

**TOWNSHIP OF MANALAPAN**

**ORDINANCE NO. 2020 -09**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANALAPAN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 95, "DEVELOPMENT REGULATIONS," SECTION 95-3.4, "CERTIFICATES AND PERMITS"; SECTION 95-9.2, "IMPROVEMENT STANDARDS"; SECTION 95-3.14, "FEES, ESCROW DEPOSITS AND OTHER CHARGES."**

BE IT ORDAINED by the Township Committee of the Township of Manalapan, in the County of Monmouth, State of New Jersey, as follows:

**SECTION I:** Chapter 95, "Development Regulations", Section 95-3.4 "Certificates and Permits," of the Code of the Township of Manalapan, subsection 95-3.4E, "Certificate of Continued Occupancy," subparagraph 95-3.4E(2), "Change in residential occupancy" be and the same is hereby amended and supplemented to read, in full, as follows:

"(2) Change of residential ownership. An application for a certificate of continued occupancy pertaining to the transfer of ownership of a residential structure shall be accompanied by a survey, which includes all easements of record, certified to the property owner and dated within six (6) months of the date of application. The property owner shall also provide a certification that no changes have been made to the property since the date of the survey or detailing any changes to the property since the date of the survey."

**SECTION II:** Chapter 95, "Development Regulations", Section 95-9.2, "Improvement Standards", of the Code of the Township of Manalapan, subsection

95-9.2B(4), "Access management", subparagraph 95-9.2B(4)(d), be and the same is hereby amended to read, in full, as follows:

~~"d. No part of any driveway may be located within five feet ten (10) feet of a side property line for single and/or two family dwellings or within twenty (20) feet of a side property line for other uses." however, upon application to the municipal agency and approval of the design by the Board Engineer, the municipal agency may permit a driveway serving two or more adjacent sites to be located on or within 10 feet of a side property line between the adjacent sites."~~

**SECTION III:** Chapter 95, "Development Regulations", Section 95-3.4, "Certificates and Permits", subsection 95-3.4A, "Zoning permit", subparagraph 95-3.4A(1)(f), be and the same is hereby amended to read, in full, as follows:

"(f) The excavation, removal, or addition of soil or fill to or from any site exceeding twenty (20) cubic yards or any alteration exceeding 5,000 square feet in the natural condition of any undeveloped parcel of land including but not limited to the alteration of drainage patterns, removal of soil, regrading, and removal of trees and ground cover; provided, however, that such alterations located on and necessary to the operation of a farm as defined in this chapter shall not require a zoning permit."

**SECTION IV:** Chapter 95, "Development Regulations", of the Code of the Township of Manalapan, Section 95-3.14, "Fees, escrow deposits and other charges", subsection 95-3.14C, "Escrow fund deposit", subparagraph 95-3.14C(2)(g) be and the same is hereby amended to read, in full, as follows:

“(g) Nonresidential final site plan approval: ½ the original escrow fee paid at the time of filing preliminary site plan application or ½ the escrow fee required for a preliminary site plan application if filed simultaneously with the preliminary site plan application.”

**SECTION V:** Chapter 95, “Development Regulations”, of the Code of the Township of Manalapan, Section 95-3.14, “Fees, escrow deposits and other charges”, subsection 95-3.14B(1), “Minor subdivision and major subdivision fees shall be as follows:”, subparagraph 95-3.14B(1)(d) be and the same is hereby amended to read, in full, as follows:

“(d) The fee for an extension of time of a minor subdivision, preliminary or final major subdivision shall be ~~\$250.~~ \$500.”

**SECTION VI:** Chapter 95, “Development Regulations”, of the Code of the Township of Manalapan, Section 95-3.14, “Fees, escrow deposits and other charges”, subsection 95-3.14B. (2), “Site plan application fees are as follows:”,

subparagraph 95-3.14B.(2)(d) be and the same is hereby amended to read, in full, as follows:

“(d) Extension of site plan approval as set forth and defined in N.J.S.A. 40:55D-49 and 40:55D-52: The fee shall be ~~\$250.~~ \$500. for the stage of application (preliminary, minor or final).”

**SECTION VII:** Chapter 95, “Development Regulations”, of the Code of the Township of Manalapan, Section 95-5.1, “Zoning Map and Schedules”, Exhibit 5-1 “Residential Districts Schedule of Area, Yard and Building Requirements”, be and the same is hereby amended and supplemented to add thereto the following Note:

“(17) In the “Tuscany at Manalapan II development, located in the LB-W Zoning District ( Block 40, Lots 4.021, 4.022, 4.023, 4.024, 4.025, 4.026, 4.027 and 4.028), the bulk standards of the R-TFTH Zone shall apply.”

**SECTION VII:** All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IX:** Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

**SECTION X.** This Ordinance shall take effect upon the passage and publication hereof and upon the filing of a copy hereof with the Monmouth County Planning Board.

### **NOTICE OF PUBLIC HEARING**

The Ordinance published herewith was Introduced and approved at a meeting of the Township Committee of the Township of Manalapan held on [May 13, 2020](#) and will be further considered for final passage after a Public Hearing thereon before the Township Committee of the Township of Manalapan during a meeting to be held on Wednesday, [June 10, 2020](#) at the Municipal Complex, 120 Route 522 and Taylors Mills Road, Manalapan, New Jersey at 7:30 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard.

The proposed Ordinance in its entirety is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township web-site [www.mtnj.org](http://www.mtnj.org) by clicking on the Ordinance title listed on the Agenda posted for the Township Committee meeting of [June 10, 2020](#).

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SHARI ROSE, RMC  
Deputy Municipal Clerk