

South Brunswick Township Checklist

Sec. 62-157. Preliminary Approval of Subdivision Plat or Site Plan for Planned Residential Development

(a) *Application requirements.* At least ten days and no more than 20 days prior to a regular meeting of the municipal agency, the applicant for preliminary approval of a subdivision plat or a site plan for a planned residential development shall file the following documents with the secretary of the municipal agency:

(1) *Plat or site plan, soil erosion and sedimentation control plan and surface water management plan.* A plat or site plan, soil erosion and sedimentation control plan and surface water management plan shall be filed in accordance with the following:

a. If the application for development is for preliminary approval of a subdivision for a planned residential development or for the preliminary approval for a site plan for a planned residential development, all requirements and standards for soil erosion and sedimentation control, as detailed in article V of chapter 42, shall be met.

b. In addition, if the application for development is for preliminary approval of a subdivision or site plan of a planned residential development, all requirements and standards for a surface water management plan shall be met.

(2) *Application form.* The applicant shall submit three completed copies of the application form, which form shall be obtained from the secretary of the municipal agency and shall set forth the following information:

a. Name and address of the applicant.

b. Name and address of the owner, if different from the applicant.

c. Location of the land proposed to be developed, including tax lot and block numbers.

d. Nature of the applicant's interest in the land.

e. Density of land use to be allocated to various parts of the site.

f. Location, type, standards and size of recreational and community facilities of all open space.

g. Form of the organization proposed to own and maintain common open space.

h. Use, approximate height, bulk and location of buildings or other structures.

i. Proposed provision for disposition of stormwater and sanitary water.

j. Substance of any covenants, grants or easements proposed to be imposed upon the land or buildings, including easements for public utilities.

k. Proposed provisions for parking.

l. Locations and widths of proposed streets and rights-of-way, street lighting, shade trees and traffic control devices.

m. Projected schedule for development and the approximate times when final approvals would be requested.

n. Proposed number of bedrooms for all dwelling units.

o. Delineation of pedestrian walkways, nature paths and bicycle paths, which shall be in conformance with any adopted master plan for bicycle paths.

p. Delineation of natural features which shall be preserved, such as ponds, natural drainage and trees.

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(3) *Landscaping plans.* The applicant shall submit landscaping plans drawn by a qualified landscape architect, which shall include plans for lighting the grounds, roads, drives, walks, parking areas and building entrances of the development, as well as the plantings and other landscaping intended for the development. Plans shall show separate contours, drainage areas, streams, wooded areas and any natural features of the land in a natural state.

(4) *Narrative statement.* The applicant shall submit a statement which contains the following, a:

a. Statement of why the public interest would be served by the proposed development, such statement to be supported by a detailed economic, social and physical study.

b. Showing that departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to requirements of this chapter governing the type and density or intensity of land use in a planned development.

c. Showing that the proposals for maintenance and conservation of the common open space are reliable and that the amount, location and purpose of the common open space are adequate.

d. Showing that provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic and the amenities of light and air, recreation and visual enjoyment are adequate.

e. Showing that the proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established.

f. Showing that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate, if a proposed development contemplates construction over a period of years.

(5) *Economic feasibility statement.* The applicant shall submit a statement of the economic feasibility of the development based on an economic feasibility study.

(6) *Traffic and circulation impact statement.* The applicant shall submit a statement of the traffic and circulation impact of the development based on a traffic and circulation impact study.

(7) *School impact statement.* The applicant shall submit a statement of the impact on the school system by the development in terms of the projected number of students to live in the development and their grade levels.

(8) *Environmental impact statement.* The applicant shall submit a statement of the impact on the environment by the development based on an environmental impact study.

(9) *List of witnesses for public hearings.* The applicant shall set forth the names and addresses of the experts, including lawyers, architects, professional planners, engineers, economists and realtors, who will appear at the public hearing on the application. This list may be amended prior to the public hearing, and such amendment will not affect the time requirements set forth in subsection (c) of this section.

(10) *Proposed agreement for timing of development.* The applicant shall submit a proposed agreement for the schedules and timing of development. This agreement, which shall be between the applicant, the municipal agency and the township council, shall set forth the timing of development, including the type and number of residential uses, number and type of nonresidential uses, public and semipublic facilities and required utilities and services. Development shall be scheduled at a rate, in dwelling

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units per year, which will not create excessive demands on municipal facilities and services, including sewer and water facilities, roads and storm drains. Public facilities to serve residential uses shall be developed concurrently with residential development and shall be adequate to serve the population to be housed. Timing of development shall be controlled through the issuance of building permits.

(11) *Recycling plan.* A plan, in the form of a narrative description and diagrams or maps, shall be submitted for every development proposal for the construction of 50 or more units of single-family or two-family housing, any multifamily or townhouse housing and any nonresidential development proposal for the utilization of 1,000 square feet or more of land. The plan shall include details as to the storage, collection, disposition and recycling of recyclable materials as designated in article II of chapter 94 and shall comply with the requirements of section 94-41. When a nonresidential tenant/user is unknown at the time of the site plan application, the recycling plan shall be submitted as part of a subsequent tenant review application.

(12) *Environmental impact statement.* An environmental impact statement shall be filed pursuant to the requirements of article V of this chapter.

(13) *Disclosure of ownership.* Disclosure of ownership shall be pursuant to section 62-2838(b).

(14) *Letter acknowledging review by state.* Application and proof of application shall be made to the state department of environmental protection and energy for a letter of interpretation or an exemption letter, acknowledging review by this agency.

(b) *Application procedure.* The application procedure shall be as follows:

(1) *Copies of application; review.* The secretary of the municipal agency shall, within three days, forward one copy of the completed application to the township engineer, the township planner, the chairman of the site plan and subdivision review committee, the county planning director, the state division of state and regional planning and such other officials as the board may direct and shall request each to review the application and to file a written report of his findings and recommendations prior to the next regular meeting of the board, giving full consideration to all applicable standards and principles set forth in division 2 of this article, and stating whether the application is feasible and sound from an engineering and planning standpoint.

(2) *Notice of hearing.* The applicant shall comply with the hearing and notice requirements of this chapter.

(3) *Copies of decision; publication.* The secretary shall mail a copy of the decision of the board to the applicant or his attorney and to all other persons who have requested it, within ten days after approval has been granted or denied. The secretary shall also file a copy of the decision with the township clerk and shall cause a brief notice of the decision to be published in the official newspaper of the township.

(c) *Time for preliminary subdivision or site plan approval for planned residential development.* The time in which the board shall act on an application for preliminary approval of a subdivision plat for a planned residential development shall be the same as set forth in section 62-153(c) pertaining to the time for preliminary approval. The time in which the board shall act on an application for preliminary approval of a site plan for a planned residential development shall be the same as set forth in section 62-155(d) pertaining to the time for approval of a preliminary site plan.

(d) *Effect of preliminary subdivision or site plan approval for planned residential development.* The effect of an approval of a preliminary subdivision plat for a planned residential development shall be the same as that set forth in section 62-153(d) pertaining to the effect of preliminary approval of a major subdivision. The effect of an approval of a preliminary site plan for a planned residential development shall be the same as set forth in section 62-155(e) pertaining to the effect of approval of a preliminary site plan.

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(e) *Conditions precedent to approval of residential development.* Prior to the approval of a planned residential development, the board shall find the following facts and conclusions:

- (1) Departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the requirements of this chapter governing the type and density or intensity of land use in a planned development.
- (2) The proposals for maintenance and conservation of the common open space are reliable and the amount, location and purpose of the common open space are adequate.
- (3) Provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic and the amenities of light and air, recreation and visual enjoyment are adequate.
- (4) The proposed planned development shall not have an unreasonably adverse impact upon the area in which it is proposed to be established.
- (5) If a proposed development contemplates construction over a period of years, the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

(f) *Permitted uses in planned residential development.* The following uses shall be permitted in planned residential development:

- (1) Detached single-family dwellings and uses normally accessory thereto.
- (2) Townhouses and uses normally accessory thereto.
- (3) Multifamily dwellings.
- (4) Public buildings and uses.
- (5) Private clubs and recreational facilities.
- (6) Churches and other religious buildings.
- (7) Retail stores, related business uses and offices, as permitted under the C-2 district.
- (8) Medical centers, nursing homes and other quasipublic institutional uses.
- (9) Agricultural uses.

(g) *Implementation in sections or stages.* The plan may be implemented in sections or stages as follows:

- (1) The board may approve the implementation of the plan in whole or in sections or stages, under the sequence of actions determined as part of the planned residential development district plan. Such sections or stages shall be:
 - a. Substantially functionally self-contained and self-sustaining with regard to access, parking, utilities, open space and similar physical features and capable of substantial occupancy, operation and maintenance upon completion of the construction and development.
 - b. Properly related to other services of the community as a whole and to those facilities and services yet to be provided in the full execution and implementation of the planned residential development district.
 - c. Provided with such temporary or permanent transitional features, buffers or protective areas as the planning board may require under conditions of ownership and maintenance as will prevent damage or detriment to any

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completed section or stage or other sections or stages and to adjoining properties not in the planned residential development plan.

(2) Plans and specifications of such sections or stages shall be filed with the Board and shall be of sufficient detail and at such a scale as to fully demonstrate the following:

a. Arrangement and site locations of all structures, primary and accessory land uses, parking, landscaping, public and private utilities and services, facilities and land ownership conditions.

b. Estimates of the economic base of the section or stage and its one or more sections or stages as supported by such evidence as the estimated cost and market values of structures and land improvement, increase of taxable values, cost of maintenance and services to be borne by public and private agencies, potential rental scales, cost of utility installation, etc.

c. Estimates of its social characteristics, such as the size and composition of future population in terms of probable size as occupants of several unit dwelling types, the need for public services and protection, for recreational facilities and for commercial and professional services and anticipated rental scales.

d. Such further evidence as shall demonstrate conformity to and support of principles and objectives of the township master plan and the enhancement of the living standards of the community, with conformity to the balance of residential, commercial and public land utilization and the economic base, as established in the planned residential development district plans.

(Code 1988, § 175-46; Ord. No. 28-94, § 8, 8-16-1994; Ord. No. 32-94, § 2, 9-18-1994)