

TOWNSHIP OF WEST AMWELL
HUNTERDON COUNTY, NEW JERSEY
Ordinance 11, 2015

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 109, PART 4, ARTICLE XXI, OF THE CODE OF THE TOWNSHIP OF WEST AMWELL (Environmental Features)

BE IT RESOLVED that Chapter 109, Part 4 Zoning shall be supplemented and amended as follows:

Article XXI Environmental Features

§ 109-143. Stream Corridor Protection

...

D. Performance standards.

...

- (3) Any lands proposed for development within all or a portion of any stream corridors shall, as a condition of any land use application, provide for the vegetation or revegetation of any portions of the stream corridor which are not vegetated at the time of the application or which were disturbed by prior land uses, including for agricultural use. Said vegetation plan shall utilize native tree and plant species in accordance with an approved stream corridor management plan, described ~~in § 109-150.2E of this article.~~ herein.

...

E. Activities permitted in stream corridors only under extreme hardship.

...

- (5) Stream corridor management plan.

...

- (d) The plan shall be reviewed by the Township Planning Board Engineer, in consultation with the Environmental Commission. A report with recommendations by the Township Planning Board Engineer shall be submitted to the Planning Board or Board of Adjustment prior to its rendering a decision. ~~For applications from owners of properties defined in § 109-148A(3) and (4), the~~ The Board of Adjustment may waive submission of any or all sections of the Stream Corridor Management Plan if the Board decides that the proposed disturbance is limited and that preparation of a full plan is not warranted. In all cases, however, the applicant must, at a minimum, show the location of any stream that is on the property consistent with other sections of this chapter.

Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reasons held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of West Amwell declares that it would have passed the ordinance in each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Effective Date. This ordinance shall take effect immediately upon passage and publication according to law, and upon filing a copy thereof with the Hunterdon County Planning Board in accordance with N.J.S.A. 40:55D-16.

APPROVED BY TOWNSHIP COMMITTEE

George A. Fisher, 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 December 2, 2015. 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 December 30, 2015 at 7:30 p.m. All interested parties will be heard at this time.