculation an amount sufficient to pay for the cost of final inspections.

f. The township engineer shall bill the township for his services in connection with the developer's project in accordance with a contract between the township and the engineer, which contract shall be on file in the office of the township clerk and be available for inspection by the developer.

g. In the event that the bills submitted by the township as the work progresses reach 75 percent (75%) of the amount initially deposited by the developer, the town-

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ship engineer shall submit a revised estimate of the total amount of inspection fees due from the developer. If the revised estimate is in excess of the initial amount paid by the subdivider, a copy of the revised computation shall be forwarded by the Land Use Officer to the developer by certified mail, return receipt requested. The developer shall pay to the Land Use Officer, within ten (10) days of his receipt of the revised estimate, such additional monies as are required to cover the revised total estimate of inspection fees.

h. All payments of inspection fees to the Land Use Officer shall be made by certified check or bank money order.

i. At reasonable intervals, the developer may request the township engineer to submit interim reports which shall detail his services and charges provided to the township regarding the developer's project. Copies of all such reports shall be forwarded to the developer, the Land Use Officer and the Township Committee.

j. Upon the conclusion of the engineering services on the developer's project, the township engineer shall forward a final statement to the township committee, the land use officer and the developer itemizing the work performed and the bills rendered and paid by the township. If such bills are in a sum less than the monies deposited by the developer, the township shall cause a refund to be made to the developer at such time as the developer has satisfied all his obligations to the township pursuant to the provisions of this chapter and the conditions of site plan approval.

k. If the township engineer's bills are in a sum greater than the monies deposited by the developer, the developer shall within ten (10) days, deposit with the Land Use Officer such additional sums as are necessary to reimburse the township for all of its engineering costs in connection with the developer's project.

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l. No work required by the terms of site plan approval or the provisions of this chapter shall be performed without the permission of the township engineer. A representative of the township engineer shall, at the option of the township engineer, be present at the time all work is performed. No underground installation shall be commenced until inspected and approved by the township engineer.

m. No subsequent approvals, building permits, certificates of occupancy or other permits, licenses or approvals shall be issued in connection with any development if the developer is not in compliance with the provisions of this section. The Land Use Officer shall immediately notify the township committee, the township engineer, the construction official and the approving board at any time a developer has failed to pay all inspection fees required by the provisions of this section.

n. Upon receipt of notification that the developer has failed to conform to the requirements of this section, the township engineer shall perform no further engineering services regarding the developer's project until such time as he is notified that the development is in compliance with this section.

16-7.2 Guarantees.

Prior to the approval of a final site plan requiring public improvements to be owned by or dedicated to the Township, a developer shall be required to post a performance guarantee in favor of the Township for said improvements including but not limited to streets, grading, pavement, gutters, curbs, sidewalks, street lighting, shade trees, surveyor's monuments, water mains, culverts, storm sewers, sanitary sewers or other means of sewage disposal, drainage structures, erosion control and sedimentation control devices, and public improvements of open space as follows:

a. Amount. The required performance guarantee shall be in

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the amount of 120 percent of the estimated cost of the improvements, which estimate shall be prepared by the township engineer. Ninety (90%) percent of the guarantee shall be in the form of a surety bond, irrevocable letter of credit, certified check or other form acceptable to the Township Attorney and ten percent (10%) shall be in the form of a certified or bank check, or bank money order.

b. The procedure for final inspection, partial or full release of performance guarantees and retainage to insure completion of all improvements shall be as set forth in N.J.S.A. 40:55D-53. The developer shall complete all off-site and public improvements as required by this chapter, the site plan approval and as discussed herein within a period of one year from the date of issuance of permits for the development, unless the time for completion is extended by resolution of the Township Committee.

c. Maintenance. Upon completion of the improvements and their approval by the township engineer, the developer may petition the Township Committee to accept the improvements and release the performance guarantee. Prior to the release of any performance guarantee, the developer shall be required to post a maintenance guarantee which shall be in the amount of 15 percent of the cost of all public improvements and which shall be held for a period of 2 years to guarantee maintenance of all required improvements.

d. Disposition of Required Deposits and Guarantees. Whenever a developer places a cash deposit in excess of $5,000. with the township to serve as a performance guarantee or a deposit for inspection costs, such monies shall be placed in an interest bearing account and shall be managed pursuant to N.J.S.A. 40:55D-53.1.

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16-8 Design Standards and Required Improvements

16-8.1 Required Improvements. In connection with applica-

tions for site plan approval, the improvements required shall be as set forth for subdivisions in section 17-7 of "The Land Subdivision Ordinance of the Township of Wall", unless waived or modified by the approving agency.

16-8.2 Design Standards. In connection with applications for site plan approval, the applicable design standards shall be as set forth for subdivisions in section 17-8 of "The Land Subdivision Ordinance of the Township of Wall", unless waived or modified by the approving agency.

16-8.3 Performance Standards and Zoning Regulations. All developments shall conform to all applicable performance standards and regulations contained in "The Zoning Ordinance of the Township of Wall", unless a variance is granted by the approving agency. Such regulations include, but are not limited to section 15-19 "Off Street Parking, Loading and Unloading Requirements" and section 15-23 "Performance Standards"."

Section 2. Should any section,clause, sentence or other portion of this ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder of this ordinance.

Section 3. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect immediately upon its passage and publication according to law.

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on March 1, 1989 and will be further considered for final passage and adoption at the Municipal Court Room, Police Headquarters Building, Allaire and Bailey Corner Roads, Wall, New Jersey, on March 15, 1989 at 8:00 P.M., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township

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Adopted 4/4/89

of Wall Town Hall to the members of the general public who shall request the same.

BEATRICE M. GASSNER
Township Clerk

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