

**Borough of New Providence  
Ordinance 2011-10**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE BOROUGH OF NEW PROVIDENCE TO HELP THE BOROUGH ADDRESS THE POSITIVE AND NEGATIVE IMPACTS OF DEVELOPMENT ON THE COMMUNITY AS WELL AS PROTECT AND ENHANCE THE CHARACTER, ENVIRONMENT, AND CULTURAL HERITAGE OF THE BOROUGH.

BE IT ORDAINED by the governing body of the Borough of New Providence, Union County, New Jersey, that the Zoning Ordinance of the of the Borough of New Providence is hereby amended to include provisions addressing the impact of larger scaled development. This Ordinance is intended to provide the Board of appropriate jurisdiction with appropriate information to determine whether the proposed development will have any negative impact on the existing community. This Ordinance shall apply except where inconsistent with applicable law.

WHEREAS, the Borough has found that information regarding the impact of larger scale development upon the existing community is vital in order to make a determination as to whether or not the proposed development is compatible with existing land uses;

NOW, WHEREFORE, IT IS HEREBY ORDAINED by the Governing Body of the Borough of New Providence as follows:

**Community Impact Statement.**

Community Impact Statements, when required, shall conform to the following provisions:

- A. When Required. All applications for major subdivision approval and all applications for major site plan approval shall be accompanied by a community impact statement analyzing the proposed development and its expected impacts upon existing municipal facilities and services. Individual single family homes shall not be required to submit an impact statement. General development plan applications shall be submitted with an abbreviated community impact statement consisting of items B.1 and B.5, below. The community impact statement shall indicate why, in the applicant's opinion, the proposed development is in the public interest as well as providing data and opinions concerning the impacts in subsection B.
- B. Submission Format. All community impact statements shall consist of written and graphic materials which clearly present the required information addressing the following areas:

- (1) Population impact. An analysis of the number of people expected to be added to the municipal population as a result of the proposed development, including those attracted to the Borough for the number of projected jobs in non-residential development, according to the following age cohorts: children, adults and other information about age cohorts.
- (2) Schools impact. An analysis of the anticipated number of public school students projected to be added and the ability of the existing public school facilities to absorb the additional population projected ten years into the future. The analysis shall provide data on school facility capacity and existing enrollment, cumulative projections of new students, impacts on facilities, support staff and added costs to the school district. Should expanded or new school facilities or increased teaching staff be required, the projected cost for such additions shall be specified.
- (3) Community facilities impact. An analysis of the existing community facilities and infrastructure available to serve the proposed development and its impact on the adequacy of existing public water facilities, public sewerage facilities; recreational facilities; library facilities, and senior services. Should such facilities be determined inadequate to serve the proposed development, the remedies, either expected or proposed by the applicant, shall be indicated along with the estimated costs for such additional facilities.
- (4) Services impact. An analysis of the existing services provided by the municipality to serve the proposed development and the impact of the development upon services, including police protection, fire protection, emergency services, solid waste disposal and street maintenance services.
- (5) Traffic impact. An analysis of the existing road network available to serve the proposed development, as well as the proposed road network within the development itself and the surrounding road network which will be affected by the proposed development, including the capacity of the existing and proposed roadways; the anticipated traffic volumes as a result of the proposed development; the physical structure of both road networks; and any problem areas in the road network affected by the development, including unsafe intersections and vertical or horizontal alignments.
- (6) Fiscal impact. An analysis of the revenues expected to be generated from the development compared to the anticipated costs which the proposed development is expected to generate. Revenues and costs shall be shown for the municipality, the municipal school system and the municipal library system.

(7) Waiver. The Planning Board or Board of Adjustment may waive one or more provisions of this section if deemed not applicable.

**REPEALER**

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SEVERABILITY**

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

**EFFECTIVE DATE**

This ordinance shall take effect upon passage and publication as provided by law.

INTRODUCTION: April 11, 2011  
PUBLIC HEARING: May 9, 2011  
ADOPTION: May 9, 2011

BOROUGH OF NEW PROVIDENCE  
COUNTY OF UNION  
STATE OF NEW JERSEY

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J. Brooke Hern, Mayor

Attest:

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Wendi B. Barry, Borough Clerk