

WEST AMWELL TOWNSHIP
Ordinance 7, 2011

AN ORDINANCE TO AMEND CHAPTER 109 OF THE CODE OF THE TOWNSHIP
OF WEST AMWELL – Approval Agency

SECTION I

CHAPTER 109-214 – Land Development, Procedures, General Provisions, Agency Approval, of the Ordinances of West Amwell Township, is hereby amended and supplemented to add the following new sections to chapter 109-214:

109-214D. Application of Requirements. No development shall take place within the Township nor shall any land be cleared or altered nor shall any watercourse be diverted or its channel or floodplain dredged or filled nor shall any parking areas, accessory or otherwise or accessways thereto be constructed, installed or enlarged nor shall any building permit, certificate of occupancy or other required permit be issued with respect to any such structure, land or parking area, except in accordance with an approval of such development granted pursuant to Section 109-214 hereof, unless exempted in accordance with Section 109-214E.

109-214E. Exemptions from Site Plan Review and Approval. Site plan approval shall not be required for any of the following:

- (1) Detached single-family dwellings including accessory uses permitted as of right under applicable zoning districts, but this shall not limit the requirements for submission and approval of subdivision plats as otherwise required by Township ordinances.
- (2) Construction of a parking area for three vehicles or less. Construction or expansion of parking areas which will accommodate more than three vehicles will require site plan review.
- (3) Any structure or use for which a site plan review application was made to the Planning Board prior to the effective date of Section 109-214 hereof under municipal ordinances and regulations then in effect and superseded by Section 109-214 hereof and that is developed in accordance with an approval of such application heretofore given by the Planning Board pursuant to said prior ordinances and regulations, provided that such approval is less than two years old.
- (4) A proposed development not involving a change in use and not affecting existing circulation, drainage, building arrangements, landscaping, buffering, lighting and other considerations of site plan review.

109-214F Waiver of Site Plan Review Requirements.

- (1) The site plan rules, regulations and standards set forth in this ordinance shall be considered the minimum requirements for the protection of the public health, safety and welfare of the citizens of the Township. However, if the applicant can clearly demonstrate that because of peculiar conditions pertaining to the applicant's land the literal enforcement of Section 109-214 hereof is impracticable or will exact undue hardship, the Planning Board may permit such exemption(s) and waiver(s) as may be reasonable, within the general purpose and intent of the rules, regulations and standards established by Section 109-214 hereof.
- (2) The Planning Board may also waive the requirements of Section 109-214 hereof if the proposed development:
 - (a) Secured previous site plan approval under the terms of Section 109-214 hereof.
 - (b) Involves normal maintenance or replacement such as a new roof, painting, new siding or similar activity.
 - (c) Will not affect existing circulation, parking, drainage, building arrangements, landscaping, buffering, lighting and other considerations of site plan review.

SECTION II - SEVERABILITY

The provisions of this Ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

SECTION III

All other provisions of Chapter 109 – Zoning, of the Ordinances of West Amwell Township not modified herein shall remain unchanged and in full force and effect.

SECTION IV

This ordinance may be renumbered for codification purposes.

SECTION V

This Ordinance shall take effect immediately upon final passage, publication according to law, and filing with the Hunterdon County Planning Board.

APPROVED BY TOWNSHIP COMMITTEE

Thomas J. Molnar, Mayor

ATTEST:

Lora L. Olsen, RMC
Township Clerk

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed on first reading at a meeting of the governing body of the Township of West Amwell, in the County of Hunterdon, State of New Jersey, held on March 23, 2011. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the municipal building, 150 Rocktown-Lamb. Rd., Lambertville NJ on April 27, 2010 at 7:00 p.m. All interested parties will be heard at this time.