

Introduced: 11/30/2021
Public Hearing: 12/14/2021
Adopted: 12/14/2021

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 12-2021**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON
COUNTY, NEW JERSEY AMENDING ARTICLE IX, FEES,
GUARANTEES, INSPECTIONS, OFF-TRACT IMPROVEMENTS AND
GENERAL ENFORCEMENT, SECTION 909, SITE PLAN REVIEW, OF
THE DEVELOPMENT REGULATIONS ORDINANCE**

WHEREAS, the Township of Tewksbury (the “Township”) requires site plan review by the approving authority prior to issuing building permits, subject to certain exemptions; and

WHEREAS, the Township Development Regulations Ordinance currently requires site plan review for, among other things, all building permits concerning buildings, structures or landscapes either currently listed on the local, State or National Register of Historic Places, or proposed for inclusion on such register or registers in the Historic Preservation Element of the Master plan; and

WHEREAS, the Township Land Use Board has recommended that the Township Committee amend the Township Development Regulations Ordinance to remove the site plan review requirement for buildings, structures or landscapes solely based upon their listing or proposal inclusion on historic registers; and

WHEREAS, the Township Committee finds and declares that the removal of the site plan review requirement for buildings, structures or landscapes solely based upon their listing or proposed inclusion on historic registers is in the best interests of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows:

SECTION 1. Article IX, Fees, Guarantees, Inspections, Off-Tract Improvements and General Enforcement, Section 909, Site Plan Review, of the Township Development Regulations Ordinance is hereby amended as follows:

No construction permit shall be issued for any new structure, a change of use of an existing structure or addition to an existing structure until a site plan has been reviewed and approved by the approving authority except for the following:

- A. Construction permits for individual lot applications involving only a detached one or two-dwelling unit building, except for those in a planned residential development as to which no final site plan approval has been granted;
- B. Accessory buildings as otherwise permitted for detached one- or two-family dwellings;
- C. Other buildings accessory to residential principal uses;
- D. Any change of use from one permitted principal use to another permitted principal use, if, in the opinion of the Administrative Officer, the parking and traffic circulation provisions existing on the site shall be adequate and sufficient for the proposed use;
- E. The alteration or repair of an existing building which is not either a detached one- or two-dwelling unit building upon determination by the Administrative Officer that the alterations or repair:
 - 1. Will not result in additional lot coverage whether by buildings or site improvements; except that a non-residential structure which increases the existing building coverage by 10% or less shall not require site plan approval if, in the opinion of the Administrative Officer, such addition or alteration shall not create nuisance problems to adjoining land uses;
 - 2. Will not increase the number of required off-street parking or loading spaces;
 - 3. Will conform to the maximum and minimum standards as set forth in Article VII; and
 - 4. Is not proposed in conjunction with a use requiring a conditional use permit.
- F. Facilities located on lands owned by the Township (whether owned by or subject to lease from the Township).

SECTION 2. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

SECTION 4. All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Committee of the Township of Tewksbury at a duly convened meeting held on November 30, 2021 and adopted on 12/14/2021.

Jennifer Ader
Township Clerk