

**T O W N S H I P  
O F M A U R I C E R I V E R  
O R D I N A N C E N O . 5 9 4**

**“AN ORDINANCE AMENDING ORDINANCE NO. 491, ENTITLED THE MAURICE RIVER TOWNSHIP LAND DEVELOPMENT REGULATIONS ORDINANCE, PREVIOUSLY AMENDED BY ORDINANCES NO. 494, 496, 522, 526, 533, 534, 539 and 588**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MAURICE RIVER IN THE COUNTY OF CUMBERLAND AND STATE OF NEW JERSEY** that the Maurice River Township Land Development Regulations Ordinance is hereby amended as follows:

**ARTICLE 35-8 SUPPLEMENTARY DISTRICT REGULATIONS**

**Section 35-8.1 Accessory Use Structures or Uses.**

Section 35-8.1 is hereby amended to add the following language at the end of this section:  
*“The Zoning Officer is hereby authorized to grant a one time approval of a commercial accessory building not exceeding two hundred forty square feet (240 sq. ft.) in area without prior approval from the Land Use Board provided that all applicable setback requirements can be met.”*

**Section 35-8.5 Forestry and Clear Cutting and/Or Wood Cutting.**

Subparagraph F “Administrative fees” is hereby amended to delete certain words in the last sentence and the sentence shall read as follows: *“The applicant shall not be subject to any additional fees for the duration of the forestry permit.”*

**Section 35-8.13 SIGNS.**

Subparagraph H.4 “Off-site signs” is hereby amended to read as follows: *“Off-site signs for commercial advertising, subject to all other conditions of this subsection are permitted in the*

*following zoning districts: VB Village Business, VLI Village Light Industry and VHB Village Highway Business in accordance with Section 8.13 C.5”*

## **ARTICLE 35-9 SPECIFIC USE STANDARDS AND REGULATIONS**

### **Section 35-9.9 Mobile Homes and Trailers**

Subparagraph A. “Temporary Use” (# 2.f) is hereby amended to read as follows: *“Any mobile home permitted to be used temporarily during the construction of a new residential structure shall be disconnected from any public utility, including electric, gas, and the property potable water supply and septic system within forty-five (45) days of the issuance of a certificate of occupancy for the newly constructed residential dwelling; and the mobile home shall be physically removed from the site.”*

### **Section 35-9.21 Windmills, Energy Conservation Devices and Private Communications Facilities.**

Subparagraph A. 6 is hereby amended to read as follows: *“The minimum lot size for the erection, construction or placement of a windmill on a property shall be five (5) acres except that a residential windmill (i.e. small wind energy system) with a maximum nameplate capacity of twenty-five kilowatts (25 KW) or less shall be permitted on a minimum lot size of one (1) acre provided the maximum height does not exceed eighty feet (80 ft.) to the tip of the blade and the minimum yard setbacks shall be equal to the height of the windmill”.*

### **Section 35-9.22 Wireless/Local Communication Facilities.**

Subparagraph B. “Applicability” is hereby amended to renumber the existing language located in B.2 to B.3 and adding the following new language under B.2: *“ Co-location on an existing tower is permitted without prior approval from the Land Use Board provided the tower height is not proposed to be extended, no new equipment is proposed to be located outside of the previously approved site plan area (i.e. the fenced compound area) and the proposed antenna platform will be no more than 15% larger than the largest existing platform on the tower.”*

Subparagraph C “General Provisions and Requirements” #2 is hereby amended to add the following language at the end of the last sentence to read as follows: “.....*for installation of additional facilities that are not exempted by Section B.2.*”

Subparagraph E “Design and Construction Requirements” #4 is hereby amended to add the following language at the end of the last sentence to read as follows: “*All accessory sheds or other equipment facilities shall be subject to site plan review and approval if exemption in Section B.2 does not apply.*”

## **ARTICLE 35-13 DEVELOPMENT REVIEW PROCEDURES**

### **Section 35-13.1 Subdivision And Site Plan Review Required.**

Subparagraph B #1 is hereby amended to read as follows: “*Site plans shall not be required for: any single-family dwelling; for permitted accessory uses to a single-family dwelling such as a private garage or swimming pool, home occupations, except for Village Commercial Home Occupations; a farm or any permitted accessory use thereto such as barn, silo, storage shed or related structure.*”

### **Section 35-13.2 Application Procedures.**

Subparagraph A is hereby amended to read as follows: “*Any applicant for subdivision or site plan review and approval shall obtain all necessary forms and checklists as per Section 35-13.19 of this chapter from the Land Use Board Administrative Officer. Said Officer shall inform the applicant of the steps to be taken in securing Land Use Board action and of the regular meeting dates of the Board. Except as otherwise provided in Section 35-13.1.B of this chapter, an applicant seeking subdivision or site plan approval shall, with the knowledge of the Zoning Officer, submit fifteen (15) copies of all plans, together with a completed application form and the appropriate checklists for the type(s) of development proposed as required by Section 35-13.19 herein, to the Land Use Board administrative officer at least twenty-one (21) days prior to a regularly scheduled Land Use Board meeting.*”

**Section 35-13.6 Conditional Uses.**

Subparagraph B is hereby amended to change the first sentence to read as follows:

*“Fifteen (15) copies of an application for a conditional use permit along with site plans of the proposed conditional use as required by Section 35-13.6B2 of this chapter, shall be submitted in accordance with the provisions of Section 35-13.3 and 35-13.4 of this Article.”*

**ARTICLE 35-14 FEES/ESCROWS**

**Section 35-14.1 Schedule of Fees.**

Subparagraph F “Zoning Permits” #1.b is hereby amended to read as follows:

<i>Accessory use thereto Subsection F 1.a above</i>	<i>\$ 10.00</i>
<i>Home Occupation</i>	<i>\$ 25.00</i>

Subparagraph F “Zoning Permits” #4 is hereby amended to read as follows: *“No fee shall be collected for a zoning permit issued as a result of the approval of a variance and/or the approval of a Village Commercial Home Occupation.”*

Subparagraph G “Forestry Permit” #2 (Administrative fee) is hereby amended to change the last sentence to read as follows: *“The applicant shall not be subject to any additional fees for the duration of the forestry permit.”*

Subparagraphs M through S are hereby amended to now read as follows:

*“M. Waiver of Site Plan: At the time of filing an application to request a waiver of site plan, the applicant shall pay an application fee of one hundred dollars \$100.00 plus an escrow fee of four hundred dollars \$400.00.”*

*“N. Informal review of a concept plan (fee to be credited toward fee for application for development of same project): Three hundred (\$300.00) dollars plus one hundred fifty (\$150.00) dollars per hour for every hour of meeting time spent in excess of two (2) hours.”*

*“O. Hearing transcript: Maximum permitted in N.J.S.A. 2A:11-15.”*

*“P. Duplicate recording of hearing: Twenty-five (\$25.00) dollars per CD.”*

*“Q. Certificates of nonconforming use or structure: Twenty (\$20.00) dollars.”*

*“R. Mailing charges: Whenever an applicant requests that the Board Secretary forward copies of application forms and plats or plans in connection with a minor subdivision or site plan to the County Planning Board or other regulatory agency, the application fee as set forth in both Section 35-14.1K.1 and K.3 shall be increased by ten (\$10.00) dollars.”*

*“S. Payment of fees. All fees shall be paid to the Secretary of Land Use Board or other municipal official designated to receive the specific application for review. All application fees shall be used to cover the cost of processing the application. The escrow review and inspection fee deposits shall be utilized in accordance with the provisions of Section 35-14.2 of this chapter.”*

## **APPENDIX**

### **Checklist “G” – Forestry Permit**

The second item on page G-1 is hereby amended to now read as follows:

[ ] *“Receipt indicating that all applicable fees are paid.”*

## **MAURICE RIVER TOWNSHIP SCHEDULE OF DISTRICT REGULATIONS**

### **C CONSERVATION DISTRICT**

Conditional uses permitted per Section 35-13.6 and allowed by the Land Use Board is hereby amended to omit the current number 5 and renumbered now to read as follows:

*“1. Educational, cultural or historic facility or museum”*

*“2. Philanthropic or eleemosynary organization office”*

*“3. Seasonal recreational facilities and uses including bathhouses, hunting and fishing-related uses and facilities”*

*“4. Marina, boatyards and similar water-related recreational uses”*

*“5. Wireless/Local communications facilities as per Section 35-9.22”*

All ordinances and parts of ordinances inconsistent herewith are hereby repealed to the extent of their inconsistency.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof this ordinance.

This ordinance shall take effect immediately upon due passage, publication according to law, and within the Pinelands Area of the Township, when approved and certified by the Pinelands Commission.

Introduction      10/15/09  
Final Adoption    11/19/09