

MAURICE RIVER TOWNSHIP
ORDINANCE NO. 652

AN ORDINANCE OF THE TOWNSHIP OF MAURICE RIVER
AMENDING CHAPTER 35 LAND DEVELOPMENT REGULATIONS

WHEREAS, the purpose of this Ordinance is to amend Chapter 35, Land Development Regulations of the Township of Maurice River; and

WHEREAS, the Township Committee referred this ordinance for recommendation to the Planning Board in accordance with the requirements of N.J.S.A. 40:55D-64. The Planning Board found that the proposed ordinance is consistent with the adopted Master Plan and made a favorable recommendation supporting the ordinance amendments at their June 1, 2016 meeting.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF MAURICE RIVER, NEW JERSEY THAT CHAPTER 35 LAND
DEVELOPMENT REGULATIONS BE AMENDED AS FOLLOWS:**

Section 1. Delete and Replace item "C.1." under Section 35-9.16 Resource Extraction as follows:

- 35.9.16.C.1. Is designed so that no area of extraction or area that can be used for future extraction, sedimentation pond, storage area equipment or machinery or other structure or facility is closer than:
 - a. Two hundred (200) feet to any property line; or
 - b. Five hundred (500) feet to the property line of any residential or non-resource extraction related commercial use which is in existence on the date the permit is issued.
 - c. The distance from the property line as required in "a" or "b" above shall be considered a buffer as defined in Section 35-3.3 of this Chapter. All such buffers shall maintain existing vegetation and shall be designed and installed in accordance with Section 35-11.4.D. of the ordinance.

Where extraction ponds are established, buffers shall be considered and developed as a means of mitigating unauthorized and potentially dangerous access to such ponds.

All resource extractions operations shall preserve existing wooded tracts to the extent that same may serve to act as such vegetative buffers to present and future resource extraction operations.

Section 2. Amend Section 35-11.3.D Buffers and screening as follows (strikethrough indicates to be deleted and underlined to be added):

35.11.3D. Buffers and screening.

~~Wherever buffers~~ Buffers or screening are required ~~it shall be installed~~ according to the following:

Section 3.

If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Ordinance, but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which judgment shall have been rendered.

NOW THEREFORE, BE IT FURTHER ORDAINED by the Governing Body for the Township of Maurice River, County of Cumberland and State of New Jersey, that a certified copy of this ordinance is forwarded to the Pinelands Commission for certification.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed the first reading at a meeting of the Township Committee of the Township of Maurice River, County of Cumberland and State of New Jersey, held on May 19, 2016, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Building located at 590 Main Street, Leesburg, NJ 08327, on June 16, 2016, at 7:30 p.m. or as soon thereafter as the matter may be reached.

ATTEST:


MICHELLE BEHM, DEPUTY
CLERK


ANDREW SARCLETTE, MAYOR


PATRICIA GROSS, DEPUTY MAYOR


ROY OLIVER, COMMITTEEPERSON

First Reading: May 19, 2016
Publication: May 27, 2016
Public Hearing: June 16, 2016
Adoption: June 16, 2016
Publication of
Notice of Adoption: June 23, 2016