

ORDINANCE NO. 2022-19
A BOROUGH ORDINANCE CONCERNING
GENERAL LAND USE APPLICATION AND SITE PLAN REVIEW STANDARDS
ARTICLE II, CHAPTER 375
PART II OF THE GENERAL LEGISLATION

WHEREAS, the Borough of Penns Grove needs and desires to replace, update, and amend its land use related application review requirements and procedures; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove , Salem County, that Article II, Chapter 375 of Part II of the General Legislation shall be amended as follows:

Chapter 375, entitled “Site Plan Review,” shall now be amended to be entitled hereafter as, “**GENERAL LAND USE APPLICATION AND SITE PLAN REVIEW STANDARDS**” – and shall be further amended and codified as set forth below:

§ 375-5.1 Environmental Impact Assessment.

A. When Required.

The Bourgh’s Planning and Zoning officials shall require an environmental impact assessment as part of preliminary approval of a major subdivision or major site plan may be waived at the discretion of the Zoning Officer/Administrative Officer based upon advice from the Borough Engineer.

B. General Provisions.

1. The environmental impact assessment shall be prepared by a New Jersey licensed professional engineer or planner having appropriate experience and education.
2. All relevant sources of information used in the preparation of said statement shall be identified.

C. Submission Format.

All environmental impact assessments shall provide a description of the proposed land development clearly stating its purpose and scope; the

benefits to the public which will result from the proposed project, the suitability of the site for the intended use given the extent to which the site must be altered, the kinds of facilities to be constructed and the uses intended. The resident population, working population and visitor population shall be estimated. The compatibility or incompatibility of the proposed project shall be described in relation to the Borough's Master Plan and the assessment shall specifically address the following items:

1. The environmental conditions on the site shall be described, including the following items:

- a. A description of the topographic conditions of the site.
- b. A description and map of the existing vegetation on the site showing the location of major vegetative groupings and isolated trees greater than six (6) inches in diameter.
- c. Those portions of the site that can be considered to have distinctive scenic and/or historic qualities shall be mapped and described.
- d. A description of any existing features on the site that are not considered to be part of the natural environment. This may include, but not necessarily be limited to, roads, housing units, accessory structures, utility lines, etc.
- e. An analysis shall be conducted of existing air quality and noise levels as prescribed by the New Jersey State Department of Environmental Protection and this Ordinance.

2. A discussion of both the negative and positive impacts during and after construction, including specifically those negative impacts that are unavoidable. The specific concerns that shall be considered include the following:

- a. Soil erosion and sedimentation resulting from surface run-off.
- b. Flooding and flood plain disruption.
- c. Degradation of surface water quality.
- d. Ground water pollution.

- e. Sewage disposal.
 - f. Solid waste disposal.
 - g. Vegetation destruction.
 - h. Destruction or degradation of scenic and historic features on and off site.
 - i. Air quality degradation.
 - j. Noise levels.
3. The measures that will be employed during the planning, construction and operation phases which will minimize or eliminate negative impacts that could result from the proposed project shall be described. Of specific interest are:
- a. Drainage plans, including soil erosion and sedimentation controls.
 - b. Water supply and water conservation proposals.
 - c. Energy conservation measures.
 - d. Noise reduction techniques.
 - e. Screening and landscaping intended to enhance the compatibility of the project with its surroundings.
4. The applicant shall list all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project. The list shall include approvals required by the Borough, as well by agencies of the county, state and federal governments. Where approvals have been granted, copies of said approvals shall be attached. Where approvals are pending, a note shall be made to that effect.
5. All publications, file reports, manuscripts or other written sources of information which were consulted and employed in the compilation of the environmental impact assessment shall be listed. A list of all

agencies and individuals from whom pertinent information was obtained orally or by letter shall be listed separately. Dates and locations of all meetings shall be specified.

6. Applicants shall be encouraged or required to provide suitable mitigation for all adverse environmental impacts and other conditions identified in the environmental impact assessment and/or in the course of the public hearings before the appropriate municipal board.
- D. The Planning Board shall review the information furnished in the environmental impact assessment in the context of the overall design of the proposed development and the relationship of the proposed development to the environment.

§ 375-5.2 *Community Impact Assessment.*

- A. When Required.

The Borough Planning and Zoning officials shall require a community impact assessment as part of preliminary approval of a major subdivision or major site plan may be waived at the discretion of the Zoning Officer/Administrative Officer based upon the advice of the Borough Engineer.

- B. General Provisions.

1. The community impact assessment shall be prepared by a New Jersey licensed professional planner having appropriate experience and education.
2. All relevant sources of information used in the preparation of said statement shall be identified.

- C. Submission Format.

A community impact assessment shall analyze the proposed land development and present its expected impact upon existing facilities and services. The information furnished within the community impact assessment shall serve to influence the design of the proposed development so that the provision of necessary municipal facilities can be coordinated with the construction of the proposed development; and/or to alert the appropriate public agencies to anticipated needs that may have to be

satisfied in the future. The assessment shall specifically address the following:

1. An analysis of the number of people expected to be added to the Borough's population as a result of the proposed development according to the following age cohorts: pre-school aged children, school aged children, adults of childbearing age, middle aged adults and persons of retirement age.
2. An analysis of the anticipated number of pupils who will be added to the student population in the Borough and anticipated operating and capital improvement costs.
3. Applicants' evaluation as to the adequacy of the existing facilities to serve the proposed development, including the adequacy of existing public water facilities; public sewerage facilities; recreational facilities; and library facilities.
4. Applicants evaluation as to the adequacy of the existing public services to serve the proposed development and the impact of the development upon the services, including police protection; fire protection; solid waste disposal and street maintenance services.
5. Letters directed to the Zoning Officer/Administrative Officer and signed by a responsible official of the water company, and of any other utility company or governmental authority or district having jurisdiction in the area and which will provide utility service to the proposed development approving the design of each proposed utility installation and stating who will construct the facility so that service will be available prior to occupancy.
6. An analysis of the impact of the project on the road network including the existing and proposed roadways in relation to the anticipated traffic volumes from the proposed development as well as any increases in traffic volumes expected from other developments within the area; and any existing and anticipated problem spots in the overall road network including unsafe intersections, turns or grades.
7. 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 Borough, the public school system and County.

- D. The Planning Board shall review the information furnished in the community impact assessment in the context of the overall design of the proposed development and the relationship of the proposed development to the Borough.

§ 375-5.3 *Traffic Impact Assessment.*

- A. When Required.

The Borough's Planning and Zoning officials shall require a traffic impact assessment as part of preliminary approval of a major subdivision or major site plan may be waived at the discretion of the Zoning Officer/Administrative Officer based upon the advice from the Borough Engineer.

- B. General Provisions.

- 1. The traffic impact assessment shall be prepared by a New Jersey licensed professional engineer having appropriate experience and education.
- 2. All relevant sources of information used in the preparation of said statement shall be identified.

- C. Submission Format.

All traffic impact assessments shall provide a description of the impact and effect of the proposed land development upon all roads which are adjacent to or immediately affected by traffic and shall specifically address the following items:

- 1. Existing conditions in the vicinity of the proposed project including:
 - a. Roadway network.
 - b. Representative traffic counts, not during holiday or summer periods (or with appropriate statistical adjustments for counts during the summer months).

- c. Traffic accident statistics.
 - d. Availability of public transportation.
 - e. Level of Service of adjacent roadways.
2. Traffic generated by the proposed development including:
 - a. Trip generation.
 - b. Trip distribution.
 - c. Modal split.
 - d. Level of Service under proposed conditions.
3. Traffic impacts caused by the proposed development as per change in existing conditions factoring in the projected buildout in the vicinity of the proposed project.
4. Explanation of Traffic Reduction/Traffic Management Plans necessary pursuant to any current federal, state or county requirements, and, where applicable, proposed interaction with appropriate County or Regional Transportation Management Agencies.
5. Recommendations for alleviating or diminishing any possible congestion or disruption to the established traffic pattern.
6. Any other information requested by the Division of Planning and Zoning reasonably required to make an informed assessment of potential traffic impacts.
7. All publications, file reports, manuscripts or other written sources of information which were consulted and employed in the compilation of the traffic impact assessment shall be listed. A list of all agencies and individuals from whom pertinent information was obtained orally or by letter shall be listed separately. Dates and locations of all meetings shall be specified.

8. Applicants shall be encouraged or required to provide suitable mitigation for all adverse traffic impacts and other conditions identified in the traffic impact assessment and/or in the course of the public hearings before the appropriate municipal board.

D. The Board shall review the information furnished in the traffic impact assessment in the context of the overall design of the proposed development and the relationship of the proposed development to the built environment.

§ 375-5.4 Visual Impact Assessment.

A. When Required.

The Borough's Planning and Zoning officials shall require a visual impact assessment as part of preliminary approval of a major subdivision or site plan if, in the opinion of the respective officials, the development could have an adverse effect on the visual environment and may be waived at the discretion of the Zoning Officer/Administrative Officer. The Planning and Zoning office shall review the application with specific reference to scenic corridors and vistas. In addition, shadow analysis shall be required for some buildings on a case by case basis.

B. Submission Format.

All visual impact assessments shall consist of written and graphic materials which clearly present the following information:

1. A description of the proposed project shall be presented to indicate the extent to which the site must be altered, the kinds of facilities to be constructed and the uses intended.
2. The compatibility or incompatibility of the proposed project shall be described in relation to the following:
 - a. Borough of Penns Grove Master Plan.
 - b. Salem County planning documents.
3. The suitability of the site for the intended use shall be discussed. This shall include a description of environmental conditions on the site which shall include, but not be limited to, the following items:

- a. Describe and map those portions of the site that can be considered to have unique scenic qualities and any scenic view from the site.
 - b. Analyze and demonstrate the impact of the building on its surroundings showing the maximum extent of the shadow lengths as specified.
4. The negative and positive visual impacts of the project shall be discussed.
 5. The applicant shall indicate the measures which will be employed to minimize or eliminate negative visual impacts on and off site.
 6. A discussion of site design and project location alternatives that were considered shall be provided. The discussion shall indicate why an alternative was rejected if it would have resulted in less of a negative impact than the proposed development.
 7. All publications, file reports, manuscripts or other written sources of information which were consulted and employed in the compilation of the environmental impact assessment shall be listed. A list of all agencies and individuals from whom pertinent information was obtained orally or by letter shall be listed separately. Dates and locations of all meetings shall be specified.
 8. Applicants shall be encouraged or required to provide suitable mitigation for all adverse visual impacts and other conditions identified in the visual impact assessment and/or in the course of the public hearings before the appropriate municipal board.
- C. The Board shall review the information furnished in the visual impact assessment in the context of the overall design of the proposed development and the relationship of the proposed development to the built and natural environments.

§ 375-5.5

Land Development Review Considerations.

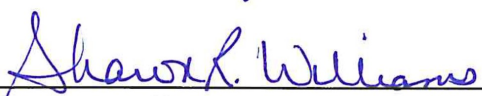
- A. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed with particular emphasis on the provision and layout of parking areas, off-street loading and unloading and movement of people, goods and vehicles from access roads within the site, between buildings and

between buildings and vehicles. The Planning Board shall ensure that all parking spaces are usable and are safely and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.

- B. The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection, impact on surrounding development and contiguous and adjacent buildings and lands.
- C. Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be a type approved by the Planning Board. Directional lights shall be arranged so as to minimize glare and reflection on adjacent properties.
- D. Buffering shall be located around the perimeter of the site to minimize headlights of vehicles, light from structures, the movement of people and vehicles and to shield activities from adjacent properties when necessary. Buffering shall consist of fencing, evergreens, shrubs, bushes, deciduous trees or combinations thereof to achieve the stated objectives.
- E. Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking and buffering requirements. Landscaping shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and the use of building and paving materials in an imaginative manner.
- F. Signs shall be designed so as to be aesthetically pleasing, harmonious with other signs on the site and located so as to achieve their purpose without constituting hazards to vehicles and pedestrians and shall conform to the sections of this ordinance pertaining to signs.
- G. Storm drainage, sanitary waste disposal, water supply and garbage disposal shall be reviewed and considered by the Planning Board. Particular emphasis shall be given to the adequacy of existing systems and the need for improvements, both on-site and off-site, to adequately carry runoff and sewage and to maintain an adequate supply of water at sufficient pressure.
- H. Garbage disposal shall be adequate to ensure freedom from vermin and rodent infestation. All disposal systems shall meet Borough specifications as to installation and construction.

- I. Environmental elements relating to soil erosion, preservation of trees, protection of watercourses and resources, noise, topography and other life forms shall be reviewed, and the design of the plan shall minimize any adverse impact on these elements.
- J. The land development shall conform to design standards that will encourage good design patterns within the Borough. Where either or both an Official Map or Master Plan has or have been adopted, the development shall conform to the proposals and conditions shown thereon. The streets, drainage rights-of-way, school sites, public parks and playgrounds shown on an officially adopted Official Map or Master Plan shall be considered in approval of a land development.

ATTEST:

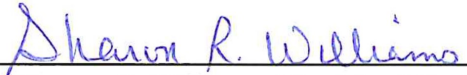

 Sharon R. Williams, Municipal Clerk


 LaDaena D. Thomas, Mayor

Intro:

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter	X		X			
Martin			X			
Mincey		X	X			
Rambo			X			
Scarpaci			X			
Worley			X			

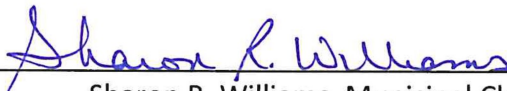
Notice: The above ordinance was introduced and passed on the first reading at the meeting of the Mayor and Council of the Borough of Penns Grove in the County of Salem held on 10/4/2022 and will be considered for final passage at a meeting to be held by the Mayor and Council at Borough Hall, Broad Street and State Street, Penns Grove, New Jersey on 10/18/2022 at which time any interested person will be given an opportunity to be heard.


 Sharon R. Williams, Municipal Clerk

FINAL:

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter			X			
Martin		X	X			
Mincey			X			
Rambo			X			
Scarpaci			X			
Worley	X		X			

Notice: The above ordinance was introduced and passed on the first reading at the meeting of the Mayor and Council of the Borough of Penns Grove in the County of Salem held on October 4, 2022 and was adopted, after a public hearing was held by the Mayor and Council at Borough Hall, 1 State Street, Penns Grove, New Jersey on 10/18/2022.


 Sharon R. Williams, Municipal Clerk