TOWNSHIP OF HOWELL

TOWNSHIP CLERK'S OFFICE

ORDINANCE COVER PAGE

Ordinance No. O-10-12

INTRODUCTION

PUBLIC HEARING & ADOPTION

April 27, 2010

May 25, 2010

AGENDA ITEM NUMBER

8A.1
STATEMENT TO BE READ BY MAYOR FOR PUBLIC HEARING and ADOPTION OF ORDINANCE

PROCEDURE ON ORDINANCES:
ORDINANCE FOR FURTHER CONSIDERATION: PUBLIC HEARING

MAYOR:

ORDINANCE NO. 0-10-12 INTRODUCED AND PASSED ON FIRST READING ON 4/27/10 AND PUBLISHED, ACCORDING TO LAW, IS NOW BEING TAKEN UP FOR FURTHER CONSIDERATION AND PUBLIC HEARING. AFFIDAVIT OF PUBLICATION OF THIS ORDINANCE IN THE ASBURY PARK PRESS ISSUE OF 4/30/10 IS SUBMITTED AND IT IS NOTED THAT A COPY OF THE ORDINANCE HAS BEEN POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND THAT COPIES WERE AVAILABLE TO THE GENERAL PUBLIC UPON REQUEST.

(CLERK TO READ TITLE OF ORDINANCE)

NEXT - MAYOR OPENS THE MEETING TO THE PUBLIC FOR HEARING, REMARKS OR COMMENTS FOR OR AGAINST THE FINAL ADOPTION OF THIS ORDINANCE. (Comments/remarks, if any). THERE BEING NO OTHER PERSON PRESENT DESIRING TO BE HEARD CONCERNING THE AFORESAID ORDINANCE, THE MAYOR DECLARES THE PUBLIC HEARING ON THE ORDINANCE CLOSED.

COUNCILMEMBER MAKES MOTION:

MOTION THAT ORDINANCE NO. 0-10-12 BE FINALLY PASSED AND ADOPTED AND THAT NOTICE OF ITS PASSAGE AND ADOPTION BE PUBLISHED IN THE 5/28/10 ISSUE OF THE ASBURY PARK PRESS BY REFERENCE TO ITS TITLE ONLY.

SECONDED BY COUNCILMEMBER.

ROLL CALL VOTE.
AN ORDINANCE OF THE TOWNSHIP OF HOWELL
AMENDING THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF HOWELL CHAPTER 188-63 ENTITLED
BUFFERS AND SCREENING AND REPEALING CHAPTER 188-7 ENTITLED BUFFERS

BE IT HEREBY ORDAINED by the Township Council of the Township of Howell that
Chapter 188-7, entitled “Buffers” of the General Revised Ordinances of the Township of Howell
shall be repealed and Chapter 188-63 entitled Buffers and Screening shall be amended as
follows:

NOTE: Sections of Chapter 188-63 that are to be amended by Ordinance are set forth below. All
additions are shown in bold italics with underlines. All deletions are shown in bold italics with
strikeouts.


A. Every application for site-plan approval or major subdivision approval shall contain
detailed proposals for buffer areas. Said buffer areas are required along all lot and street lines
separating residential uses from arterial and collector streets, separating a nonresidential use
from either a residential use or residential zoning district line, and along all street lines where
loading and storage areas can be seen from the street. No buffers are required on lands
devoted to agricultural uses, nor for a permit to erect a single-family residence on a lot
existing at the time of the passage of the ordinance next to a nonresidential use or zoning
district line. Buffer areas are for the primary purpose of screening views and reducing noise
perception beyond the lot. Buffer widths shall be measured horizontally. No structure, activity,
storage of materials, or parking of vehicles shall be permitted in a buffer area. The location
and design of buffers shall consider the use being screened, the distance between the use and
the property line, differences in elevations, the types of buffers such as dense planting, existing
woods, a wall or fence, buffer height and width, and other combinations of man-made and
natural features. The buffer shall be designed, planted, graded, landscaped and developed with
the general guideline that the closer a use or activity is to the property line, or the more intense
the use, the more effective the buffer area must be in obscuring light and vision and reducing
noise beyond the lot. Once a buffer is provided, it may be counted as meeting the requirements
for adjoining lands. The requirement of a fifty-foot wide perimeter buffer to be provided by the
applicant around all major subdivisions, and adjacent to active farmland shall be in addition
to any land area that is required under ordinance for use as a rear yard setback area for proposed residential lots. [Amended 8-19-2002 by Ord. No. 0-02-30]

B. — A minimum of 1/2 the length of a required buffer shall be at least 30 feet wide and designed, planted, graded, landscaped and developed to obscure the activities of the site from view. Notwithstanding this requirement, the required buffer around any lot or neighborhood park shall be at least 30 feet wide and the required buffer between any residential developments and a commercial or industrial project development shall be at least a fifty-foot-wide four-season buffer or a thirty-foot-wide landscaped berm. The nonresidential use shall provide the required buffer, unless such nonresidential use is preexisting, in which case the residential use shall provide the required buffer. Not more than 1/2 the required buffer shall consist of at least two of the following:

1. Landscaped, fencing or walls at least 10 feet high.
2. Landscaped berm at least six feet high.
3. A building setback of at least 200 feet with a grade of less than 20% with a group of plantings and trees located to enhance architectural feature(s) of the structure and offer a break to large open areas; but with no other use permitted in this area.
4. A parking area setback at least 100 feet and screened as required under the off-street parking provisions.

C. — All buffer areas shall be planted and maintained with either grass or ground cover together with a screen of live shrubs or scattered planting of live trees, shrubs, or other plant material meeting the following requirements:

1. The preservation of natural wooded tracts shall be an integral part of all site plans and may be calculated as part of the required buffer area, provided that the growth is of density and the area is of a width to serve the purpose of a buffer. Where additional plantings are necessary to establish an appropriate tone for an effective buffer, said plantings may be required.
2. Plant materials used in screen planting shall be evergreens at least three feet in height when planted, be balled and burlapped nursery stock, and be of such density as will obscure, throughout the full course of the year, the glare of automobile headlights emitted from the premises.
3. The screen planting shall be so placed that at maturity it will not be closer than three feet from any street or property line.
(4) Trees shall be at least eight feet in height and 1 1/2 inches in caliper when planted and will be hardy and thrive in the area, of balled and burlapped nursery stock, and free of insect and disease.

(5) Any plant material which does not live shall be replaced within one year or one growing season.

(6) Screen plantings and landscaping shall be broken at points of vehicular and pedestrian access to assure a clear sight triangle.

D. The Planning Board may permit variances from the requirements of this section upon a showing by the applicant that an alternate proposal employing the buffering elements set forth herein will achieve the desired buffering effect. If the Planning Board determines that any of these alternate provisions will not be a sufficient buffer, the Board may require the proposal to be modified to show such additional buffering as shall be required to provide the desired buffering effect.

§ 188-63. Buffers and screening.

A. Buffers. A minimum of a fifty-foot buffer shall be provided around the perimeter of all major subdivisions and all site plans on lots in excess of one acre. Nonresidential site plans abutting nonresidential uses or zones shall not require buffers.

B. The requirement of a fifty-foot wide perimeter buffer to be provided by the applicant around all major subdivisions, and adjacent to active farmland, shall be in addition to any land area that is required under ordinance for use as a rear yard setback area for proposed residential lots. [Added 8-19-2002 by Ord. No. 0-02-30]

C. Screening. Site plans for lots of less than one acre shall include dense perimeter screening of sufficient height and density to mitigate adverse glare and aesthetic impacts upon adjacent residential zones or uses.

A. **Every application for site plan approval or major subdivision approval on lots of one (1) acre or more shall contain a 50-foot perimeter buffer easement.** Said buffer areas are required along all lot and street lines separating residential uses from arterial and collector streets, separating a non-residential use from either a residential use or residential zoning district line. Non-residential site plans abutting non-residential uses or zones shall not require a buffer.

B. **The requirement of a permanent fifty-foot wide perimeter buffer easement, measured from the property line, shall be provided by the applicant around all major subdivisions, and shall be in addition to any land area that is required under ordinance for use as a side and rear yard setback areas for proposed residential lots.**
C. **Screening.** Site plans for lots of less than one (1) acre shall include a ten (10') foot wide dense perimeter screening of sufficient height and density to mitigate adverse glare and aesthetic impacts upon adjacent residential zones or uses.

D. No structure, disturbance, storage of materials or parking of vehicles shall be permitted in a buffer area. Access points from public roadways and utility infrastructure as well as fences along the rear property lines, as the case may be, shall be excluded from this section of the ordinance. Utility Infrastructure does not include stormwater management facilities. Stormwater retention/detention basins are not permitted within a buffer area.

E. A required buffer between residential and a commercial or industrial project development shall contain a fifty-foot wide, four-season buffer, unless such non-residential use is pre-existing, in which case the residential use shall provide the required buffer. The buffer shall consist of at least two (2) of the following:

1. **Lanscaped, fencing or walls at least 10 feet high.**
2. **Lanscaped bern at least six feet (6') high.**
3. **A building setback, measured from the buffer line, of at least 200 feet with a grade of less than 20% with groups of plantings and trees located to enhance architectural feature(s) of the structure and offer a break to large open areas, but with no other use permitted in this area.**
4. **A parking area setback at least 100 feet and screened as required under the off-street parking provisions.**

F. All buffer areas shall be planted and maintained with either grass or ground cover together with a screen of live shrubs or scattered planting of live trees, shrubs, or other plant material meeting the following requirements:

1. **The preservation of natural wooded tracts shall be an integral part of all site plans and subdivisions may be calculated as part of the required buffer area, provided that the growth is of density and the area is of a width to serve the purpose of a buffer. Where additional plantings are necessary to establish an appropriate tone for an effective buffer, said plantings may be required.**
2. **Plant materials used in screen planting shall be evergreens at least six to eight (6'-8') feet in height when planted, be balled and burlapped nursery stock, and be of such density as will obscure, throughout the full course of the year, the glare of automobile headlights emitted from the premises.**
3. **The screen planting shall be so placed that at maturity it will not be closer than three feet (3') from any street or property line.**
(4) Trees shall be at least ten feet (10') in height and 2 ½ inches in caliper when planted and will be hardy and thrive in the area, of balled and burlapped nursery stock, and free of insect and disease.

(5) Any plant material which does not live shall be replaced within two (2) years from release of the performance bond.

(6) Screening plantings and landscaping shall be broken at points of vehicular and pedestrian access to assure a clear sight triangle.

G. The Planning Board or Zoning Board may permit variances from the requirements of this section upon a showing by the applicant that an alternate proposal employing the buffering elements set forth herein will achieve the desired buffering effect. If the Planning Board or Zoning Board determines that any of these alternate provisions will not be a sufficient buffer, the Board may require the proposal to be modified to show such additional buffering as shall be required to provide the desired buffering effect.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.
NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on April 27, 2010 and will be further considered for final passage and adoption at the Township Municipal Building on Prentorium Road, Howell, New Jersey on May 25, 2010 at 7:30 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 thereto, and up to, and including, the date of such meeting, copies of said Ordinance will be available at the Clerk’s Office in the Township of Howell Municipal Building to the members of the general public who shall request same.

BRUCE DAVIS, Municipal Clerk

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on ____________, 2010.

BRUCE DAVIS, Municipal Clerk
TOWNSHIP OF HOWELL

TOWNSHIP CLERK'S OFFICE

ORDINANCE COVER PAGE

Ordinance No. O-10-13

INTRODUCTION

PUBLIC HEARING & ADOPTION

April 27, 2010

May 25, 2010

AGENDA ITEM NUMBER

8A.2
STATEMENT TO BE READ BY MAYOR FOR PUBLIC HEARING and ADOPTION OF ORDINANCE

PROCEDURE ON ORDINANCES:
ORDINANCE FOR FURTHER CONSIDERATION: PUBLIC HEARING

MAYOR:

ORDINANCE NO. 0-10-13 INTRODUCED AND PASSED ON FIRST READING ON 4/27/10 AND PUBLISHED, ACCORDING TO LAW, IS NOW BEING TAKEN UP FOR FURTHER CONSIDERATION AND PUBLIC HEARING. AFFIDAVIT OF PUBLICATION OF THIS ORDINANCE IN THE ASBURY PARK PRESS ISSUE OF 4/30/10 IS SUBMITTED AND IT IS NOTED THAT A COPY OF THE ORDINANCE HAS BEEN POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND THAT COPIES WERE AVAILABLE TO THE GENERAL PUBLIC UPON REQUEST.

(CLERK TO READ TITLE OF ORDINANCE)

NEXT - MAYOR OPENS THE MEETING TO THE PUBLIC FOR HEARING, REMARKS OR COMMENTS FOR OR AGAINST THE FINAL ADOPTION OF THIS ORDINANCE. (Comments/remarks, if any). THERE BEING NO OTHER PERSON PRESENT DESIRING TO BE HEARD CONCERNING THE AFORESAID ORDINANCE, THE MAYOR DECLARES THE PUBLIC HEARING ON THE ORDINANCE CLOSED.

COUNCILMEMBER MAKES MOTION:

MOTION THAT ORDINANCE NO. 0-10-13 BE FINALLY PASSED AND ADOPTED AND THAT NOTICE OF ITS PASSAGE AND ADOPTION BE PUBLISHED IN THE 5/28/10 ISSUE OF THE ASBURY PARK PRESS BY REFERENCE TO ITS TITLE ONLY.

SECONDED BY COUNCILMEMBER.

ROLL CALL VOTE.
AN ORDINANCE OF THE TOWNSHIP OF HOWELL
AMENDING ARTICLE XXV COMMUNITY DESIGN
STANDARDS OF THE REVISED GENERAL ORDINANCES
OF THE TOWNSHIP OF HOWELL

BE IT HEREBY ORDAINED by the Township Council of the Township of Howell that Article XXV Community Design Standards of the General Revised Ordinances of the Township of Howell shall be amended as follows:

NOTE: Sections of Article XXV entitled Community Design Standards that are to be amended by Ordinance are set forth below. All additions are shown in **bold italics with underlines**. All deletions are shown in **bold italics with strikeouts**.


§ 188-223. Findings.

The Township Council hereby makes the following declarations:

A. — In December of 2005, the Township Planning Board adopted a Periodic Reexamination Report (Report).

B. — Within the Report under N.J.S.A. § 40:55D-89d, specific changes were recommended for the Township’s development regulations.

C. — To complement the goals of land use and management, the Planning Board identified in the Periodic Reexamination Report the design of development within the Township as a critical issue. Concern was identified for example with impervious coverage and building coverage in residential development and the need to identify goals for community design especially nonresidential development.

D. — Also, a specific recommendation in amending the Township’s development recommendations was to incorporate architectural standards to address nonresidential development that is proposed in the Township.

E. — In April of 2006, the Township’s Planning Board adopted a revised Land Use Plan (Plan).
F. — The Plan established revised goals and objectives. A new series of objectives was created for community design. The objectives are:

(1) — To develop design standards that promote good civic design and high visual quality of site and building design for all land use categories.

(2) — To ensure that new development is visually and functionally compatible with the natural and physical character of the Township.

(3) — To promote physical design and community planning that assure that adjacent land uses function compatibly and harmoniously in terms of scale and location.

(4) — To improve the appearance of developed areas with design standards for features such as signs and buffering.

(5) — To retain, to the greatest extent practicable, attractive vistas from public rights-of-way, including views of hills, valleys, ridgelines, woodlands, lakes, stream corridors, floodplains and other natural areas.

G. — The Plan also states: "Community Design Standards for Nonresidential Development are necessary for all nonresidential development in the Township. The approving boards have the authority under the Municipal Land Use Law to set forth architectural design standards to assist in creating an image of its major commercial area in the Township."

H. — With the adoption of the Plan the Township Planning Board devised suggested language on design standards to implement the above recommendation and to forward them to the Township Council for its consideration.

I. — It is the Township Council’s intention to amend this chapter to reflect generally the recommendations of the Planning Board. However, in consideration of the general consensus developed for the ongoing improvements of the Township, the Council wishes to make the following community design standards applicable throughout the municipality, including major residential development, when applicable.

J. — The Township Planner shall develop and maintain a pictorial example of these standards, to be approved by the Planning Board, which will be on file with the Township Clerk and Zoning Officer for reference by those wishing to undertake development and redevelopment activities within the Township of Howell.

§ 188-2234. Non-Residential Design standards.

Non-residential Design guidelines encourage a positive relationship between new buildings and their surroundings, and the relationship of neighborhoods to other neighborhoods, thereby enhancing the overall visual quality of the Township of Howell. All proposal applications with a commercial component must include architectural plans or axonometric sketches.
§ 188-2245. **General community design standards.** General Non-Residential Design Standards

*General community design standards shall be as follows:* Non-Residential design standards shall be as follows:

A. Gates. Buildings located at obvious entrances to non-residential, mixed-use, transit or commercial areas shall mark the transition into and out of the neighborhood in a distinct fashion using massing, additional height and/or contrasting materials.

B. Focal points. Points of visual termination shall be occupied by monuments, fountains, or distinctive civic buildings and spaces. These structures shall generally employ enhanced height, massing and architectural treatments.

C. Build-to-line. Buildings shall define the streetscape through the use of uniform setbacks along the build-to line for each block. The streetscape shall also be reinforced by lines of closely-planted shade trees.

D. Mixed-use areas. Where the Township has identified areas to permit mixed-use, the goal is to create a variety of buildings and residential types, and uses that are designed to foster a sense of community through a pedestrian scale and high aesthetic quality while also accommodating vehicular traffic. Mixed-use buildings shall restrict retail services to the ground floor. Office uses are permitted on the second floor and serve to buffer any proposed residential uses on the upper floors from retail uses. When residential uses are proposed for multistory mixed-use buildings that are above two stories, the residential portion shall be stepped back from the lower commercial uses to provide an added buffer from street noise.

C.E. Building Orientation. Primary building entrances should be physically and visually oriented toward streets, parks and plazas. Primary orientation to the interior of blocks, parking lots and garages is to-be-discouraged is acceptable and upon discretion of the Board. Building height and massing shall be considered in relationship to that of existing buildings and to the pedestrian scale.

D.F. Climate considerations. Building exteriors should employ porticos, arcades and porches to the maximum extent possible to provide shelter from sun, rain and wind. Building locations, heights and step-backs shall consider safety concerns associated with shadows on parking areas, sidewalks, and streets.

E.G. Building Variation. Building designs shall vary in terms of footprint, architectural elevations, and roof orientation, front entrance, and porch locations. Colors, materials, window dimensions, and other architectural details such as cornice lines; sign bands and base treatment shall establish a harmonious and uniform theme.
**F. H.** Corner lots. **Residential and Commercial** buildings situated on corner lots shall treat side facades that face a street or driveway the same as the front yard façade. For example, fences, porches, cornice treatments, top and bottom window alignments, parapets, etc. shall wrap around the front and side façade exposed to the public street.

I. **Parking.** Parking lots shall be placed to the rear of buildings, or the side if the rear is not feasible. Shared and structured parking is encouraged in mixed-use, transit-oriented and commercial areas in order to better utilize land around transit stops and commercial areas, which is important to the Township's economic development.

J. **General infill projects.** Where there is a vacant lot(s) in an existing neighborhood, or an underutilized front-loaded commercial parking lot, proposed projects should complement and strengthen the surrounding neighborhood and reinforce desirable community design patterns and architectural features referenced in this chapter. As an example, if a neighborhood shows an extensive use of front porches, this pattern should be followed and reinforced.

K. **Height.** Height characteristic shall be maintained in existing neighborhoods where it is the prevalent architectural pattern. Maximum permitted zone heights are encouraged in core mixed-use and transit-oriented areas, provided parking and firesafety issues are addressed to the Township's satisfaction. Flexibility on height restrictions is encouraged for architectural features such as parapets, articulated corners such as those that would feature clock towers, church spires, bellfries, cupolas, domes, chimneys and screened mechanical appurtenances. Such features shall be erected only to such a height as is necessary to accomplish the purpose they serve.

L. **New streets.** Street layouts shall be aimed at achieving a grid pattern connecting to the major street network. The grid may be modified to adapt to, respect, and highlight unique viewsheds and topographical features. The use of cul-de-sacs and other roadways with a single point of entry is prohibited. Streets shall be designed so as not to exceed 450 feet in length, from intersection to intersection, and to be no longer than 1,000 feet without a visual termination or vista. To the greatest extent possible, major internal streets shall terminate in a T-intersection directly opposite the center of a building, an internal open-space area or a view into a peripheral open space.

M. **Drive-through establishments.** Drive-through facilities are generally discouraged. However, if absolutely necessary, they shall be located and screened with planting and/or architectural walls to minimize their visibility, and may be located under upper-story cantilevered floors. In all cases, drive-through facilities must be located in the rear of the building.

**GN.** Loading and service areas. When required, loading docks, solid waste facilities, recycling facilities, and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations. Screening and landscaping shall be provided to minimize direct
views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and landscaping shall also be provided to minimize spillover glare, noise or exhaust fumes. Screening and buffering shall be achieved through walls, fences and landscaping. Screening shall be a minimum of five feet tall, shall be visually impervious and keep receptacles completely out of view. Recesses in the building, or depressed access ramps, may be used.

H. Promotion of Sustainable Development. Howell Township promotes the use of green building practices and the use of Leadership in Energy and Environmental Design (LEED). Developers are encouraged to submit a LEED scorecard as part of their development application that will include any proposed buildings.

§ 188-2256. Streetscape design principles.

Streetscape design principles shall be as follows:

A. Curbs. In new developments, curbing shall be made of granite or equivalent. A minor commercial or residential development adjoining an existing residential and/or commercial lot(s) may match the curbing that exists in the neighborhood at the Township’s discretion.

B. Fences. Walls and fences shall be architecturally compatible with the style, materials and colors of the principal building on the same lot. Front yards may have the following treatments: brick walls with a stone or cast stone cap, wood or synthetic picket fences, and decorative metal or cast-iron fences. Razor wire fencing is prohibited. Chain-link fencing shall be permissible with the appropriate landscaping as determined and approved by the appropriate Board, and chain-link fencing is discouraged. However, chain-link fences may be combined with a hedge. Hedges can be used instead of fences. Gates in fences shall be built of the fence material. Walls shall be built of brick to match the principal building. Gates in walls may be of steel or wrought iron.

C. Front yard fences. Provided there is no conflict with underground utilities, front yard fences and hedges are acceptable in zones where defining a private front yard is desirable, particularly in mixed-use areas. Front yard fences shall be set on private property and shall be set back a minimum of three feet (3’) from the paved sidewalk, and further if shown to conflict with underground utilities. For security purposes, front yard fences shall not exceed four feet (4’) in height above ground level and may not be more than 50% solid.

D. Side/Rear yard fences. Side and rear yards may be defined by a fence, trellis or lattice, vegetative hedge, garage and/or outbuilding walls, or some combination thereof. The height of such yard enclosure shall not exceed six feet (6’) above ground level and shall be suitable to provide privacy and screen views of neighboring uses, trash receptacles/containers or recycling bins. The side yard starts at the setback of the principal building entrance. Porches are not considered an entrance for purposes of this section.
E. Streetlights. The intent of lighting is to ensure that it contributes to the character and safety of the site and its use without disturbing adjacent development. Lighting shall be provided within parking lots and along pedestrian walkways. Lighting fixtures shall be limited to heights of 24 feet for parking lots and 46 feet for pedestrian walkways. All lighting shall be shielded from producing off-site glare, either through exterior shields or through optical design inside the fixture, so that the direction of the light is downward. The light intensity provided at ground level shall be a minimum of 0.3 foot candle anywhere and shall average a maximum of 0.5 foot candle over the entire area. Light fixtures attached to the exterior of a building shall be designed to be architecturally compatible with the style, materials, colors and details of such building and other lighting fixtures used on the site. Consideration shall also be given to the type of light source utilized and the light quality such produces. Neon façade signs are prohibited. The type of light source utilized and the light quality such produces—Neon façade signs are prohibited. The type of light source used on buildings, signs, parking areas, pedestrian walkways and other areas of a site shall be the same or compatible. Lighting along pedestrian walkways shall be decorative. The lighting along walkways and commercial areas may consist of the following lighting fixtures that are shown in the Jersey Central Power & Light Municipal Lighting Handbook dated September 2007.

1) Colonial Post Top Standard Luminarine
2) Ornate Colonial Post Top Luminarine – I
3) Ornate Colonial Post Top Luminaine – II
4) Ornate Acorn Style Post Top Luminaine

The use of low-pressure sodium or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited for commercial only. The fixtures shall be generally spaced between 120 feet on center.

F. Street furniture. Publicly-useable site furnishings such as benches, tables, bike racks and other pedestrian amenities shall be provided at building entrances, plazas, open spaces and/or other pedestrian areas for all buildings or structures larger than 10,000 square feet, buildings or structures less than this size are encouraged to include such amenities. Specific types of furnishings shall be approved by the Planning Board or the Township Engineer.

G. Sidewalks. All lots shall have private walkway access to a public sidewalk in the right-of-way. Such access shall be designed for the safety, control, efficient movement, convenience and encouragement of pedestrian traffic into and out of the site and to promote pedestrian circulation generally within the Township. All development and redevelopment shall provide public sidewalks. Sidewalks shall be constructed along the frontage of the subject property. Pedestrian sidewalks shall be a minimum of five four (4') wide in areas subject to the jurisdiction of the NJDOT or other agency. All other sidewalks shall be a minimum of four (4') feet wide except pedestrian sidewalks located in front of
commercial storefronts which shall be eight (8") feet wide. Pedestrian areas and four feet 12 (4") wide in commercial areas.

H. Retaining Walls. When preparing plans and an application for a proposed retaining wall, the following, where applicable, shall be reflected in the plans and/or application:

1. Existing and proposed topography in the area to be disturbed approximately 50 feet around the disturbed area.

2. The overall drainage pattern for this area indicating where swales (low areas where water flows) and how water runs off or comes onto the property during rainfall. These can be indicated by little small arrows on the plan showing where downspouts empty and where the water flows during rainfall.

3. In most cases, structural calculations are not required for walls under three feet in height. The height is measured from the top of the wall to the proposed base of the wall. The Township Engineer has the option to request structural calculations on walls under three feet if deemed necessary.

4. Wall shall be ten feet from swale area.

5. Retaining walls cannot be constructed closer than five feet to the property line and the base of the wall must be at a four-to-one slope from the property line (i.e., four feet horizontal to each foot of vertical rise).

6. No stormwater shall spill over the wall. A lower swale area must be constructed behind the wall to collect water and redirect it to the elevation that existed prior to the wall's construction.

7. Weep hole(s) drainage must be installed in all walls three feet and over.

8. All holes (for weep holes and connectors) during the construction of the wall shall be predrilled.

9. A cross-section detail of the wall is required.

10. A safety railer hedge line is required for walls over 30 inches in height. No railing within five feet of the property line.
11. All plans are to be prepared by professional licensed engineer and with a raised seal affixed to the plan.

12. If a block-type retaining wall is proposed, the manufacturer, specifications and details must be supplied with the application.

13. Prior to the issuance of any permit, the Engineering Department shall review the site to determine if any special conditions exist at the site prior to disturbance. All stakeouts shall be inspected and approved prior to the start of work. Once the wall is constructed and prior to clearance by the Building Department, the Engineering Department will conduct a final inspection of the site.

§ 188-2267. Commercial parking.

A. Parking is prohibited within the front setback between the front of the building and the front property line. On-street parking is encouraged where feasible and appropriate.

B. Parking lots and/or associated driveways may abut and overlap property lines that abut other nonresidential uses, predicated upon establishing an appropriate access easement that clearly defines all associated maintenance responsibilities.

C. Commercial parking spaces and/or associated driveways shall be located a minimum of 50 feet from any side or rear property line which abuts a residential use.

D. Shared parking shall be encouraged for all commercial parking lots and particularly for those serving mixed-use and transit areas.

E. Transition areas between commercial parking areas and civic and residential uses shall be designed with textured paving, landscaping, and street furniture approved by the Planning Board.

F. Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise, or exhaust fumes onto adjacent properties, in particular residential properties, and provide the parking area with a reasonable measure of shade, when trees reach maturity. In order to achieve these objectives, parking lots exposed to the public view shall be surrounded by a minimum of a three-foot-high, year-round visually impervious screen, hedge, or wall. However, where these buffers are used to screen driveways or approach sidewalks or walkways, the walls will be located in a manner to provide adequate visibility of pedestrians from motor vehicles, and shall not interfere with clear sight triangle requirements.

G. The interior of all parking lots shall be landscaped to provide shade and visual relief. This is best achieved by protected planting islands or peninsulas within the perimeter of the parking lot. Parking lots with 10 or fewer spaces may not require interior landscaping if the Planning Board determines that there is adequate perimeter landscaping. In parking lots with
11 or more spaces, a minimum of one deciduous shade tree shall be required to be planted in the parking lot for every five parking spaces, within a six-square-foot planting strip, diamond, or equivalent planter. Choice of plant materials, buffer width, type of screening, location, and frequency of tree planting shall be flexible, provided the landscape plan meets the satisfaction of the Planning Board.

F. H. All off-street parking, off-street loading and service areas shall be separated from walkways, sidewalks, streets or alleys by curbing or other protective devices approved by the Board. Along each street line a five-foot (5') strip, measured from the right-of-way, shall be provided suitably landscaped except for necessary walks and access ways.

§ 188-2278. Residential garage and parking design standards.

A. Driveways that are accessed through the front yard area shall be no wider than 10 feet, and parking for all dwelling units shall be prohibited within the front yard setback.

B. Two adjacent lots may share a driveway along their common property line subject to a cross-access easement.

C. There shall be no more than one driveway apron per lot.

D. Garages on single-family or duplex corner lots are permitted direct access to the side street, provided the entrance of said garage has a setback 10 feet further than the side wall of the dwelling unit.

E. Driveways may be constructed of asphalt or concrete. Two-foot-wide concrete wheel tracks are permitted. Textured paving such as stone pavers or pattern-stamped concrete is encouraged.

F. All townhouse driveways and parking spaces shall only be accessed from the rear lane, with the exception of end unit townhomes.

G. Required parking for multifamily buildings may be located in common parking lots located on a lot other than that containing the building entrances. In this case, required parking shall be located within 300 feet of the building entrance.

§ 188-2279. Commons, greens and plazas.

A. Internal open spaces shall be of a distinct geometric shape and shall be spatially enclosed by the buildings that front upon the streets bounding the area in order to serve as an active gathering place for all residents of the community.

B. Internal open spaces shall be landscaped such that a minimum of 75% of the area is covered with trees, shrubs, lawn, and groundcover.

C. Internal open spaces shall include elements such as gardens, walkways, monuments, statues, gazebos, fountains, park benches, and pedestrian-scale lampposts. Pedestrian connections shall be provided open space areas and abutting commercial sites.
D. Restaurants and cafes shall be permitted to operate outdoor dining areas in plazas and on sidewalks, provided pedestrian circulation and access to store entrances shall not be impaired and the following standards and guidelines are met:

(1) To allow for pedestrian circulation, a minimum of five feet (5') of sidewalk along the curb and to the entrance of the establishment shall be maintained free of tables and other encumbrances.

(2) Planters, posts with ropes, wrought iron railings, or other removable enclosures are encouraged and shall be used as a way of defining the area occupied by the café.

(3) Extended awnings, canopies, or large umbrellas shall be permitted and located to provide shade. Colors shall complement building colors.

(4) Outdoor cafes shall be required to provide additional outdoor trash receptacles.

(5) Tables, chairs, planters, trash receptacles, and other elements of street furniture shall be compatible with the architectural character of the building where the establishment is located.

(6) Operators or owners of establishments will be responsible for trash pick-up and to maintain a litter-free and well-kept appearance within and immediately adjacent to the area of their activities.


General architectural design standards shall be as follows:

A. Buildings shall generally relate in scale and design features to surrounding buildings and respect the local context. This means maintaining a generally uniform building scale, setbacks, base courses, use of front porches on residential buildings and generally reflecting the design features, colors and materials used in surrounding buildings.

The intent of this section is to maintain a general uniform building scale, setbacks, base courses and reflect the design features, colors and materials that are used in surrounding developments.

B. All exposed sides of a building shall have an articulated base course and cornice. The architectural treatment of the front façade shall be continued around all exposed sides of a building.

C. Massing. No building shall be permitted to have a total measurement greater than 200 feet in length along any wall, roof or footprint plane.

CD. Articulation. No wall shall have a blank, uninterrupted length exceeding 50 feet without including a revealed pilaster, change in texture, color or material, change in plane, window, lattice, or equivalent element. The maximum spacing between such articulations shall be 40 feet.
The minimum projection or depth of any individual articulation shall not be less than three feet (3'). Roofline offsets shall be provided along any roof measuring longer than 75 feet in length in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long roof.

**DE.** Facades and exterior walls. The architectural treatment of a façade shall be completely continued around all visibly exposed sides of a building. All sides of a building shall be architecturally designed so as to be consistent with regard to style, materials, colors and details. Developments with facades over 50 feet in linear length shall incorporate wall projections or recesses a minimum of three-foot depth and shall extend over 10% of the façade. Developments shall use animating features such as arcades, display windows, entry areas, or awnings along at least 60% of the façade. Walls or portions of walls where windows are not provided shall have architectural treatment wherever they face adjacent streets or adjacent residential areas (see guidelines for façade transparency). At least four (4) of the following elements shall be incorporated into these walls:

1. Masonry (but not flat concrete block);
2. Concrete or masonry plinth at the base of the wall;
3. Belt courses of a different texture and color;
4. Projecting cornice;
5. Projecting metal canopy;
6. Decorative tile work;
7. Trellis containing planting;
8. Medallions;
9. Opaque or translucent glass;
10. Artwork;
11. Vertical articulation;
12. Lighting fixtures; or
13. Architectural elements not listed above, as approved, that meet the intent.

**EF.** Gable roofs are encouraged. Mansard roofs on building two stories and lower are typically discouraged. Flat roofs are generally discouraged, however, they may be considered for a building at least two (2) stories in height if an articulated cornice or parapet are provided.

**FG.** Roof slopes of either 50° or 38.5° are acceptable. Where a building has multiple roof styles, such as a hip roof and gabled portico, the roof types shall have different slopes. Roofs shall provide overhanging eaves on all sides that extend a minimum of one foot (1') beyond the building wall. Architectural embellishments that add visual interest to roofs,
such as dormers, belvederes, chimneys, cupolas, clock towers and other elements are encouraged shall be implemented.

**GH.** Windows shall be vertically proportioned wherever possible. Upper story windows shall be vertically aligned with the location of windows and doors on the ground level.

**HH.** Buildings with multiple storefronts shall be unified through the use of architecturally compatible materials, colors, details, awnings, signage and lighting features.

**JJ.** All air-conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes, electrical supply equipment and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way.

§ 188-229231. Single-use commercial design standards.

The following guidelines are intended to be used as a design aid by developers proposing large retail developments. These guidelines shall apply to all projects, which are processed according to the criteria for proposed development plans and to all projects for retail establishments of more than 125,000 square feet.

A. Developments with facades over 100 feet in linear length shall incorporate wall projections or recesses a minimum of three-foot depth and a minimum of 20 contiguous feet within each 100 feet of façade length and shall extend over 20% of the façade. Developments shall use animating features such as arcades, display windows, entry areas, or awnings along at least 60% of the façade.

B. Where principal buildings contain additional, separately owned stores, which occupy less than 125,000 square feet of gross floor area, with separate, exterior customer entrances:

   (1) The street level façade of such stores shall be transparent between the height of three feet (3') and eight feet (8') above the walkway grade for no less than 60% of the horizontal length of the building façade of such additional stores.

   (2) Windows shall be recessed and shall include visually prominent sills, shutters, or other such forms of framing.

C. Building facades shall include a repeating pattern that shall include no less than three (3) of the elements listed below. At least one (1) of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically:

   (1) Color change.

   (2) Texture change.

   (3) Material module change.

   (4) Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.

D. Rooflines shall be varied with a change in height every 100 linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal
flat roofs and rooftop equipment from public view. Alternating lengths and designs may be acceptable and can be addressed during the preliminary development plan.

E. Predominant exterior building materials shall be high-quality materials. These include, without limitation:

1. Brick.
2. Wood.
3. Sandstone.
4. Other native stone.
5. Tinted, textured, concrete masonry units.

Facade colors shall be low-reflectance, subtle, neutral, or earthtone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors is prohibited.

FG. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

GH. Predominant exterior building materials, as well as accents, shall not include the following:

2. Tilt-up concrete panels.
3. Prefabricated steel panels.

HH. Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three (3) of the following:

1. Canopies or porticos.
2. Overhangs.
3. Recesses/Projections.
4. Arcades.
5. Raised corniced parapets over the door.
6. Peaked roof forms.
7. Arches.
8. Outdoor patios.
10. Architectural details such as tile work and moldings, which are integrated into the building structure and design.
11. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

§ 188-230232. Signs in mixed-use development.
The following shall apply to signs in mixed-use areas:

A. Signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colors, and details of the building.

B. Signs shall fit within the existing façade features, shall be confined to signable areas, and shall not interfere with door and window openings, conceal architectural details or obscure the composition of the façade where they are located. Signs shall be placed on a façade only in a manner historically appropriate to the style of the building.

C. Whenever possible, signs located on buildings within the same blockface shall be placed at the same height, in order to create a unified sign band.

D. Wood and painted metal are the preferred materials for signs. Flat signs shall be framed with raised edges. Wood signs shall use only high-quality exterior-grade wood with suitable grade finishes.

E. Sign colors shall be compatible with the colors of the building façade. A dull or matte finish is recommended.

F. Signs shall be either an architectural spot lighted (i.e., gooseneck) or backlit with a diffused light source. Spotlighting shall require complete shielding of all light sources; light shall be contained within the sign frame and shall not significantly spill over to the other of the building or site. Backlighting shall illuminate the letters, characters, or graphics on the sign but not its background.

E. Signs shall be mounted so that the method of installation is concealed.

§ 188-231233. Signs in other commercial areas.

The following shall apply to signs in other commercial areas:

A. Signs affixed to the exterior of a building shall be architecturally compatible with the style, material, colors and details of the building and other signs used on the site. The design of buildings and sites shall identify locations and sizes for future signs. As tenants install signs, such signs shall be in conformance with an overall sign program and plan that allows for advertising which fits with the architectural character, proportions, and details of the development. The sign program and plan, submitted at the time of application, shall indicate location, size, and general design.

B. Each permitted use may have a sign located on or attached to the principal façade of said use.

(1) These signs shall not exceed two square feet (2') in area for each one foot (1') of width of the principal building façade to which the sign must be attached, and in no case shall such sign exceed 200 square feet (200') in area on one (1) side.
B. Each business not situated on a corner lot may have one (1) main business sign of either
the wall-facade type, projecting type, or freestanding type subject to the following
limitations:

(1) Wall-facade type. In the Neighborhood Commercial Zone, the sign area shall not exceed 20% of the area of the first or ground story façade. In the other business zones the sign area shall not exceed 25% of the area of the first or ground story façade. A story shall not exceed 12 feet in height for the purpose of these calculations.

(2) Projecting type. Business signs projecting from the side of the building, provided that such signs shall not project further than sixty inches (60") from said building, and further provided that such signs shall not exceed 25 square feet in area and shall have a minimum of ten feet (10') clearance from the ground level or sidewalk level. No such projecting sign shall extend over an area used by vehicular traffic.

(3) Freestanding/Pole Sign. Business signs standing apart from any other structure, provided that such signs shall maintain a ten foot (10') minimum clearance from all property lines and a seven foot (7') clearance from established grade and further provided that no such sign shall exceed 80 square feet in area, and in the highway business zones, no such sign shall be placed closer than 20 feet to the right-of-way line of any highway.

C. Businesses situated on corner locations shall be permitted to have two (2) signs of the types described in Subsection B above, subject to the same limitations and provided that both such signs not face on the same street.

D. A shopping center may have two (2) identification signs of the type described in
Subsection B above, showing the name of the center and individual offices or business therein, provided that no such sign shall exceed 80 square feet in area measured on each side and the signs if, of the ground type, shall not be closer than 100 feet to each other.

E. Directional signs indicating the location and direction of premises available for or in the
process of being developed, not erected on the site of said premises, may be erected and maintained, provided that no such sign shall exceed 25 square feet in area. Any such
sign shall not be closer to any property line than 20 feet and shall not be greater than 12 feet in height.

F. The height of a sign in any zone shall not be greater than 50 feet in height, inclusive of the advertising structure.

GG. Window signs are permitted on the first floor of the building only. All window signs shall be attached to the inside of the store window and shall not have a total gross advertising area greater than 10% of the principal façade of the ground floor or 200 square feet, whichever is less.

HD. Pole signs shall not be permitted on site. Pole signs are permitted with an apron and landscaping.

IE. All freestanding signs shall be monument signs. Nonresidential areas, excluding highway zoned districts, shall provide a monument sign. Setbacks shall be a minimum of 20 feet from the right-of-way. Each structure shall be permitted one (1) monument sign indicating either the name or logo of the structure, the address of the building, or both. These signs shall be located where they are visible from the adjacent street. They shall be monument-based and ground mounted horizontally, and shall not be raised in the air on poles. They shall not be greater than 12 feet long by three feet (3') high, or four feet (4') long by 10 feet high, excluding the base, which is to be a maximum of two feet (2') in height. The base of any monument sign shall be planted with shrubs and seasonal flowers.

JF. External spot or floodlighting shall be arranged so that the light source is screened from direct view by passerby, and so that the light is directed against the sign and does not shine into adjacent property or blind motorists and pedestrians.

KG. Halo-lit or backlit letters are highly encouraged for both office and retail use. Such signs convey a subtle and attractive appearance and are very legible under moderate ambient lighting conditions. Face-illuminated letters may be appropriate for retail use.

LH. Illumination of individual letter signs by shining light upon them is discouraged for both skyline signs and signs placed high on building walls.

MH. Where individual letter signs face nearby residential areas, a low level of brightness shall be maintained. This can be achieved using halo-lit letters.

§ 188-232234. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ARCADE – An area contiguous to a street or plaza that is open and unobstructed and that is accessible to the public at all times. Arcades may include building columns,
landscaping, statuary and fountains. Arcades do not include off-street loading/unloading areas, driveways or parking areas.

ARTICULATE – To give emphasis to or distinctly identify a particular element. An articulated façade would be the emphasis of elements on the face of a wall, including a change in setback, materials, roof pitch, or height.

BERM – An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise or provide a buffer from adjoining uses.

BUFFER - See also “screen”. An area provided to reduce the conflict between two (2) different land uses. Buffers are intended to mitigate undesired views, noise and glare, effectively providing greater privacy to neighboring land uses. Typical buffers consist of materials that serve this purpose and include, but are not limited to, plant materials, walls, fences, and/or significant land area to separate the uses.

BUILDING MASS – The building’s expanse or bulk and is typically used in reference to structures of considerable size.

CAFÉ – A coffee house, restaurant or bar.

DESIGN STANDARDS – Statements and graphics intended to direct the planning and development of the built environment in a particular manner or style so that the end result contributes positively to the overall development.

DORMER – A window set vertically in a gable projecting from a sloping roof.

FAÇADE – The portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.

GABLE – A triangular wall section at the end of a pitched roof, bounded by the two (2) roof slopes.

HIP ROOF – Roof without gables.

MANSARD ROOF – A roof with 2 slopes on all 4 sides, the lower slope being nearly vertical and the upper nearly horizontal.

PARAPET – The portion of a wall that extends above the roofline.

PEDESTRIAN WALKWAY – A surfaced walkway, separate from the traveled portion of a public or private right-of-way or parking lot/driving aisle.

PORTICO – A porch or walkway with a roof supported by columns, often leading to the entrance to a building.
RESTAURANT – A place for serving meals to the public.

SCREEN – See also “buffer.” The sole purpose of a screen is to block views. A screen shall be constructed of opaque materials, the height of which will be effective in obstructing unwanted views.

SETBACK – A prescribed distance or an area between one (1) element and another (i.e., a building and the road right-of-way). Within these guidelines, the term also refers to:

A. The minimum distance and the area measured from the property line to the interior of a parcel where buildings may be constructed.

B. The required distance and the area between the edge of the parking lot pavement/curb and the property line or buildings/structures.

C. Placing a building face on a line to the rear of another building line.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.
NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on April 27, 2010 and will be further considered for final passage and adoption at the Township Municipal Building on Preventorium Road, Howell, New Jersey on May 25, 2010 at 7:30 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 thereto, and up to, and including, the date of such meeting, copies of said Ordinance will be available at the Clerk’s Office in the Township of Howell Municipal Building to the members of the general public who shall request same.

BRUCE DAVIS, Municipal Clerk

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on ________________, 2010.

BRUCE DAVIS, Municipal Clerk
TOWNSHIP OF HOWELL

TOWNSHIP CLERK'S OFFICE

ORDINANCE COVER PAGE

Ordinance No. O-10-14

INTRODUCTION

PUBLIC HEARING & ADOPTION

AGENDA ITEM NUMBER

April 27, 2010

May 25, 2010

8A.3
STATEMENT TO BE READ BY MAYOR FOR PUBLIC HEARING and ADOPTION OF ORDINANCE

PROCEDURE ON ORDINANCES:
ORDINANCE FOR FURTHER CONSIDERATION: PUBLIC HEARING

MAYOR:

ORDINANCE NO. 0-10-14 INTRODUCED AND PASSED ON FIRST READING ON 4/27/10 AND PUBLISHED, ACCORDING TO LAW, IS NOW BEING TAKEN UP FOR FURTHER CONSIDERATION AND PUBLIC HEARING. AFFIDAVIT OF PUBLICATION OF THIS ORDINANCE IN THE ASBURY PARK PRESS ISSUE OF 4/30/10 IS SUBMITTED AND IT IS NOTED THAT A COPY OF THE ORDINANCE HAS BEEN POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND THAT COPIES WERE AVAILABLE TO THE GENERAL PUBLIC UPON REQUEST.

(CLERK TO READ TITLE OF ORDINANCE)

NEXT - MAYOR OPENS THE MEETING TO THE PUBLIC FOR HEARING, REMARKS OR COMMENTS FOR OR AGAINST THE FINAL ADOPTION OF THIS ORDINANCE. (Comments/remarks, if any). THERE BEING NO OTHER PERSON PRESENT DESIRING TO BE HEARD CONCERNING THE AFORESAID ORDINANCE, THE MAYOR DECLARES THE PUBLIC HEARING ON THE ORDINANCE CLOSED.

COUNCILMEMBER MAKES MOTION:

MOTION THAT ORDINANCE NO. 0-10-14 BE FINALLY PASSED AND ADOPTED AND THAT NOTICE OF ITS PASSAGE AND ADOPTION BE PUBLISHED IN THE 5/28/10 ISSUE OF THE ASBURY PARK PRESS BY REFERENCE TO ITS TITLE ONLY.

SECONDED BY COUNCILMEMBER.

ROLL CALL VOTE.
AN ORDINANCE OF THE TOWNSHIP OF HOWELL
AMENDING ARTICLE XIV DESIGN STANDARDS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOWELL

BE IT HEREBY ORDAINED by the Township Council of the Township of Howell that Article XIV Design Standards of the General Revised Ordinances of the Township of Howell shall be amended as follows:

NOTE: Sections of Article XIV entitled Design Standards that are to be amended by Ordinance are set forth below. All additions are shown in bold italics with underlines. All deletions are shown in bold italics with strikeouts. All sections that are unchanged shall remain in regular typeface.

ARTICLE XIV, Residential Design standards.

§ 188-117. General.

A. Any application for development shall demonstrate conformance to design standards that will encourage sound development patterns within the Township. Where either an Official Map or Master Plan have been adopted, the development shall conform to the proposals and conditions shown thereon. The streets, drainage rights-of-way, school sites, and flood control basins shown on the officially adopted Master Plan or Official Map shall be considered in the approval of plats. In accordance with good design practices, extreme deviations from rectangular lot shapes and straight lot lines shall not be allowed unless made necessary by special topographical conditions or other special conditions acceptable to the approving authority. All improvements shall be installed and connected with existing facilities, or installed in required locations to enable future connections with approved systems or contemplated systems, and shall be adequate to handle all present and probably future development.

B. Character of the land. Land which the approving authority finds to be in areas identified in the natural resources inventory as having severe or moderate soil characteristics particularly as the land relates to flooding, improper drainage, steep slopes, rock formations, soil conditions, adverse topography, utility easements, or other features which can reasonably be expected to be harmful to the health, safety, and general welfare of the present or future inhabitants of the development and/or its surrounding areas shall not be subdivided and site plans shall not be approved unless adequate and acceptable methods are formulated by the developer to solve the problems by methods meeting this chapter and all other regulations.
C. Plats straddling municipal boundaries. Whenever a development abuts or crosses a municipal boundary, access to those lots within the Township shall be from within the Township as the general rule. Wherever access to a development is required across land in an adjoining community as the exception, the approving authority may require documentation that such access is legally established, and that the access road is adequately improved.

D. Development name. The proposed name of the development shall not duplicate, or too closely approximate, the name of any other development in the Township. The approving authority shall have final authority to designate the name of the development which shall be determined at the sketch plat stage.

E. Recycling. Every application shall show the location of all recyclable material storage areas as required pursuant to § 188-32.

§ 188-118. Streets.

A. All development shall be served by paved streets with an all-weather base and pavement with an adequate crown. The arrangement of streets not shown on the Master Plan or Official Map shall be such as to provide for the appropriate extension of existing streets, conform with the topography as far as practicable, and allow for continued extension into adjoining undeveloped tracts.

B. When a development adjoins land capable of being developed or subdivided further, suitable provisions shall be made for optimum access from the adjoining tract to existing or proposed street.

C. Local streets shall be designed to discourage through traffic.

D. In all residential zones, development bounded by any arterial or collector street shall control access to said streets by having all driveways intersect minor streets. Where the size, shape, location, or some other unique circumstance may dictate no other alternative than to have a driveway enter an arterial or collector street, the lot shall provide on-site turnaround facilities so it is not necessary to back any vehicle onto an arterial or collector street, and abutting lots shall share a common access drive. All lots requiring reverse frontage shall have an additional 25 feet of depth to allow for the establishment of the buffers outlined below unless such buffers are established in a reserve strip controlled by the Township or county. That portion of the development abutting an arterial or collector street right-of-way shall either be planted with nursery grown trees to a depth of not more than a twenty-five-foot buffer strip along the right-of-way line and for the full length of the development so that in a reasonable period of time a buffer area will exist between the development and the highway, or, where topography permits, earthen berms may be created at a sufficient height to establish a buffer between the development and the highway. Berms shall not be less than five feet in height, they shall be stabilized by ground cover to prevent soil erosion and shall be planted with evergreens and deciduous trees according to a
landscaping plan so as to be designed to have no adverse effect on nearby properties. All trees shall be of nursery stock having a caliper of not less than 2 1/2 inches measured three feet above ground level and be of an approved species grown under the same climatic conditions as at the location of the development. They shall be of symmetrical growth, free of insect pests and disease, suitable for street use, and durable under the maintenance contemplated.

E. In all development the minimum street right-of-way shall be measured from lot line to lot line and shall be in accordance with the following schedule, but in no case shall a new street that is a continuation of an existing street be continued at a width less than the existing street although a greater width may be required in accordance with the following schedule. Where any arterial or collector street intersects another arterial or collector street, the right-of-way and cartway requirements shall be increased by 10 feet on the right side of the street(s) approaching the intersection for a distance of 300 feet from the intersection of the center lines. In the interest of public safety the Board of Fire Commissioners does not support any waivers to the Subsection E. All private roads shall meet the standards as though they are public roads.

<table>
<thead>
<tr>
<th>Street Classification</th>
<th>ROW Width (feet)</th>
<th>Traffic Lanes</th>
<th>Width Between Curbs (feet)</th>
<th>Total</th>
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<tbody>
<tr>
<td>Utility and Right-of-Way Outside the Curb* (feet)</td>
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<td></td>
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<tr>
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<tr>
<td>Secondary local</td>
<td>56</td>
<td>2 at 10 feet</td>
<td>36</td>
<td>16</td>
</tr>
</tbody>
</table>

*Shall be grass stabilized topsoil, minimum four inches deep.

(1) Dead-end streets and Cul-De-Sacs. All Dead-End Streets and Cul-De-Sacs shall be, at a minimum, designed in accordance with the Residential Site Improvement Standards. The minimum width of any dead-end street shall be not less than 44 feet between curbs. No waivers shall be granted from this section. If sidewalks are installed, a sixty-foot right-of-way is required.

(2) One-way streets. The minimum width of any one-way street is to be 36 feet. If the street is a divided one-way street, it shall be 30 feet wide with no parking on one side.

F. No development showing reverse strips controlling access to streets or another area, either developed or undeveloped, shall be approved except where the control and disposal of land comprising such strips has been given to the governing body.
G. In the event that a development adjoins or includes existing Township streets that do not conform to widths as shown on either the Master Plan or Official Map or the street width requirements of this chapter, additional land along both sides of said street sufficient to conform to the right-of-way requirements shall be anticipated in the subdivision design by creating oversized lots to accommodate the widening at some future date. The additional widening may be offered to the Township for the location, installation, repair and maintenance of streets, drainage facilities, utilities and other facilities customarily located on street rights-of-way and shall be expressed on the plat as follows: "Street right-of-way easement granted to the Township of Howell permitting the Township to enter upon these lands for the purposes provided for and expressed in the Subdivision Ordinance of the Township of Howell." This statement on an approved plat shall in no way reduce the subdivider's responsibility to provide, install, repair or maintain any facilities installed in this area dedicated by ordinance or as shown on the plat or as provided for any maintenance or performance guarantees. If the subdivision is along one side only, 1/2 of the required extra width shall be anticipated.

H. Longitudinal grades on all local streets shall not exceed 10%, nor 4% on arterial and collector streets. No street shall have a longitudinal grade of less than 4/10 of 1%. Maximum grades within intersections shall be 4%. The slope of the cartway from the center line to the curbline or edge of the paving shall be 2%. Where the cartway is banked to facilitate a curve in the street alignment, the slope toward the curb line or shoulder shall conform to accepted engineering practice.

I. Intersecting street center lines shall be nearly at right angles as possible and in no case shall they be less than 60° at the point of intersection. The curblines shall be parallel to the center line. Approaches to all intersections shall follow a straight line for at least 100 feet measured from the curbline of the intersecting street to the beginning of the curve. No more than two street center lines shall meet or intersect at any one point. Streets intersecting another street from opposite sides shall have at least 250 feet between the two street center lines. Any development abutting an existing street which is classified as an arterial or collector street shall be permitted not more than one new street every 800 feet on the same side of the street with the boundaries of the tract being subdivided. In the spacing of streets, consideration will be given to the location of existing intersections on both sides of the development. Intersections shall be rounded at the curbline with the street having the highest radius requirement as outlined below determining the minimum standard for all curblines: arterial at 40 feet; collector at 30 feet; and local streets at 20 feet. No local streets shall be part of a four-way intersection.

J. Sight triangles shall be provided as required § 188-28.

K. All changes in grade where the difference in grade is 1% or greater shall be connected by a vertical curve having a length of at least 50 feet for each two-percent difference in grade, or portion thereof, and providing minimum sight distances of 160 feet for a local street, 300 feet for
a collector street, and 550 for an arterial street. Intersections shall be desired with as flat a grade as practical with the advice of the Municipal Engineer.

L. Where dead-end (cul-de-sac) streets are utilized, they shall conform to the following standards:

(1) Dead-end streets of a permanent nature (where provision for the future extension of the street to the boundary of the adjoining property is impractical or impossible) or of a temporary nature (where provision is made for the future extension of the street to the boundary lines of adjoining property) shall provide a turnaround at the end with a right-of-way radius of not less than 180 feet and a cartway radius of not less than 1870 feet. The center point for the radius shall be on the center line of the associated street or, if offset, to a point where the cartway radius also becomes a tangent to one of the curblines of the associated street. All culs-de-sac shall be kept free of any middle obstructions (i.e., planters, islands, etc.). In the interest of public safety the Board of Fire Commissioners does not support any waivers of this Subsection L-(1).

(2) If a dead-end street is of temporary nature, provisions shall be made for removal of the turnaround and reversion of the excess right-of-way to the adjoining properties as off-tract responsibility of the developer creating the street extension when the street is extended.

(3) A dead-end street shall serve no more than 14 lots and shall not exceed 1,000 feet in length.

L.M. No streets shall have a name which will duplicate or so nearly duplicate in spelling or phonetic sound the names of existing streets so as to be confusing therewith. The continuation of an existing street shall have the same name. The names of new streets must be approved by the approving authority.

M. Minimum pavement requirements.

(1) The minimum requirement for the pavement of the street shall be in accordance the Residential Site Improvement Standards with the table included under this section. All materials for roadway construction shall conform to the current New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction. The surface course shall be FABC Type I-5 stone mix composition, the base course shall be bituminous stabilized base course Type I-1, stone mix composition, and the soil aggregate shall be broken stone in conformance with Section 901 of the state specifications.

(2) All subgrades shall be prepared in accordance with the applicable requirements of the standard specifications. Prior to the construction of any subbase, base or pavement course, all soft or yielding portions of the subgrade which do not attain the required stability will be removed and replaced with suitable material, and the whole surface of this subgrade shall be
uniformly compacted. Any proposal by the developer to stabilize the subgrade shall be subject to approval of the Township Engineer.

*Classification*  
**Dense Graded Aggregate Base Course (inches)**  **Stabilized Base (inches)**  **Surface Course FABC (inches)**

- Local street 5 3 1 1/2
- Collector 6 3 1/2 1 1/2
- Arterial 8 4 2

(3) Bituminous base courses for use with bituminous concrete pavements shall be constructed in accordance with the standard specifications, except that the requirements for the construction of the base course shall be amended to allow the laying of the base course with a single lift maximum thickness not exceeding four inches. Prior to placement of a bituminous surface course, the finished surface of any underlying subbase shall receive a prime coat in accordance with the requirements of the standard specifications. In addition, prior to the placement of the surface course, the pavement section shall be cored in accordance with the state specifications for determination on composition, air voids, and thickness. If the previously placed pavements do not adhere to the requirements contained herein, then the Township Engineer will make a determination on the corrective measures to be undertaken. The coring shall be performed by a certified testing lab, employed by the developer, and directed by the Township Engineering Department.

(4) During the placement of the surface course, the developer and/or his contractor shall provide the labor and containers to take samples of the top material for testing. The developer shall employ a certified testing lab to perform the testing and reports.

(5) No bonding reductions will be considered until the various test results for the items requested in the reduction have been fully analyzed and determined to comply with the ordinance and NJDOT requirements.

§ 188-119. Residential driveways.

*Residential driveways shall be constructed of six inches of compacted Type 2 Class A soil aggregate or approved equal in accordance with New Jersey Department of Transportation Specifications, Section 8.8.1, latest revision. The compacted soil aggregate shall be placed on properly shaped, graded and compacted subgrade. A minimum of two inches compacted bituminous asphalt, commercial mix equivalent to NJDOT Mix 1.6 as specified in Section 3.10.2., latest revision, shall be placed on the soil aggregate. Single lot driveways exceeding 100 feet in length must be at least 18 feet wide and clear enough to accommodate emergency vehicles (at least 14 feet height clearance). The driveways shall be designed to accommodate*
emergency vehicles for a minimum of 28,000 pounds when the driveway is in excess of 100 feet in length.

A. All residential dwellings shall be served by a Paved or Concrete Driveway. Pavers are acceptable and shall be permitted as well.

B. No driveway shall be constructed in such a way as to create a drainage problem on an adjacent property or township road.

C. No driveway shall be constructed closer than 5 feet from any property line.

D. Single lot driveways less than 100 feet in length shall be a minimum of 12 feet wide.

E. Single lot driveways over 100 feet in length shall be a minimum of 18 feet wide from the public roadway to the residential dwelling. The first 100 feet shall be paved and the balance of the driveway shall be designed to accommodate emergency vehicles for a minimum of 28,000 pounds.

F. All driveways shall have a 14 foot minimum height clearance.

G. Paved Residential driveways shall be constructed of six inches of compacted Type 2 Class A soil aggregate or approved equal in accordance with New Jersey Department of Transportation Specifications, Section 8.8.1, latest revision. The compacted soil aggregate shall be placed on properly shaped, graded and compacted sub-grade. A minimum of two inches compacted bituminous asphalt, commercial mix equivalent to NJDOT Mix 1-6 as specified in Section 3.10.2., latest revision, shall be placed on the soil aggregate.

H. Concrete driveways shall be constructed a minimum of 6" thickness. The Concrete shall have a compressive strength of 4,500 pounds per square inch after 28 days. A bituminous expansion joint filler ½ inch thick shall be installed every 10 feet.

I. Planning Board or Zoning Board, as the case may be, may approve stone pavers driveway or pattern stamped concrete driveway design. A construction detail must be provided subject to its approval.

J. To accommodate side entrance garages the distance from the garage door to the edge of the driveway shall be a minimum of 30 feet. A turn around area is also required.

K. Residential dwelling shall not be serviced by a common driveway. Every Residential Dwelling must be served by a Driveway.
§ 188-120. Street signs.

Street signs shall be metal on metal posts of the type, design and standard required in the Street Ordinance or, if there is no street ordinance in effect at the time, then as approved by the approving authority on advice of the Municipal Engineer or in accordance with the New Jersey Department of Transportation. The location of the street signs shall be determined by the Engineer but there shall be at least two street signs furnished at each four-way intersection and one street sign at each T-intersection. All signs shall be installed free of visual obstruction.

§ 188-121. Streetlighting.

Streetlights shall be on thirty-foot high laminated wood poles at approximately two-hundred-foot spacing with six-foot sodium vapor luminaries. The Planning Board upon recommendation by the Township Engineer may require higher standards for lighting of collector roadways or particularly high-hazard areas. The developer shall provide the installation of underground services for streetlighting.

The intent of lighting is to ensure that it contributes to the character and safety of the site and its use without disturbing adjacent development. Lighting shall be provided within parking areas and along pedestrian walkways. Lighting fixtures shall be limited to heights of 30 feet or 16 feet as determined by the appropriate Board and there shall be a 200 foot distance between each pole. All lighting shall be shielded from producing off-site glare, either through exterior shields or through optical design inside the fixture. The light intensity provided at ground level shall be determined by the appropriate Board. Light fixtures attached to the exterior of a building shall be designed to be architecturally compatible with the style, materials, colors and details of such building and other lighting fixtures used on the site. Consideration shall also be given to the type of light source utilized and the light quality such produces, the type of light source utilized and the light quality such produces. The type of light source used on buildings, parking areas, pedestrian walkways and other areas of a site shall be the same or compatible. Lighting along pedestrian walkways should be decorative.

The lighting along walkways and commercial areas may consist of the following lighting fixtures that are shown in the Jersey Central Power & Light Municipal Lighting Handbook dated September 2007.

1) Colonial Post Top Standard Luminaire
2) Ornate Colonial Post Top Luminaire – I
3) Standard Cobra Head Luminaire on thirty (30) foot pole

The use of low-pressure sodium or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited for commercial only.

All fixtures and poles shall be "contributor fixtures and poles". The cost of the fixtures and the poles is the sole responsibility of the applicant/developer.
§ 188-122. Street trees.

All street trees shall have a minimum diameter of 2 1/2 measured three feet above the ground and be of a species approved by the approving authority. Trees shall be planted 40 to 60 feet apart and parallel to but no less than 20 feet from the curbline and shall be balled and burlapped, nursery ground, free from insects and disease, will be hardy and thrive in the area and be true to species and variety. Stripping trees from a lot or filling around trees on a lot shall not be permitted unless it can be shown that grading requirements necessitate removal of trees, in which case those lots shall be replanted with trees to reestablish the tone of the area and to conform with adjacent lots. Dead or dying trees shall be replaced by the developer during the next recommended planting season.

§ 188-123. Bikeways.

Bikeways shall be required at the approving authority's discretion depending on the probable volume of bicycle traffic, the development's location in relation to other populated areas, or its location with respect to any overall bike route plan adopted by the Planning Board. Bicycle traffic shall be separated from motor vehicle and pedestrian traffic as much as possible. Bikeways shall generally not exceed a grade of 3%, except for short distances, and they shall be a minimum of five feet wide for one-way and eight feet wide for two-way travel. Bikeways shall have a minimum four-inch base of gravel, crushed stone or slag on the subgrade and a two-inch FABC-2 surface course. Where separate bike paths intersect streets, the curbing shall be ramped for bicycle access to the street grade. Bikeways designated for one-way travel shall only be located along streets. Minimum width for bikeways built in locations other than along streets is eight feet.


A. Block length, width and acreage shall be sufficient to accommodate the size lot required in that zoning district and to provide for convenient access, circulation control, and traffic safety.

B. Blocks over 1,000 feet long in residential areas shall be discouraged, but where they are used, pedestrian crosswalks and/or bikeways between lots may be required in locations deemed necessary by the approving authority, and shall be at least eight feet wide and be straight from street to street. Blocks over 1,500 feet in residential areas shall be prohibited. For commercial and industrial uses, block lengths shall be sufficient to meet area and yard requirements for such uses and to provide proper street access and circulation patterns.

§ 188-125. Curbs and gutter.

Concrete curb with gutter, or concrete curb, or Belgian Block curb shall be installed along every street within the development and at intersections with Township roads, county roads and state highways, as directed. The standard curb section to be used shall not be more than 10 feet in
length, shall be set in accordance with approved lines and grades, and radial curbs shall be formed in an arc segment, in a smooth curve. Chord segments are prohibited. Concrete curbs shall be six inches by 18 inches, using Class B concrete having a twenty-eight-day compressive strength of 3,000 psi. At locations specified by the approving authority, the curbing shall be designed to provide a ramp for bicycles and/or wheelchairs.

§ 188-126. Drainage.

All streets shall be provided with catch basins and pipes where the same may be necessary for proper surface drainage. The requirements of this section shall not be satisfied by the construction of dry wells. The system shall be adequate to carry off or store the stormwater and natural drainage water which originates within the development boundaries and that which originates beyond the development boundaries and passes through the development calculated on the basis of maximum potential development as permitted under this chapter. No stormwater runoff or natural drainage water shall be so diverted as to overload existing drainage systems or create flooding or the need for additional drainage structures on other lands without proper and approved provisions being made for taking care of these conditions, including off-tract improvements.

A. The duration of a storm used in computing stormwater runoff shall be the equivalent of the time required for water falling at the most remote point of the drainage area to reach the point in the drainage system under consideration.

B. The pipe size determined to be adequate for the runoff computed shall be increased by at least one standard pipe size for the type of pipe being used in order to provide adequate allowance for the normal accumulation of sediment and debris in the storm drainage system. In no case shall the pipe size in a surface water drainage system be less than 15 inches in diameter.

C. Catch basins shall be located at all intersections and located in streets with inlets on both sides of the street at intervals of not more than 400 feet or such shorter distances as required to prevent the flow of surface water from exceeding 6.0 cubic feet per second at the catch basin inlet. Access manholes shall be placed at maximum five-hundred-foot intervals throughout the system and at pipe junctions where there are no catch basins.

D. Dished gutters on Township streets shall be permitted only at intersections involving local streets. Dished gutters shall not be permitted on arterial or collector roads.

E. Storm drain pipes running longitudinally along streets shall not be located under curbing.

F. Storm drain pipes shall be reinforced concrete pipe, except where aluminum culvert pipe is permitted as hereinafter specified, and shall be of the size specified and laid to the exact lines and grades approved by the Municipal Engineer. Reinforced concrete pipe shall conform to the ASTM Specifications C76-61 Class IV. In locations other than within the right-of-way of public
roads where, because of severe topographic conditions or the desire to minimize the destruction of trees and vegetation, corrugated aluminum pipe, pipe arch, or helical corrugated pipe may be used. The material used shall comply with the Standard Specifications for Corrugated Aluminum Alloy Culvert Pipe and Pipe Arch AASHO designation M-196-62 or the Standard Specification for Aluminum Alloy Helical Pipe AASHO designation M-211-65. The minimum thickness of the aluminum pipe to be used shall be less than 24 inches in diameter or equivalent, 0.075 inches (14-gauge); 24 inches in diameter and less than 48 inches in diameter or equivalent, 0.105 inches (12-gauge); 49 inches but less than 72 inches in diameter or equivalent, 0.135 inch (10-gauge); and 72 inches in diameter or equivalent, and larger, 0.164 inches (8-gauge).

G. Catch basins shall be designed in accordance with New Jersey State Department of Transportation standard plans and specifications. Frames and grates shall be Campbell Foundry Co. Pattern No. 2541 or No. 2548, stream flow grating with eight-inch curb face, or equal.

H. Manholes shall be designed in accordance with New Jersey State Department of Transportation standard plans and specifications. Frames and covers shall be Campbell Foundry Co. Pattern No. 1203 or equal.

I. Concrete head walls, whether precast or cast in place, shall be constructed at the point of discharge of all storm drains, in accordance with New Jersey State Department of Transportation standard plans and specifications.

J. For both major and minor developments, blocks and lots shall be graded to supply to secure proper drainage away from all buildings and to prevent the collection of stormwater in pools and to avoid concentration of stormwater from each lot to adjacent lots. All detention/retention basins are to be properly landscaped, and landscaping plans shall be submitted as a portion of the site plan review by the appropriate board of the Township.

K. Land subject to periodic or occasional flooding shall not be designed for residential occupancy nor for any other purpose which may endanger life or property or aggravate the flood hazard. Such land within a lot shall be considered for open spaces, yards, or other similar uses in accordance with floodplain regulations.

L. Where a minor or major development is traversed by a watercourse, surface or underground drainageway or drainage system, channel or stream, there shall be provided and dedicated a drainage right-of-way easement to the Township conforming substantially with the lines of such watercourse, and such further width or construction or both, as will be adequate to accommodate expected stormwater runoff in the future based upon reasonable growth potential in the Township and, in addition, thereto, a minimum of 15 feet beyond the bank top on at least one side for access to the drainage right-of-way and, in any event, meeting any minimum widths and locations shown on any adopted Official Map or Master Plan or as required under § 188-127, Easements, in this article.
M. Easements or rights-of-way shall be required in accordance with § 188-127, Easements, in this article where storm drains are installed outside streets.

§ 188-127. Easements.

A. Easements along rear property lines or elsewhere for utility installation may be required. Such easements shall be at least 25 feet wide for one utility and five additional feet for each additional utility and be located in consultation with the companies or Township departments concerned and, to the fullest extent possible, be centered on or adjacent to rear or side lot lines, unless the New Jersey Residential Site Improvement Standard requires a different width and location.

B. Floodplains, Riparian, Wetland, Farmland, Perimeter, Stream Corridor and Conservation Easements shall be indicated on the preliminary and final plats and shown in such a manner that their boundaries can be accurately determined. All of these easements shall be labeled as Buffer and Conservation Easements dedicated to the Township of Howell. Conservation These easements shall be identified by a monument or marker placed every 75 feet along the boundaries of such easement.

C. Structures, disturbance, storage of material, parking of vehicles or the removal of trees and ground cover shall be prohibited in any type of conservation easement or floodplain except for the following purposes: the removal of dead and diseased trees; limited thinning of trees and growth to encourage the most desirable growth; and the removal of trees to allow for structures designed to impound water or in areas to be flooded in the creation of ponds or lakes. Such activities shall be permitted within the wetlands and wetland transition areas only in accordance with the New Jersey Freshwater Wetlands Protection Act.

D. The boundary line of any easement shall be monumented at its intersection with all existing or proposed street lines. Such easement dedication shall be expressed on the plat as follows: "___________________ easement dedicated to the Township of Howell. as provided for in the Subdivision Ordinance of the Township of Howell."

E. Any type of conservation easement or farmland buffer shall be posted with the appropriate materials as determined by the Township Engineer three-inch by three-inch anodized aluminum markers with a protective coating. The markers shall state "Conservation Easement" or "Farmland Buffer Easement" with the Howell logo. The markers may be purchased from the Township or from an approved vendor. If purchased from the Township, the fee for a concrete conservation easement survey marker and the fee for a farmland buffer easement survey marker shall be $100. The markers shall be attached to four-inch by four-inch posts made of concrete. The location and height of the markers shall be shown on the plat. The marker shall be installed flush with the ground so that it may be seen at all times. These markers must be installed prior to receiving a Certificate of Occupancy.
F. **All Deed of Easement and Dedication must be deeded to the Township of Howell in a format approved by the Township Engineer and Township Attorney prior to the recording of any such Deeds. All Deeds approved by the Township Engineer and Township Attorney shall be recorded simultaneously with the appropriate Map. All original recorded Deeds must be returned to the Township of Howell. Any conservation easement/wetlands buffer, stream corridor buffer or farmland buffer easement shall be posted with anodized aluminum markers, three inches by three inches, with a protective coating. The markers shall state "Conservation Easement/Wetlands," "Stream Corridor Buffer" or "Farmland Buffer Easement" with the Howell logo. [Added 12-16-2002 by Ord. No. 0-02-49]**

§ 188-128. Fire protection.

A. Wherever a central water supply system services a development, provision shall be made for fire hydrants along streets and/or on the walls of nonresidential structures as approved by the Township Fire Department or Municipal Engineer and in accordance with Fire Insurance Rating Organization Standards.

B. Where streams or ponds exist, or are proposed on lands to be developed, facilities shall be provided to draft water for fire-fighting purposes. This shall include access to a public street suitable for use by fire-fighting equipment and construction of or improvements to ponds, dams, or similar on-site or off-site development, where feasible. Such facilities shall be constructed to the satisfaction of the Municipal Engineer and Fire Department and in accordance with fire insurance rating organization standards.

§ 188-129. Lakes.

Any lake constructed to provide waterfront lots for a residential development shall have a minimum area covered by water of at least five acres and an average depth of water of not less than four feet from May 1 to September 1 of each year.

§ 188-130. Lots.

Lot dimensions and area shall not be less than the requirements of the zoning provisions. Insofar as is practical, side lot lines shall be either at right angles or radial to street lines.


All public services shall be connected to an approved public utilities system where one exists.

A. The developer shall arrange with the servicing utility for the underground installation of the utilities distribution supply lines and service connections in accordance with the provisions of the applicable Standard Terms and Conditions incorporated as a part of its tariff as the same are then on file with the State of New Jersey Board of Public Utility Commissioners.
B. The developer shall submit to the approving authority, prior to the granting of final approval, a written instrument from each serving utility which shall evidence full compliance or intended full compliance with the provisions of this section; provided, however, that lots which abut existing streets where overhead electric or telephone distribution supply lines and service connections have heretofore been installed may be supplied with electric and telephone service from those overhead lines but the service connections from the utilities' overhead lines shall be installed underground. In the case of existing overhead utilities, shall a road widening, or an extension of service, or other such condition occur as a result of the development and necessitate the replacement, relocation or extension of such utilities, such replacement, relocation or extension shall be underground.

C. Where natural foliage is not sufficient to provide year-round screening of any utility apparatus appearing above the surface of the ground, other than utility poles, the applicant shall provide sufficient live screening to conceal such apparatus year round.

D. On any lot where by reason of soil conditions, rock formations, wooded area, or other special condition of land, the applicant deems it a hardship to comply with the provisions of this section, the developer may apply to the approving authority for an exception from the terms of this section in accordance with the procedure and provisions of § 188-137, Exceptions. Where overhead lines are permitted as the exception, the alignments and pole locations shall be carefully routed to avoid locations along horizons, avoid the clearing of swaths through treed areas by selective cutting and a staggered alignment, by planting trees in open areas at key locations to minimize the views of the poles and alignments, by following rear lot lines and other interior locations, and similar design and location considerations to lessen the visual impact of overhead lines.

E. Any installation under this section to be performed by a servicing utility shall be exempt from requiring performance guarantees, but shall be subject to inspection and certification by the Municipal Engineer.

§ 188-132. Sidewalks.

Sidewalks shall be required at the approving authority's discretion depending on the probable volume of pedestrian traffic, the street classification in instances where streets are involved, school bus stops, the development's location in relation to other populated areas, and the general type of improvement intended. Where required, sidewalks shall be at least four feet wide and located as approved by the approving authority. Sidewalks shall be at least four inches thick, except at points of vehicular crossing where they shall be at least six inches thick, of Class B €\text{ concrete having a twenty-eight-day compressive strength of 4,500 psi, and shall be air-entrained.}

§ 188-133. Water distribution system.
A. If a potable water distribution system is accessible, the developer shall construct facilities in such a manner as to provide adequate and continuous potable water to each buildable lot within the development. When a water system is part of the adopted Township capital improvements program and said system will be accessible to the proposed development, the developer shall install dry water mains designed to tie into the proposed facility upon its completion.

B. Any water distribution system shall be adequate to handle all present and probable future development. Alignments outside streets shall require easements or right-of-way in accordance with § 188-127, Easements, in this article.

C. Any potable water well, treatment plant and distribution system shall be designed in accordance with the requirements of the American Water Works Association, Inc. (AWWA), New Jersey State Department of Environmental Protection, Division of Water Resources and Township ordinances.

D. The following potable water system standards are required for all developments to be served:

1. A complete engineer's report, setting forth the basis of design, shall be submitted to the approving authority.

2. All water distribution mains shall conform generally to the Master Plan, water system where applicable.

3. All water mains shall be designed for a working pressure of 150 psi. Water main size shall be a minimum of eight inches in diameter and provide a minimum flow rate of 1,000 gpm at the hydrant. Water mains shall be designed with a Hazen-Williams coefficient "C" of 140. All water main sizes, flow rates and hydrant locations shall be subject to change and approval by the Township Bureau of Fire Prevention.

4. Materials used in the construction of the water distribution shall be as follows:

   Water mains: Cement-lined ductile iron pipe.

   Valves: Nonrising stem gate valves with an iron body

   Valve box: Cast-iron screw-type with a five-and-one-fourth-inch shaft and cast iron drop-in lid with the word "WATER" in raised letters

   Corporation and curb stops: Red brass.

   Curb box: Cast iron telescoping type with two hole Erie Pattern lid and word "WATER" in raised letters.
Service piping: Copper tube, ductile iron

Service saddles: Double strap ductile iron with neoprene gasket

Meter box: Cast iron or plastic with a double lid cover and the words "WATER METER" in raised letters

Water meter: Cast bronze case with shatterproof glass or plastic gauge

Meter yoke: All copper construction

(5) A general map of the entire project shall be furnished showing water mains, hydrants, main valves, lateral locations, etc.

(6) Plans shall show all water distribution, sanitary sewer and drainage facilities and shall be of a uniform size, 24" x 36", with a one-half-inch border on top, bottom and right side, and a two-inch border on the left side, the last one for binding. The plans shall show the following:

(a) Details. The plans shall show contours of all existing and proposed streets, and surface elevations of all breaks in grade and street intersections, the true or magnetic meridian, boundary line, title, date and scale. All sheets shall be numbered.

(b) Symbols. Water mains to be built now and to be constructed later shall be shown by solid and dashed lines respectively. Existing water mains shall be shown by special designation. All topographical symbols and conventions shall be the same as the ones of the United States Geological Survey.

(c) Profiles. Profiles shall show all water mains, valves, hydrants, stream crossings, and clearance between sanitary and storm sewers and other underground utilities. The size and material of the water mains and the inverts of the water mains to the nearest 0.01 foot using a USGS datum shall be shown. They shall be drawn to standard engineering scale and the scale shall be shown on each sheet. An index of streets shall also be shown on each sheet.

(d) Details of construction. Details of hydrants, valves, valve boxes, individual water service, sanitary sewer/water main clearances, etc., shall accompany the plans. Details shall be drawn to standard scales to show clearly the nature of design.

(e) Detailed plans for wells, pumping stations and treatment plants shall include a general site plan showing boundaries, contours, proposed facilities, underground piping, underground or overhead utilities. The plans shall show the general arrangement of mechanical and electrical equipment, piping, valves, fittings, within the various structures. A flow diagram shall be included for treatment plants.
(7) Complete specifications for construction of the proposed water distribution system and appurtenances, including wells, storage tanks, pumping stations and treatment plants, shall accompany the plans.

(8) A detailed estimate of the entire cost of construction shall be furnished. This estimate shall include the cost of right-of-way, inspections, as-built plans, etc.

(9) Construction standards.

(a) Water connections shall be made to a street main only under the supervision and inspection of the Township Engineer or the water utility engineer. Connection to the main shall be made with a wet tap machine and AWWA-approved service saddles, tapping sleeves, valves and other appurtenances.

(b) All underground components of the water distribution system shall be installed at a depth of four feet below grade or below the most severe frost line, whichever is greater.

(c) Pipe.

[1] Cement-lined ductile iron pipe shall meet the standards of AWWA C150, AWWA C151, AWWA C110 and AWWA C111, latest revisions.

[2] All joints of the water main shall be of the push-on type utilizing a neoprene rubber gasket. Joints shall meet the standards of AWWA C111, latest revisions.

(d) Valves shall meet AWWA standard C500, latest revision, and be manufactured by the Mueller Company.

(e) Valve boxes, curb boxes, and meter boxes shall be constructed of the finest quality gray cast iron and meet all applicable AWWA standards.

(f) Corporation and curb stops shall be constructed of the finest quality red brass and meet all applicable AWWA standards. The curb stop shall be the Mueller Company Mark II Oriseal.

(g) Service piping.

[1] Copper piping shall be soft temper Type K meeting standard ASTM B88, latest revision. Copper piping may be used to a nominal size of four inches.


(h) The service saddle shall meet ASTM A536 and A307, latest revisions.

(i) The fire hydrant shall be manufactured by the Mueller Company, Model Centurion.
The water meter shall be manufactured by the Neptune Water Meter Company, Model Trident 8. Meters to serve water services larger than two inches shall be subject to approval by the Township Engineer or the water utility engineer.

"Ordinary bedding" shall be defined as that method of bedding mains in which the main is bedded on approved granular material, with "ordinary" care in an earth foundations shaped to fit the lower part of the main exterior with reasonable closeness for a width of at least 50% of the main diameter; and in which the remainder of the main is surrounded to a height of at least 0.5 feet above its top with approved granular material, shovel placed and shovel tamped to completely fill all spaces under and adjacent to the main; all under the general direction of a competent engineer and with frequent inspection by a competent inspector during the course of construction. In all cases the type and amount of granular material shall be approved by the Township Engineer.

"Concrete cradle bedding" is that method of bedding mains in which the lower part of the main exterior is bedded in two-thousand-pound concrete without reinforcement, having a minimum thickness under the pipe of 1/4 its nominal internal diameter and extending upward to a height equal to 1/3 of the nominal inside diameter.

"Concrete encased pipe bedding" is that method of bedding main in which the entire exterior is encased in three-thousand-pound concrete or better.

Valves shall be provided between the water main and the fire hydrant, upstream of all wet taps for water main extensions, at all wyes and tees in the mains, and at other locations recommended by the Township Bureau of Fire Prevention or Fire Commissioners.

Thrust blocks to resist any movement in mains and fittings shall be placed at all valves, fittings, reducers, tees, crosses, bends, hydrants and dead ends. All thrust blocks shall be cast-in-place concrete, 3,000 psi strength. All bearing surfaces of thrust blocks shall be against undisturbed soil.

The use of anchor rods and fittings may be required at the discretion of the Township Engineer or the water utility engineer.

Wells, storage tanks and treatment plants.

No general rules can be formulated for the design of wells, storage tanks and treatment plants, and each case shall be considered individually. The type and method of treatment must be approved by the New Jersey State Department of Health, the New Jersey Department of Environmental Protection, the Township Council and its designated Engineer.

Treatment plants shall be located a minimum of 500 feet from the nearest dwelling and other buildings. This measurement of 500 feet is to be interpreted as 500 feet of clear space between structures.
Treatment plant plans and specifications must include provisions for lawns, shrubbery, paved roads and sidewalks, and the entire facility must be surrounded by a six-foot chain link fence with three strands of barbed wire above the fence.

Separate gates must be provided for pedestrian and truck use.

Detailed estimates of operating and maintenance costs of the proposed treatment plan must be submitted.

Approval of plans by state agencies and others.

(a) In the event that required approval(s) from a governmental agency other than the municipal agency is pending, the approving authority may, in appropriate instances and upon good cause demonstrated by the applicant, condition its final approval upon the subsequent approval of such governmental agency.

Conditional approval shall not be granted without evidence confirming that required applications have been properly submitted and pursued.

Conditional approval granted by the approving authority shall be for an initial period not to exceed 65 days. In the event that the pending approval or permit has not been obtained upon the expiration of the conditional period, the approval granted by the approving authority shall be null and void.

The approving authority may upon application and for good cause demonstrated, extend the conditional approval for additional period, each not exceeding 65 days.

Testing of the completed water system. The water distribution system shall be subject to a hydrostatic test with a pressure equal to 1 1/2 times the working pressure in accordance with pipe manufacturer’s recommendations. Any joint or component of the distribution system having a visible leak during testing shall be repaired or replaced prior to continuing construction. Leakage for ductile iron pipe shall not exceed the requirements of AWWA C600, latest revision.

Disinfection of water system.

(a) After completion of the public water supply or water treatment facility (including transmission and distribution mains and distribution system reservoirs and tanks), all surfaces with which adequately protected water may come into contact shall be effectively disinfected before being placed into service.

(b) Acceptable methods of disinfection will include, but shall not necessarily be confined to, the following:

Contact with a chlorine solution of concentration not less than 50 parts per million, for a minimum contact period of 12 hours.
[2] Contact with a chlorine solution of concentration not less than 20 parts per million, for a minimum contact period of 24 hours.

[3] Thorough wetting of the surfaces to be disinfected by means of brush or spray application, of a chlorine solution of concentration not less than 500 parts per million, with a minimum contact period of one hour.

(13) Use of system.

(a) During construction and before final acceptance, the Township shall have the right to use any portion completed without waiving their right to order correction of any defects.

(b) The water supplied through the distribution system shall be properly chlorinated and treated to meet the potable water standards of the New Jersey Department of Environmental Protection latest revision.

(c) The water distribution system shall be protected from contamination by sewage, radioactive, toxic, biological and other materials which may pose a hazard to public health and welfare by air-gap or backflow prevention devices meeting AWWA 506, latest revision.

(14) After construction and before final acceptance by the Township, the applicant is to furnish the Township one linen tracing, in ink, approved by the Engineer, and two sets of prints (black-on-white) of each drawing showing the water mains, connections, etc., constructed. The Engineer shall thereupon make such inspection and shall report, in writing, to the Township Council and the owner, the result thereof, specifying with particularity those items of construction, material and workmanship which do not comply with the Township regulations, standards and specifications or fail to conform with the construction detail shown on the approved plans. The owner shall thereupon proceed, at his own cost, to make such corrections as shall be required to comply with said regulations, standards, specifications, and construction detail, and when the same is done, request in writing of the Township Council and the Township Engineer that final inspection be made.

§ 188-134. Sanitary sewers and septic systems.

A. If a sewage treatment and distribution system is accessible, the developer shall construct facilities in such a manner as to provide adequate sewerage within the development to transport all sewage from each lot and the total development to said collection and treatment system. Where a treatment and collection system is part of the adopted Township capital improvements program and said system will be accessible to the proposed development, the developer shall install dry sewers designed to tie into the proposed facility upon its completion.

B. Any sanitary sewer collection system shall be adequate to handle all present and probable future development. Alignments outside streets shall require easements or rights-of-way in accordance with § 188-127, Easements, in this article.
C. Any treatment plant and collection system, including individual on-lot septic systems, shall be designed in accordance with the requirements of the State Department of Environmental Protection and Township ordinances.

D. The following sanitary sewer standards are required for all developments having more than 49 lots or in the immediate vicinity of sanitary sewerage facilities:

1. A complete engineer's report, setting forth the basis of design, shall be submitted to the approving authority.

2. All sanitary sewers shall be designed to carry four times the average flow estimated 25 years in advance. Average flow shall be assumed to be 100 gallons per person, per day, with each house unit being occupied by four persons.

3. All trunk and interceptor sewers shall conform generally to the Master Plan, sanitary sewers where applicable.

4. Gravity sewers shall be designed to flow with a minimum velocity of not less than 2.0 feet per second at full flow based on Kutter's Formula with "n" 0.013. Inverted siphons and force mains shall be designed for a minimum velocity of three feet per second. The minimum gravity sewer size shall be eight inches in diameter. The minimum sewer lateral and force main size shall be four inches in diameter.

5. Materials used in the construction of sewers, force mains, and outfalls shall be as follows:

   a. Gravity sewers shall be constructed of reinforced concrete pipe, asbestos-cement sewer pipe, PVC pipe, or cement lined ductile iron pipe. Sewer laterals shall be constructed of asbestos cement or PVC pipe. Cleanouts shall be of all brass or PVC construction.

   b. Inverted siphons and outfalls shall be constructed of cement lined ductile iron pipe. Force mains shall be constructed of cement lined ductile iron pipe, asbestos-cement-pressure pipe, or PVC pressure pipe.

   c. Inverted siphons shall consist of two pipes with provision for flushing.

   d. Flow control gates shall be provided in the chambers.

   e. Construction details are specified under detailed information on sewers below.

6. A general map of the entire project shall be furnished showing sewers, pumping stations and treatment plant.

7. Plans shall show sanitary sewers only and shall be of uniform size, 24" x 36", with a one-half-inch border on top, bottom and right side, and a two-inch border on the left side, the last one for binding. The plans shall show the following:
(a) Details. The plans shall show contours of all existing and proposed streets, and surface elevations of all breaks in grade and street intersections, tributary areas with population per acre, the true or magnetic meridian, boundary line, title, date and scale. Any area from which the sewerage is to be pumped shall be indicated clearly. All sheets shall be numbered.

(b) Symbols. Sewers to be built now and to be constructed later shall be shown by solid and dashed lines, respectively. Existing sanitary sewers shall be shown by special designation. All topographical symbols and conventions shall be the same as the ones of the United States Geological Survey.

(c) Elevations. All permanent bench marks of New Jersey Coast and Geodetic Survey shall be shown. Elevations of streets shall be placed outside the street lines. The elevations of sewer inverts, shown as street intersections, ends of lines and at changes of grades, shall be written parallel with the sewer lines and between the street lines. The elevation of street surfaces shall be shown to the nearest 0.01 foot, the sewer inverts to the nearest 0.01 foot.

(d) Distances, grades and sizes. The distances and stationing between manholes, grades in decimals and sewer sizes and material shall be shown on the plans. Arrows shall show the direction of the flow.

(e) Profiles. Profiles shall show all manholes, siphons, pumping stations, and elevations of stream cross sections, gradients and sizes of sewers, surface elevations and sewer inverts shall be shown at each manhole. They shall be drawn to standard engineering scale, and the scales shall be shown on each sheet. An index of streets shall also be shown on each sheet.

(f) Details of construction of manholes, etc. Details of manholes, siphons, etc., shall accompany the plans. Details shall be drawn to standard scales to show clearly the nature of design.

(g) Detailed plans for sewage pumping stations and treatment plants.

(8) Complete specifications for the construction of the proposed sewerage system and appurtenances, including sewage pumping stations and treatment plants, shall accompany the plans.

(9) A detailed estimate of the entire cost of construction shall be furnished. This estimate shall include cost of right-of-way, inspections, as-built plans, etc.

(10) Construction standards.

(a) Sewer connections shall be made to a street main only under the supervision and inspection of the Engineer. Connection to the sewer shall be made through an approved wye, saddle or manhole stub. Connection to an existing manhole shall be made with a coring machine where a stub or knockout bulkhead has not been provided.
(b) Concrete pipe shall meet all requirements of ASTM Specifications C 76-57T, latest revisions. All pipe shall be Class III strength except where stronger pipe is required.

[1] For depths less than three feet, measured from the top of the pipe, installed under traffic areas, Class IV pipe shall be required.

[2] The following trench depths are maximum for the pipe classes noted, installed with ordinary bedding, where the trench width equals the pipe outside diameter, plus 16 inches:

<table>
<thead>
<tr>
<th>Pipe Diameter (inches)</th>
<th>Depth (feet)</th>
<th>Pipe Class III</th>
<th>Pipe Class IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>9.3</td>
<td>20.6</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>11.7</td>
<td>20.7</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>14.3</td>
<td>23.0</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>14.8</td>
<td>24.7</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>13.7</td>
<td>20.4</td>
<td></td>
</tr>
</tbody>
</table>

[3] Usual conditions not covered by Subsection D(1)(a) or (b) above shall be given special consideration.

(c) Gravity pipe.

[1] Asbestos-cement gravity pipe shall meet all requirements of ASTM C-428, latest revision. Asbestos-cement sewer pipe shall have a minimum crushing strength of 3,300 pounds per square inch (psi) as tested in accordance with the ASTM 3 Edge Bearing Method for every installation except where stronger pipe is required.

[2] The following trench dimensions are maximum for each of the pipe strengths indicated, when installed with ordinary beddings as defined in Subsection D(10)(h).

<table>
<thead>
<tr>
<th>Cushions Pipe Strength</th>
</tr>
</thead>
<tbody>
<tr>
<td>(psi)</td>
</tr>
<tr>
<td>(feet)</td>
</tr>
<tr>
<td>(feet)</td>
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<tr>
<td>3,300</td>
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<td>3,300</td>
</tr>
</tbody>
</table>
(d) PVC pipe shall be green in color and meet ASTM D3034 - SDR 35, latest revision. PVC force main shall comply with ASTM D2996, latest revision.

(e) Ductile iron pipe shall be class 150 and must meet AWWA C151, latest revision.

(f) When the cover above the sewer pipe is three feet or less, a higher strength pipe, ductile iron pipe or concrete cradle or encasement shall be required.

(g) Joints for sewer pipes shall be as specified below:


3. PVC pipe: push-on rubber gasket complying with ASTM D-1869, latest revision.

4. Ductile iron pipe: push-on rubber gasket complying with AWWA C111, latest revision.

(h) "Ordinary bedding" shall be defined as that method of bedding sewers in which the sewer is bedded, on approved granular material, with "ordinary" care in an earth foundation shaped to fit the lower part of the sewer exterior with reasonable closeness for a width of at least 50% of the sewer diameter; and in which the remainder of the sewer is surrounded to a height of at least 0.5 feet above its top with approved granular material, shovel placed and shovel tamped to completely fill all spaces under and adjacent to the sewer, all under the general direction of a competent engineer and with frequent inspection by a competent inspector during the course of construction. In all cases the type and amount of granular material shall be approved by the Township Engineer.

(i) "Concrete cradle bedding" is that method of bedding sewers in which the lower part of the sewer exterior is bedded in two-thousand-pound concrete without reinforcement, having a
minimum thickness under the pipe of 1/4 its nominal internal diameter and extending upward to a height equal to 1/2 of the nominal inside diameter.

(j) "Concrete encased pipe bedding" is that method of bedding sewers in which the entire sewer exterior is encased in three-thousand-pound concrete or better.

(k) Manholes shall be provided at ends of sewer lines, at intersections and at changes of grade or alignment. Distances shall not exceed 400 feet for sizes 18 inches or less. Where internal sewers enter manholes at elevations two feet or more above the invert, an internal drop line shall be provided and drop manholes shall be built. Manholes shall be precast concrete and comply with ASTM C478-64T, latest revision.

(l) Manhole frames and covers shall be of cast iron conforming to Specifications ASTM A-48, latest revision. Frames shall weigh a minimum of 312 pounds. Manhole covers shall weigh a minimum of 136 pounds. All covers shall have "Howell Twp-Sanitary" cast in two lines. Manholes in roadways shall be Campbell Foundry Company No. 1203 with nonpenetrating pickholes. Manholes in easements shall be Campbell Foundry No. 1487. Manholes in all areas subject to flooding shall be watertight.

(m) Pumping stations.


[a] Pumps shall be installed in dry wells. Wet and dry wells shall be provided with adequate lighting, heating, ventilation, drainage and water.

[b] Wet wells shall have at least a 1:1 slope toward the pump suctions. Pump suctions shall terminate with a ninety-degree flared elbow.

[c] Electrical motors and power equipment shall not be installed in the wet well. A solid well shall be constructed between the wet and dry wells to the superstructure.


[a] Submersible pumps shall be installed in the wet well and be removable from the wet well via a stainless steel lifting chain or cable. The pumps shall be removed and replaced with a guiderail assembly. The pumps shall be self-seating and permanently lubricated. The wet well shall have a slope of at least 1:1 toward the pump intake.

[b] Raw sewage shall be screened before pumping. At least two pumps or ejectors shall be designed, each capable of handling the total peak flow. If more than two pumps are used, their capacities shall be such that upon the failure of the largest pump the others will handle the peak flow.

[c] Force main velocities shall be not less than three feet per second at normal pumping rates.
[d] All pump stations shall have watertight and lockable access covers.

[e] The capacity of the wet well shall not exceed 10 minutes at average daily flow.

[f] Pump controls shall utilize encapsulated mercury switches designed for use with sewage.

[g] All pump stations shall be provided with an emergency power source.

[h] All force main headers shall have gate and check valves.

[i] Automatic audible and visual alarms shall be installed independently of station power and they shall give warning of lag pump on, high water and power failure conditions. Telemetry equipment shall be provided to transmit the alarm conditions to the Howell Township police headquarters. All pump stations shall be enclosed in a six-foot chain link fence with three strands of barbed wire on the top of the fence. Complete repair tools and accessories shall be provided with the pumps.

(n) Treatment plants.

[1] No general rules can be formulated for the design of treatment plants, and each case shall be considered individually, based upon the discharge of effluent. The type and method of treatment must be approved by the New Jersey Department of Environmental Protection, the Township Council and its designated Engineer.

[2] Treatment plants shall be located a minimum of 1,000 feet from the nearest dwelling and other buildings. Exceptions to this rule will be made depending on the type of treatment to be used, but in no case will a treatment plant structure be permitted within 500 feet of an approved location of a treatment plant structure. This measurement of 500 feet is to be interpreted as 500 feet of clear space between structures.

[3] Treatment plant plans and specifications must include provisions for lawns, shrubbery, paved roads and sidewalks, and the entire facility must be surrounded by a six-foot chain link fence with three strands of barbed wire above the fence.

[4] Separate gates must be provided for pedestrian and truck use.

[5] Detailed estimates of operating and maintenance costs of the proposed treatment plant must be submitted.

(11) Approval of plans by state agencies and others. Approval of plans by the Ocean County Sewerage Authority and/or the Manasquan River Regional Sewerage Authority and the New Jersey State Department of Environmental Protection must be obtained by the applicant before the approving authority's final approval will be given. The applicant shall obtain permits for all stream crossings or encroachments from the New Jersey Department of Environmental Protection. Permits to construct sewers and/or other structures within the right-of-way limits of
state, county and municipal roads and all railroads must be secured and paid for by the applicant. The applicant must secure any necessary clearance from any public utility involved.

(12) Testing of completed sewerage.

(a) All sewers shall be subjected to either an infiltration or exfiltration test. Exfiltration tests shall be conducted in lieu of infiltration tests when the pipe has been laid above the groundwater level. The tests shall be performed between two manholes or as otherwise directed by the Engineer for the Township and shall include all related sewerage including the house connections.

(b) The contractor shall furnish all labor, material and equipment necessary for the testing.

(c) Exfiltration tests shall be under at least a four-foot head or a pressure corresponding to a head equal to the depth of the lower manhole of the section under test.

(d) Allowable infiltration or exfiltration shall not exceed a rate of 100 gallons per mile per inch of diameter of sewer per 24 hours for gravity sewers.

(e) Allowable exfiltration for force mains shall not exceed:

\[
\begin{align*}
L &= \text{Allowable leakage (gph)} \\
N &= \text{Number of joints tested} \\
P &= \text{Average test pressure} \\
D &= \text{Nominal diameter of pipe}
\end{align*}
\]

(f) All gravity sewers, siphons and force mains with infiltration or exfiltration in excess of the permissible limit shall be repaired, or removed and replaced, before proceeding with construction.

(13) Use of system.

(a) During construction and before final acceptance, the Township shall have the right to use any portion completed without waiving their right to order correction of any defects.

(b) Use of the system for the discharge of sump pumps, or drainage from cellar drains, leaders, downspout, drainage tile, developers cellar pits or pumping out septic tanks shall not be permitted.

(c) Sewage delivered into the facilities shall comply with the requirements of Howell Township Ordinance No. 0-78-11, and specifically shall not:
[1] Be of such a nature and in such quantity as to impair the hydraulic capacity of such facilities, normal and reasonable wear and usage excepted;

[2] Be of such a nature as to, by either chemical or mechanical action, impair the strength or the durability of the sewer structures;

[3] Be of such a nature as to create explosive conditions in such facilities;

[4] Have a flash point lower than 187°F., as determined by the Tagliabue (Tag.) close-up method;

[5] Have ph index value lower than 5.0 or higher than 9.0;

[6] Include any radioactive substances, unless the Township shall have given written consent to its inclusion;

[7] Include any garbage other than that received directly into public sewers from residences, after proper shredding, unless the Township shall have given written consent to its inclusion.

(14) After construction and before final acceptance by the Township, the applicant is to furnish the Township one line tracing, in ink, approved by the Engineer, and two sets of prints (black-on-white) of each drawing showing the sewers, connections, etc., as constructed. The Engineer shall thereupon make such inspection and shall report, in writing, to the Township Council and the owner, the result thereof, specifying with particularity those items of construction, material and workmanship which do not comply with the Township regulations, standards and specifications or fail to conform with the construction detail shown on the approval plans. The owner shall thereupon proceed, at his own cost, to make such corrections as shall be required to comply with said regulations, standards, specifications, and construction detail, and when the same is done, request in writing of the Township Council and the Township Engineer that final inspection be made.

§ 188-135. Alternates to curbs and sidewalks in major subdivisions.

It is the general rule that curbs and sidewalks be installed in conjunction with major subdivision development. This rule may be waived or revised by the Planning Board in circumstances where an applicant clearly demonstrates that an alternate system of road borders and pedestrian accessways would better service the needs, health, safety and welfare of the occupants of the development and the citizens of the Township of Howell generally. This provision shall be administered strictly and if the applicant fails to dispel all negative aspects of applicant's alternate proposal raised by the Planning Board or any of its consultants or other agencies of the Township, the application shall be denied.

Regulation of the development of land and the attachment of reasonable conditions to development applications is an exercise of valid police power delegated by the state to this municipality. The applicant has the duty of compliance with reasonable conditions laid down by the approving authority for design, dedication, improvements, and the use of the land so as to conform to the physical and economical development of the municipality and to the safety and general welfare of the future residents and/or owners in the development and in the community at large. Where County Planning Board review or approval is required on a subdivision, the approving authority shall condition any approval it grants upon either timely receipt of a favorable report by the County Planning Board or approval of the County Planning Board due to its failure to submit a report within the required time period. If the county's report is negative or attaches conditions, the original action by the municipal approving authority shall be null and void and new resolution shall be adopted which considers the County Planning Board's report.

§ 188-137. Exceptions.

A. The approving authority, when acting upon applications for preliminary or minor subdivision approval, shall have the power to grant such exceptions from the design standards of Article XIV of this chapter as may be reasonable and within the general purpose and intent of the provisions for subdivision review and approval if the literal enforcement of one or more provisions of this chapter is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.

B. The approving authority shall have the power to review and approve or deny conditional uses or site plans simultaneously with a review for subdivision approval without the developer being required to make further hearings. The longest time period for action by the approving authority, whether it be for subdivision, conditional use or site plan approval, shall apply. Whenever approval of a conditional use is requested by the developer in conjunction with a site plan or subdivision, notice of the hearing on the plat shall include reference to the request for such conditional use.

§ 188-138. Look-alike requirements.

A. Design of buildings. No building or other structure shall hereinafter be erected, constructed, placed, altered, or enlarged in any residence in any residential zone which shall be substantially similar in appearance to any neighboring residential unit, as hereinafter defined, then in existence for which a building permit has been duly issued and remains valid, unless such building shall vary in a reasonably substantial manner. In determining whether a building varies in a substantially reasonable manner a unit must either be of a different model type than a neighboring residential unit (e.g., colonial vs. ranch vs. contemporary, etc.) or be different in at least three of the following criteria are different:

(1) Orientation of house on lot (e.g., garage location);
(2) Garage entry (e.g., front, side or rear entry);
(3) Type of fenestration (e.g., double hung vs. casement vs. circle top, etc.);
(4) Number of windows and location of windows and doors on street elevation;
(5) Roofline design (e.g., hip, dutch, gable, gambrel, mansard, etc.);
(6) Roof pitch (provided there is at least a three-foot or greater difference in the rise over the run of the roofline);
(7) Substantial change of floor plan which alters street elevation (e.g., larger capacity garage, one- vs. two- vs. three-car, additional bedrooms, additional family room or den, etc.);
(8) Facade treatments (e.g., brick vs. stone vs. aluminum/vinyl, etc.);
(9) Landings, porches or other prominent ornamentation on street facade; or
(10) Color of street facade.

B. Neighboring residential unit defined. In relation to the premises with respect to which a building or structure is sought to be erected, constructed, placed, altered, or enlarged, a building or structure shall be deemed to be a neighboring residential dwelling unit, building or structure if the lot or lots upon which it or any part of it has been or will be located is one of the following:

(1) Any building lot facing the same side of the street upon which the building or structure to be located on said premises will front, which is either the first or second lot next along the street in either direction from said premises, except with regard to intervening street which would be considered as if it were a separate lot.

(2) The two closest building lots which are across and facing the street upon which said premises will front.

C. Submission of floor plans required. Prior to the issuance of a building permit, the Construction Code Official shall require the applicant to submit floor plans and elevations, including descriptions of materials to be used thereon, drawn to a scale of 1/4 inch equals one foot for review and approval. All reviews for compliance with this section shall occur within the time period prescribed in statutes authorizing and providing for the approval of building permits, including but not limited to the Uniform Construction Code.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.
SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on April 27, 2010 and will be further considered for final passage and adoption at the Township Municipal Building on Preventorium Road, Howell, New Jersey May 25, 2010 at 7:30 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 thereto, and up to, and including, the date of such meeting, copies of said Ordinance will be available at the Clerk’s Office in the Township of Howell Municipal Building to the members of the general public who shall request same.

BRUCE DAVIS, Municipal Clerk

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on ________________, 2010.

BRUCE DAVIS, Municipal Clerk