

**The
LAND DEVELOPMENT STANDARDS
Of the
COUNTY OF UNION
NEW JERSEY**

Amended by
The Union County Board of Chosen Freeholders
September 3, 2020

Supersedes

The 1999 and 1992 Union County
Land Development Standards

Copies of this Ordinance may be obtained at a cost of \$5.00 each from the:

Union County Department of Economic Development
Bureau of Planning & Economic Development
County Administration Building
Elizabeth, New Jersey 07207
(908) 527-4268

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100. TITLE, PURPOSE AND APPROVING AUTHORITY

101. Short Title

This Ordinance shall be know and may be cited as The Land Development Standards of the County of Union, New Jersey.

102. Purpose

The purpose of this Ordinance is to provide procedures, rules, regulations and standards for review and approval of land subdivisions and site plans for land development in the County of Union, pursuant to the New Jersey County and Regional Planning Enabling Act, N.J.S.A. 40:27-1 et. Seq., as supplemented by the Laws of 1968, Chapter 285, and as amended, and to promote the public health, safety, convenience and general welfare of the County.

103. Approving Authority

The provisions of this Ordinance shall be administered by the Planning Board of the County of Union. Pursuant to N.J.S.A. 40:27-6.8 the Board may, by Ordinance, vest its power to review and approve subdivisions and site plans with the County Engineer and staff and members of the County Planning Board.

104. Waiver of Literal Enforcement

If the Applicant can clearly demonstrate that, because of peculiar conditions pertaining to his land, the literal enforcement of one or more of these regulations will constitute undue hardship as determined by the County Planning Board, the Board may permit substantial compliance as may be reasonable and within the general purpose and interest of the rules, regulations and standards established by the Ordinance, the Master Plan, the Official Map and other County plans.

200. DEFINITIONS

For the purpose of this Ordinance, unless the context clearly indicates otherwise, the following terms shall have the meaning herein indicated. Where certain words or phrases are not defined below, their meanings shall be as defined in the Municipal Land Use Law, N.J.S.A. 40:55D-1 Et. Seq.

201 Abutting County Road means any existing or proposed lot or parcel of land submitted for review under this Ordinance County road as shown on the adopted County Master Plan or Official Map, or adopted by Ordinance of the Board of Chosen Freeholders, a lot or parcel of land submitted for review under this Ordinance.

202. Acceleration Lane means as added roadway lane that permits integration and merging of slower moving vehicles into the main vehicular stream.

203. Adverse Drainage Condition means the absence of adequate drainage facilities of adequate drainage easements in a drainage course leading to, along, or through a County road or through drainage way, structure pipe, culvert, or facility for which the County is now or in the future will be responsible for the construction, maintenance or proper functioning, either within or exterior to a proposed development including facilities of such location, size, design, construction or condition which will not provide adequately for storm drainage; or which will cause either flooding, erosion, silting or other damaging effects to a County road or County drainage structure; or threatens to damage private property as a result of storm drainage from, along, or through a County road or a County drainage structure.

204. Applicant means any individual, firm, association, syndicate, partnership, corporation, or any other legal entity commencing proceedings for site plan or subdivision review pursuant to the provisions of a municipal ordinance controlling land development or of this Ordinance.

205. Application for Development means the application form and all accompanying documents and exhibits required of an applicant by a municipal approving authority and by the County Planning Board for development review purposes and by this Ordinance.

206. Board or County Planning Board means the Union County Planning Board or the designated development review committee of the Board.

207. Bridge means a structure having a clear span of twenty (20) feet or more designed to convey vehicles and/or pedestrians over a watercourse, railroad, public or private right-of-way, or other man-made or natural features.

208. Building means a combination of materials to form a construction adapted to permanent, temporary, or continuous occupancy and having a roof.

209. Building Permit means a permit required by or pursuant to law to be obtained from the appropriate municipal official before a building or structure may be erected or altered.

210. Certificate of Occupancy means a written certification by the appropriate municipal official allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all applicable municipal codes and ordinances.

212. Complete Application means an application for land development approval, which includes all of the information and accompanying documents, required by this Ordinance for formal review.

213. County Construction Permit means any of the permits issued by the Union County Department of Operational Services prior to initiating excavation affecting the integrity of pavements, curbs, drainage structures and bridges along or adjacent to a County road.

214. County Drainage Facility or Structure means bridges, culverts, headwalls, curbs, gutters, inlets, catch basins, ditches, ground water recharge, detention, or retention basins, pipes,

pumps, or related types of facilities to provide for the adequate handling of storm drainage and for which the County is responsible for construction, maintenance of proper functioning. Also included are County parklands, which serve as flood plains and can be effectively used as detention basins to reduce peak storm flows.

215. County Master Plan or Master Plan means a composite of the Master Plan for the physical development of the County, with the accompanying maps, plats, charts and descriptive and explanatory matter adopted by the County Planning Board pursuant to Revised Statutes 40: 27-2.

216. County Road means any road maintained by the Board of Chosen Freeholders of the County of Union. The current list is maintained by the County's Division of Engineering and is attached in Appendix D.

217. Culvert means a structure designed to convey water under a road, driveway or pedestrian walk not incorporated in a closed drainage system, having a clear span of less than twenty (20) feet.

218. Curbline means a line, whether curbing exists or not, which is the edge of the pavement or shoulder.

219. Curbline Opening means the overall driveway-opening dimension at the curblin e at which point vehicles enter or leave the roadway.

220. Days mean calendar days.

221. Deceleration Lane means as added lane that permits vehicles to reduce speed and leave the main vehicle stream.

222. Dedication means an act permanently transmitting private property by the deed to be used for the public good and welfare.

223. Detention Basin means a man-made or natural water collector facility designed to collect surface and sub-surface water in order to impede its flow and to release the same gradually at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

224. Developer means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

225. Development means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land which requires review and approval pursuant to the provisions of this Ordinance.

226. Development Review Committee means a committee of the Union County Planning Board which is vested with the power to review and approve subdivisions and site plans pursuant to the N.J. County and Regional Act, N.J.S.A. 40:27-6.8.

227. Drainage Easement or Drainage Right-of-Way means the land or assignable rights and restrictions to the land required for the installation and/or maintenance of stormwater sewers, culverts, bridges, detention/retention basins, drainage ditches, swales or grassed waterways, or that which is required along a natural stream or water course for preserving the channel and providing for the flow therein, to safeguard the public against flood damage, sedimentation or erosion, or for similar or related storm drainage purposes.

228. Driveway means a paved or unpaved area used for ingress and/or egress of vehicles from adjacent property to a public roadway.

229. Easement for County Road Purposes means the assignable rights and restrictions given to Union County for the purpose of installation of utilities, or for construction, reconstruction, widening, repairing, maintaining or improving a county road, or for the construction, reconstruction or alteration of facilities related to the safety, convenience or carrying capacity of the county road, including drainage facilities, traffic control devices, curbing and pedestrian walkways, bikeways, or for the purposes of maintaining a clear sight area.

230. Final Plat means a map, plat, chart, or survey of lands drawn in accordance with this Ordinance and with the requirements of the "Map Filing Law", P. L. 1960, Chapter 141, for the purpose of filing same with the county recording officer.

231. Floodplain means the floodway and the floodway fringe. The floodway is the channel of a watercourse and those areas adjoining the channel, which are reasonably required to carry and discharge the floodwaters of any watercourse. Floodway fringe is the area adjoining the floodway, which has been or may be covered with floodwater.

232. Frontage means the front part of a piece of property, which comes between the right-of-way line and a building.

233. Impervious Surface means a surface, which has been compacted or covered with a layer of material so that is highly resistant to infiltration by water, including but not limited to, buildings, semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, sidewalk, parking lots and other similar surfaces.

234. Lot means a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

235. Maintenance Guarantee means any security which is deemed acceptable to the County Counsel and in an amount acceptable to the County Engineer to assure that certain improvements will be made or maintenance performed for a period of two (2) years after the date of release of a performance guarantee.

236. Major Subdivision means any subdivision not classified as a minor subdivision.

237. Minor Subdivision means a subdivision of land that does not involve: (a) the creation of more than the maximum number of lots specifically permitted by municipal ordinance as a minor subdivision within a twelve (12) month period; (b) a planned development; (c) any new street; or (d) the extension of any off-tract improvement. Where there is no municipal requirement, any subdivision of land which does not involve the creation of more than three (3) lots, including the remainder of a tract fronting on an existing street and conditions (b), (c) and (d) above, will be classified as a minor subdivision.

238. Municipal Approval Authority means the planning board of the municipality unless a different agency is designated by ordinance when acting pursuant to the authority of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

239. New Building means any lot being created by a subdivision upon which one or more buildings or structures could be erected under the provisions of the municipal zoning ordinance in the municipality in which said lot is located.

240. Official County Map means the map, with changes and additions thereto, that may be adopted and established, from time to time, by Ordinance of the Board of Chosen Freeholders pursuant to Revised Statute 40: 27-5.

241. Off-site means located outside the lot lines of the lot in question but within the property (of which the lot is a part) that is the subject of a development application, or within a contiguous portion of a street or other right-of-way.

242. Off-tract means not located on the property that is the subject of a development application nor a contiguous portion of a street or other right-of-way.

243. Off-site or Off-tract Improvements means improvements to County roads or drainage facilities located outside of a given subdivision or site development which must be made to accommodate the increased traffic or run-off or any other off-site requirements which are deemed necessary on matters of public health, safety and welfare.

244. Off-street Parking Area means an area, outside of the existing or proposed county road right-of-way, which is used for the temporary or prolonged storage or standing of vehicles.

245. Plat means a map or maps of a subdivision or site plan.

246. Performance Guarantee means any security which is deemed acceptable by County Counsel and in an amount approved by the County Engineer to ensure the satisfactory construction of improvements in connection with the approval of a subdivision or site plan.

247. Preliminary Approval means the conferral of certain rights upon a developer prior to final action after specific elements of a development plan have been agreed upon by the County Planning Board and the applicant.

248. Preliminary Plat means the map indicating the proposed layout of the development showing or being accompanied by all of the information required under Plat Details for Preliminary Plats.

249. Resubdivision means the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law, or the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, but does not include conveyances so as to combine existing lots by deed or other instrument.

250. Retention Basin means a pond, pool or basin used for the permanent storage of water runoff.

251. Right-of-Way means the total width of property along a road, stream or other facility to which the County, State or local government is entitled as a result of purchase, grant, dedication or easement.

252. Roadway means a road.

253. Sight Triangle or Sight Easement means the assignable rights and restrictions to the triangular shaped portion of land established at street or driveway intersections in accordance with the requirements of this ordinance, in which nothing shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision.

254. Site Plan means a plan of an existing lot or plot or a subdivided lot on which is shown topography, location of all existing and proposed buildings, structures, drainage facilities, roads, rights-of-way, easements, parking areas, together with any other information required by and at a scale specified by this ordinance.

255. Sketch Plat means the sketch map of a subdivision of sufficient accuracy to be used for the purpose of discussion and meeting the requirements under this Ordinance.

256. Soil Erosion and Sediment Control Plan means a plan submitted by an applicant, pursuant to N.J.S.A. 4:24-1 et.seq., depicting temporary and permanent facilities designed to control soil erosion and retard nonpoint pollution resulting from stormwater runoff. Such facilities may include, but shall not be limited to, siltation basins, diversion berms, interceptors and other control structures for the purpose of limiting the deposit of eroded soil in natural watercourses and man-made drainage facilities.

257. Stream Encroachment Permit means the permit, pursuant to N.J.S.A. 58:16A-50 et. seq., for the construction, installation or alteration of any structure or permanent fill along, in, or across the channel of flood plain of any stream, and for alteration of the stream itself. Permits are issued by the New Jersey Department of Environmental Protection, Division of Water Resources and Bureau of Flood Plain Management.

258. Street means any street, avenue, boulevard, road, lane, parkway or freeway which is a State, County or municipal roadway, or a street or way which is shown upon a plat heretofore

approved pursuant to law, and includes the land between the street lines, whether improved or unimproved, and may be comprised of pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas.

259. Structure means a combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

260. Subdivision means the division of a lot, tract, or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this Ordinance, if no new streets are created: (1) divisions of land for agricultural purposes where all resulting parcels are 5 acres or larger in size, (2) divisions of property by testamentary or interstate provisions, (3) divisions of property upon court order, including but not limited to judgments of foreclosure, (4) consolidation of existing lots by deed or other recorded instrument, and (5) the conveyance of one or more adjoining lots, tracts or parcels of land, owned by the same person or persons and all of which are found and certified by the administrative officer to conform to the requirements of the municipal development regulations and are shown and designated as separate lots, tracts, or parcels on the tax map or atlas of the municipality. The term “subdivision” shall also include the term “resubdivision”.

261. Surface Runoff means waters, which fall on land or arise from springs and diffuse themselves over the surface of the ground following no defined channel.

262. Watercourse means any natural swale, stream, brook or river which is the natural course of storm or running water through which water flows ordinarily and frequently, but not necessarily continuously, including watercourses which have been artificially realigned or improved.

263. Wetlands Permit means any of the permits issued by the Division of Coastal Resources in the New Jersey Department of Environmental Protection pursuant to the Wetlands Act (N.J.S.A. 13:9A-1 et. seq.).

300. SUBMISSION AND APPROVAL PROCEDURES

301. Review and Approval Required – Subdivision

All applications for the subdivision of land within Union County, pursuant to N.J.S.A. 40:27-6.2 et al major or minor, and not withstanding the form used for recording with the county recording officer, shall be submitted to the County Planning Board for review and, where required, approval prior to approval by the local municipal approving authority. Subdivision approval is required for those subdivisions affecting County roads or drainage facilities. The municipal approving authority shall either defer taking final action until receipt and consideration of the report of the County's Bureau of Planning and Economic Development or approve the application subject to the conditions affecting County roads or drainage facilities. Such review or approval shall be in accordance with the procedures and engineering and planning standards as set forth in this Ordinance.

A deed to be filed in lieu of a final plat for subdivision shall not be recorded until the Union County Planning Board has given preliminary approval and any stipulated conditions have been complied with.

Deeds for subdivisions that are to be recorded in lieu of final plats must be in substantial conformance with the preliminary plat approved by the County Planning Board, and based on a field survey of the subdivided parcel referencing the name of the land surveyor and the date of the survey.

302. Review and Approval Required – Site Plans

Prior to the issuance of any municipal building permit by a local building official, a site plan for any proposed land development along a County road or affecting County drainage facilities, including proposed commercial, industrial, multifamily structures containing five or more units, or any other land development requiring an off-street parking area or off-street standing area for five or more vehicles, or producing surface runoff in excess of standards set forth in this Ordinance, pursuant to N.J.S.A. 40:27-6.6 et al shall be submitted to the County for its review and action. The municipality or other local agency or individual with authority to approve a site plan or issue a building permit shall defer on an application requiring County Planning Board approval until same shall have been submitted to the County for its approval of the site plan. Such review and approval shall be in conformance with the procedures and standards as set forth in this Ordinance.

Individual lot applications for detached one or two dwelling-unit buildings shall be exempt from such review and approval.

Also exempt from County site plan review shall be site plans for land development not along a County road that includes less than one acre of impervious surface. In cases where site plan review by the County is not required, the County will review make non-binding advisory comments on any site plan at the request of the municipal approval authority.

303. Filing

Each subdivision and site plan application shall be submitted to the County's Bureau of Planning and Economic Development. The applicant shall inform the associated municipal planning official of their submission to the County. However, an application may be submitted by the applicant or his authorized agent who shall be required to sign a statement to the effect that the applicant has been duly filed with the appropriate municipal approval authority.

304. Development Review Fee Schedule

(A) Application fees (*) shall be charged for the review of all land subdivision and site plans submitted to the County's Bureau of Planning and Economic Development in accordance with the following schedule:

Subdivisions

A minor subdivision which does not abut a county road or affect a county drainage facility	\$200
A minor subdivision which abuts a county road or affects a county drainage facility	\$300
A major subdivision which does not abut a county road or affect a county drainage facility	\$400
A major subdivision which abuts a county road or affects a county drainage facility	\$500 plus \$20 per lot

Site Plans

A site plan which does not abut a county road or affect a county drainage facility and includes less than one acre of impervious surface	\$200
Site plan not abutting a county road or affecting a county drainage facility which contains one (1) or more acres of impervious surface	\$600
A site plan which abuts a county road or affects a county drainage facility	\$500 plus \$10 per parking space (Warehouse use: \$350.00 + \$5.00 per 1000 sq. ft. of floor area)

Exemption

An applicant seeking exemption consideration from County Planning Board Application Development Review \$200 (see note #6)

* Note: The Land Development application fee schedule was revised according to the Union County Board of Chosen Freeholders Resolution # 819-2020.

Notes:

1. Plan Revisions (if submitted within one year from date of original action)
 - 1st revision: 25% of original fee
 - 2nd and each subsequent revision: 50% of original fee
2. A fee will not be charged for informal reviews and any comments shall be non-binding.
3. The applicant shall make payment by check or money order payable to the “County of Union, NJ”. Application fees shall be non-refundable. However, the fee may be returned to the applicant upon written request if the application in question was not reviewed and provided that a formal request was not made by the County Bureaus of Planning and Economic Development for a time extension to continue its review. Development review fees may only be collected by the associated county planning office.
4. Application fees shall not exceed \$20,000.
5. Fees shall not be charged for the review of plans submitted by state, county, municipal governments and public agencies. Churches, hospitals and non-profit institutions exempt from the local application fee will be exempt from any county review fee.
6. An applicant seeking exemption from review shall submit a site plan or subdivision plan, completed application, checklist, and one digital copy of the plans and associated documents as per general development application submission requirements. The applicant shall provide a description of the proposed and reasons believed an exemption is required. If determined exempt a notification letter will be provided and fee retained by the County. If the exemption request is denied the exemption review fee will be credited to the required application review fee that is due.
7. Paper copies of the Land Development Standards and Design Standards will be available from the County for a fee of \$5.00. A digital copy of the land development standards and design standards are available on the County’s website: www.UCNJ.org - free of charge.
8. Submitted applications should be accompanied by one hard/paper copy of the plans, plats, drawings, application, checklist, and any associated reports including but not limited to drainage calculations, stormwater reports, and traffic reports. A digital copy of the plans and associated documents in Adobe PDF format should also be provided. Any subsequent revisions shall provide the same.

305. Determination of Completeness/Written Notification

An application for development shall not be determined to be formally filed until the appropriate fee, required number of plans, application form, plan details and other information required by this Ordinance shall have been submitted to the County. The time period for action by the County shall not commence until such time as the application has been deemed complete.

The applicant and the municipal approval authority shall be notified in writing within ten (10) days of receipt by the County as to whether the application is incomplete and the date of such determination. If the application is determined to be incomplete, a list of information required for a complete submission shall be provided.

306. Escrow Fees for Review of Major Development Projects

The County Planning Board has determined that major development plans have significant impacts on County roads and that a detailed engineering review of the applicant's traffic impact study is necessary for the proper evaluation of a development plan and its impacts, and for the determination of appropriate improvements to mitigate these impacts. Funding for the independent review of such study, and for consultation and independent testimony shall be borne by the applicant and shall be in addition to the review for development applications for projects which generate on-site peak hour trips of 100 or more.

All applications for preliminary residential subdivision review greater than 12 lots and applications for site plan review, when the site is adjacent to a County road, shall include as a minimum, documentation of the project's peak hour traffic assessment from which a determination shall be made as to whether an independent review to be funded through an escrow account, is required. In such case, the application shall be deemed incomplete until the applicant furnishes a traffic impact study and remits the required escrow funds.

Applicants for preliminary commercial or industrial subdivision review shall enter into agreement with the County that a traffic study reflecting full build-out worst case scenario traffic conditions be submitted, or, that the deeds for each of the lots created contain language requiring the owner/developer to submit a traffic study during site plan review, whether or not the sites front on a County road.

For development projects proven not to generate the number trips specified above, the provisions of Section 800 on the Land Development Standards shall apply in order that an off-tract traffic assessment can be determined.

Escrow fees for a traffic study review shall be required for development projects, which are located in an area for which a Transportation Development District has been established or is being formed. Applications for site plan approval which do not abut County roads shall be exempt from this requirement. Determination as to whether a traffic study may be waived shall be made by the County Planning Board in cases of demonstrably low traffic generation

from a particular use, prior to duplicate review and findings, creditable for Planning Board review, or similar reasons.

The amount of the escrow fee provided for professional services rendered in support of County Planning Board review of applications meeting or exceeding the qualifications noted above has been set at \$5,000, based on retention of a qualified traffic engineering consultant under contract to the County Planning Board.

Escrow fees shall be paid by separate check and shall be deposited in an interest bearing account set up solely to accommodate these fees. The County's Bureau of Planning and Economic Development and the Department of Finance shall administer the escrow amount and provide the applicant an accounting of expenses drawn therefrom. Should the professional review exhaust the funds initially submitted the Planning Board may require the applicant to submit additional funds in order to complete the review in order that action may be taken on the application. Any unspent funds in the escrow account shall be returned to the applicant, along with any accrued interest, at the completion of County Planning Board review and unconditional approval of preliminary subdivision plans, and, for site plans, after granting of approval to construct. The implementation, construction, application, etc., of the impact mitigation measures identified as needed through professional review of the traffic study will be installed as and when required by the County Planning Board on the professional advice of the consultant and/or the County Engineer. This determination shall be made prior to final approval of the application.

The Escrow fee account shall be administered pursuant to N.J.S.A. 40:55D-53 et al.

307. Distribution and Review of Plans

A copy of the application for subdivision or site plan approval shall be submitted to county staff for evaluation in accordance with the standards and criteria established in this Ordinance. The County's Bureau of Planning and Economic Development shall not act on said application until a report from the County's Division of Engineering is received. Said report shall contain recommendations for County requirements and the amount of performance guarantees, payments in lieu of improvements and applicant's proportionate share of the cost of installation of required County off-site and off-tract improvements, if any, as well as the recommendations and comments of the County's Bureau of Planning and Economic Development will be made and incorporated into the report to the municipality and applicant.

308. Time to Act

Within 30 days from the receipt of a complete subdivision or site plan application, the County's Bureau of Planning and Economic Development shall notify the appropriate municipal approval authority, in writing, of its action on the application. A copy of said report shall be transmitted to the applicant or his designated agent and shall set forth all conditions required for County approval and if disapproved or withheld, all reasons for such action. It may also contain non-binding advisory comments.

309. Changes After Approval

When approval is granted, no changes or alterations shall be made in any portion of the plan over which the County has approval power without approval of said changes or alterations by the County.

In the event it becomes necessary to deviate from the approved plan due to site conditions which first appear during construction and which would affect a County road or a County drainage facility, the applicant shall notify and obtain the approval of the County Engineer before such deviation shall be made.

In the event that site conditions deviate from the approved plan, which would affect a County road or County drainage facility, the applicant shall provide the Bureau of Planning and Economic Development revised plans that reflect the deviation.

Major deviations that substantially revise the approved plan shall be approved by the County's Bureau of Planning and Economic Development in association with County Engineering office prior to proceeding with the development site work.

310. Improvement

Prior to granting final approval to a site plan or subdivision, the County Engineer, in conjunction with the County Planning Board, will within the allotted time period determine the extent of improvements required.

311. Installation of Improvements

The County Engineer shall be notified no less than 72 hours prior to the installation of the itemized improvements. Such notification shall be in writing and shall be accompanied by an inspection fee of 2% of the estimated costs of the improvements as denoted on the itemized list. The inspection fee shall be payable by checks or money orders and made out to the County of Union.

If the County's Bureau of Planning and Economic Development fails to report to the municipal approval authority within the 30-day period, the application shall be deemed to have been approved unless, by mutual agreement between the County's Bureau of Planning and Economic Development and municipal approval authority with approval of the applicant, the 30-day period shall be extended for an additional 30-day period, and any such extension shall so extend the time within which a municipal approval authority shall be required by law to act thereon.

312. Approval Time Period

Subdivision and site plan approvals granted by the County's Bureau of Planning and Economic Development under the terms of this Ordinance shall be valid for the following time periods in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et.seq.):

- (A) Minor Subdivision – 190 days from the date of municipal approval.
- (B) Preliminary Major Subdivision – three (3) years from the date of municipal approval.
- (C) Final Major Subdivision – two (2) years from the date of municipal approval.
- (D) Site Plan – three (3) years from the date of approval if said application has received preliminary approval only from the municipal approval authority, and two (2) years from the date of approval if the applicant has received final approval from the municipal approval authority.
- (E) Extensions shall be granted consistent with the Municipal Land Use Law.

313. Non-Compliance with Conditions of Approval

Failure to comply with any of the conditions of County site plan or subdivision approval subsequent to the receipt of a building permit shall be conditions for: (a) refusal of the County to issue a road opening or driveway permit for said site development; (b) a request to the local approval authority to revoke or to withhold the local building permit and/or certificate of occupancy for said site development; (c) forfeiture of any performance bond or other payment guarantee required by the County to cover the costs of improvements specified in that portion of the site plan over which the County has control; (d) appropriate court action initiated by the County Planning Board.

A written notice of non-compliance shall be forwarded, by certified mail, to the local approval agency and applicant requesting compliance with the conditions of approval within a period of time of not less than (10) days.

314. Appeals

In the event an applicant for site plan review and approval or subdivision review and approval is aggrieved by an action taken by the County Engineer and staff, said applicant may file an appeal in writing to the County Planning Board within ten days after the date of notice by certified mail of the said action. Any person aggrieved by the action of the County Planning Board, in regard to site plan review and approval or subdivision review and approval may file an appeal in writing to the Board of Chosen Freeholders within ten days after the date of notice by certified mail of such action. The County Planning Board or the Board of Chosen Freeholders to which an appeal is taken shall consider such an appeal at a regular or special public meeting within forty-five days from the date of its filing.

Notice of said hearing shall be made by certified mail by the applicant at least ten days prior to the hearing to the applicant and to such of the following officials as deemed appropriate for each specific case: the municipal clerk, municipal planning board, board of adjustment, building inspector, zoning officer, Board of Chosen Freeholders, and the County Planning Board. The board to which appeal is taken shall render a decision within 30 days from the date of the hearing.

315. Certification of Subdivision Plat

The County recording officer shall not accept for filing any subdivision plat unless it bears the certification of either approval or of review and exemption of the authorized County Planning Board officer or staff member indicating compliance with the provisions of this Ordinance and standards adopted pursuant thereto, in addition to all other requirements for filing a subdivision plat including compliance with the provisions of “The Map Filing Law” (P.L. 1960, c. 141).

316. Road Opening, Bridge Crossing, Curb/Driveway Permits

The applicant shall obtain, when applicable, all necessary permits from the Union County Department of Operational Services, Division of Public Works prior to undertaking any construction, excavation, or similar work on or along or adjacent to a County road or bridge.

For informational purposes, Appendix B contains a copy of the Policy and Procedure for Right-of-Way Excavation.

317. Performance Guarantees and Maintenance Bonds

As a condition to the approval of subdivision, the County may require the applicant to submit to the County a performance guarantee and, where deemed appropriate, a maintenance bond, in a form approved by the County Counsel. The amount of any performance guarantee or maintenance bond shall be set by the County’s Bureau of Land and Facilities Planning upon the advice of the County Engineer and shall not exceed the full cost of the facility and installation costs.

In lieu of providing any required drainage easement, a cash contribution may be deposited with the County to cover the cost of the proportionate share thereof for securing said easement. In lieu of installing any such required facilities exterior to the proposed subdivision, a cash contribution may be deposited with the County to cover the cost or proportionate share thereof for the future installation of such facilities. Said share to be determined by the County.

Any monies or guarantees requires by the County shall not duplicate bonds or other guarantees required by municipalities for municipal purposes. Any and all monies received by the County to insure performance and to meet the requirements established for subdivisions under this Ordinance shall be paid to the County Treasurer, who shall provide a suitable depository thereof. Such funds shall be used only for County roads or other facilities for which they are deposited. If such projects are not initiated for a period of ten years, at which time said funds shall be transferred to the General Fund of the County.

The applicant shall assume all liabilities associated with construction and maintenance of required improvements until such time as improvements are accepted by the County. Following approval or conditional approval of a preliminary plat, but prior to submission of a final plat, an applicant shall submit and obtain approvals of all performance guarantees,

maintenance bonds, payments in lieu of improvements to County roads, or easements or dedications as may have been specified by the County in its preliminary plat approval.

Prior to submission of a final plat, but in lieu of the submission of performance and maintenance bonds, the applicant may submit and request approval of evidence that all improvements for which performance guarantees and maintenance bonds had been required have been installed in accordance with designs and specifications required by the County Planning Board and approved by the County Engineer.

Upon application to return or release any performance guarantee or maintenance bond, the County Planning Board shall authorize such return or release after receiving the following: (1) In case of a performance guarantee, certification from the County Engineer that all improvements required by this Ordinance have been inspected and found to be completed in accordance with the approved subdivision plan and approved construction standards; (2) In the case of a maintenance bond, certification from the County Engineer that all improvements covered by the bond have been inspected and found to be functioning properly in conformance with the standards and specifications for this Ordinance and terms and conditions of the maintenance bond.

318. Performance and Payment Guarantees

As a condition to the approval of a site plan, the County may require the developer to submit to the County a performance guarantee in a form approved by the County Counsel and in an amount determined by the County Engineer, adequate to cover the costs of all those improvements that are required by the County in connection with the site plan.

The performance guarantee shall be retained until all improvements have been completed to the satisfaction of the County. In fixing the terms for retaining the guarantee, the Division shall specify that upon certification of the County Engineer that all improvements required by this Ordinance have been completed in accordance with the approved site plan and approved construction standards and upon certification from the Board of Chosen Freeholders that improvements to be retained on the County road are acceptable, the Division shall authorize return and release of the performance guarantee. The applicant shall assume all liability during construction and until such time as improvements within the right-of-way are accepted by the County and the municipality.

In instances when the provisions of this Ordinance allow or require a cash contribution to the County to cover a share of the cost of all improvements, the approval of a site plan shall be further conditioned on the receipt of such contributions in the form of a certified check made out to the County Treasurer, and deposited in an account reserved for such improvements.

319. Dedication and Reservation of Road Right-of-Way

The municipality shall obtain the necessary right-of-way for widening of the county road and easements required by the County Planning Board. The right-of-way shall be dedicated to the municipality.

400. SUBMISSION DETAILS

401. Submission of Sketch Plat

Prior to any action by a municipal approval authority on a sketch plat of subdivision, two copies of such sketch plat and application, drawn in accordance with the provisions of this Article, shall be submitted to the County.

Within the time limits prescribed in Article 300, Section 308, the County shall review and analyze the plat and take one of the following actions:

- (A) Find the subdivision does not contain more than three lots, and that it does not abut a County road and does not create an adverse drainage condition as determined by the County Engineer; or that it will not be affected by a right-of-way for any road or drainage shown on the duty adopted County Master Plan; declare the subdivision exempt from further County review and immediately inform the municipal approval authority and applicant by letter; or
- (B) Find that the subdivision contains three or less lots and abuts a County road; inform the municipal approval authority forthwith by letter that the subdivision shall be subject to further review and approval at the preliminary stage as to its affects upon County roads and/or drainage facilities in accordance with the provisions of this Ordinance; or

402. Sketch Plan Details

Any sketch plat submitted to the County shall be based on tax map information or some other similarly accurate base at a scale not less than 200 feet to the inch to enable the entire tract to be shown on one sheet and shall show or include the following information:

- (A) All sketch plats and accompanying drawings shall be consistent with the sizes permitted under Chapter 141 of the Laws of 1960 known as the New Jersey Map Filing Act.

These sizes are as follows:

8-1/2 x 13 inches
15 x 21 inches
24 x 36 inches
30 x 42 inches

- (B) A key map showing the entire subdivision and the proposed street pattern in the area to be subdivided and the relationship of the tract to the surrounding area.
- (C) The location of that portion which is to be subdivided in relation to the entire tract.
- (D) All existing structures within the proportion to be subdivided with an indication of intended retention or removal of same and within 200 feet thereof.

- (E) Name and address of the owner, developer, and applicant preparing the plat.
- (F) The name and address of the record owners of all adjoining property owners within 200 feet as disclosed by the most recent municipal tax records.
- (G) The tax map sheet, block, and lot numbers.
- (H) All existing and proposed streets or roads within or adjoining the proposed street or roads within or adjoining the proposed subdivision shall be clearly indicated.
- (I) All proposed lot lines and lot lines to be eliminated by the proposed subdivision shall be clearly indicated.
- (J) The location and width of all existing and proposed utility easements in the area to be subdivided.
- (K) The location, size, and direction of flow of all streams, brooks, drainage structures, and drainage ditches in the area to be subdivided or within 200 feet of the subdivision.
- (L) North arrow with reference meridian.
- (M) Acreage of the entire tract and the area being subdivided.
- (N) Scale of the plat shall also show the graphic scale.
- (O) The date map was prepared and any dates of revision.

403. Submission of Preliminary Plat

Prior to approval by a municipal approval authority of a preliminary plat of subdivision, two copies of the preliminary plat, drawn in accordance with the provisions of this Article, shall be submitted to the County.

Upon receipt, the County shall immediately request the County Engineer to evaluate the preliminary plat in accordance with the engineering standards established in this Ordinance. The County Engineer shall provide a report on such evaluations containing recommendations for County requirements and the amount of performance guarantees, maintenance bonds, and payments in lieu of County road improvements.

Within the time limits prescribed in Article 300, Section 308, the County's Bureau of Planning and Economic Development shall analyze, review, and take action on the preliminary plat.

Written comments and recommendations relating to the subdivision shall be transmitted by letter to the municipal approval authority and the applicant.

404. Preliminary Plat Details

Any preliminary plat submitted to the County shall be based on tax map information or some other similarly accurate base at a scale not less than 200 feet to the inch to enable the entire tract to be shown on one sheet and shall show or include the following information:

- (A) All preliminary plats and accompanying drawings shall be consistent with the sizes permitted under Chapter 141 of the Laws of 1960 known as the New Jersey Map Filing Act.

These sizes are as follows:

8-1/2 x 13 inches
15 x 21 inches
24 x 36 inches
30 x 42 inches

- (B) A key map showing the entire subdivision and the proposed street pattern in the area to be subdivided and the relationship of the surrounding area at a scale not less than 1" = 800'.
- (C) The name of the subdivision, the municipal tax map sheet, block and lot number, date, revision date if applicable, north arrow, reference meridian, and graphic scale.
- (D) Name and address of the owner, developer, and applicant preparing the plat.
- (E) The acreage of the tract to be subdivided.
- (F) The location of existing and proposed property lines, building setback lines from streets, existing buildings and structures with an indication of whether they will be retained or removed and the location and extent of wooded areas.
- (G) The plat shall show or be accompanied by profiles and cross-sections of proposed streets and highways within the subdivision and existing streets and highways abutting the subdivision within 200 feet. The typical cross-section of streets shall clearly indicate the type and width of pavement and location of curb, location of sidewalks, and shade tree planting strips. At intersections, the radius of curblines shall be clearly indicated.
- (H) Contours at two-foot intervals.
- (I) The meters and bounds of each line (course) required to plot the entire tract. Also, if a minor subdivision plat, the metes and bounds of each line (course) required to plot each lot within the subdivision. The frontage upon the street or streets shall be set forth in feet.
- (J) All existing water courses shall be shown and accompanied by the following information or data:

- (1) When a brook or stream is proposed for alternation, improvement or relocation or when a drainage structure is proposed on a running stream, evidence of submission of the improvement to the New Jersey Department of Environmental Protection shall accompany the subdivision.
- (2) Cross-section of water courses at an appropriate scale showing the extent of the flood plain (if defined), top of bank, normal water level, and bottom elevations at the following locations: a) at any point where a water course crosses a boundary of the subdivision; b) at 50 foot intervals for a distance of 300 feet upstream and downstream of any proposed culvert or bridge within or adjacent to the subdivision; c) immediately upstream and downstream of any point of juncture of two or more water courses.
- (3) When ditches, streams, brooks, or water courses are to be altered, improved, or relocated, the method of stabilizing slopes and measures to control erosion and siltation as well as typical ditch sections and profiles shall be shown on the plan or accompany it.
- (4) The boundaries of the flood plains of all watercourses within or adjacent to the subdivision (if defined).
- (5) All wetlands within the subdivision.
- (6) The total acreage of the drainage basin for any water course running through or adjacent to the subdivision in the area upstream of the subdivision.
- (7) The total acreage in the drainage basin to the nearest downstream drainage structure and the acreage in the subdivision which drains to the structure.
- (8) The location, extent, and water level elevation of all existing or proposed lakes or ponds within or adjacent to the subdivision.
- (K) The preliminary plat shall show and be accompanied by plans and computations for any storm drainage systems to include drainage lines within and/or adjacent to the subdivision for a distance of 200 feet showing size and profiles of the lines, direction of the flow, and the location of each manhole and inlet.
- (L) The preliminary plat shall show and be accompanied by plans showing existing and proposed sanitary sewerage facilities serving the subdivision including the location, size and slope of all sanitary sewer lines, pumping stations, and connections to existing facilities.
- (M) The preliminary plat shall show and be accompanied by plans showing the size and location of all proposed and existing water mains.
- (N) Identification of lands to be dedicated or reserved for public use.

- (O) The location of any other underground utilities in the vicinity of any proposed improvements and the easements to accommodate them shall be clearly indicated on the plan.

405. Submission of Final Plat

Prior to approval by a municipal approval authority of a final plat of subdivision, two copies of the plat, drawn in accordance with the provisions of this Article, shall be submitted to the County.

Within the time limits prescribed in Article 300, Section 308, the County shall study and analyze the plat and take action on the final plat. The County shall notify the municipal approval authority and applicant by written report of its action.

Prior to taking action on the plat, the County shall receive the following: (1) certification that the County has received and approved as to form and amount all performance guarantees, maintenance bonds, and payments in lieu of improvements to County roads or drainageways; (2) certification from the County Engineer in lieu of the submission of performance guarantees that improvements have been installed and inspected in accordance with this Ordinance and that the proper maintenance bonds have been accepted.

If substantial revisions are incorporated on the final plat, which could affect County requirements, a revised preliminary plat shall be submitted to the County's Bureau of Planning and Economic Development for processing as a new plat.

Tracings and cloth copies of final plats shall be presented to the County after County and municipal approval and just prior to recording with the County Register's office so that the action taken by the County can be recorded on the tracing and cloth copy duplicates. A county staff member designated by the County Planning Board shall sign all plats.

406. Final Plat Details

Any final subdivision plat submitted to the County Planning Board for action in accordance with this Ordinance shall conform to the following standards in presentation:

- (A) Two paper prints of a final plat shall be submitted to the County Planning Board accompanied by a copy of the completed final application form to the municipality for such final subdivision.
- (B) The final plat shall conform to all design details, which formed the basis of the preliminary plat approval of the County Planning Board.

407. Submission of Site Plan

Applications requiring site plan review by the County pursuant to Section 302 of this Ordinance shall include at least three legible prints of the site plan, a completed municipal application form and all supporting documentation and data as required to show conformance with the standards established herein (See Appendix A).

Within the time limits prescribed in Section 308 of this Ordinance, the County shall either review the site plan, and if the site does not abut a County road or affect County drainage facilities, offer any constructive comments for municipal consideration relating to planning matters, or review the site plan, and together with a written report stating its reasons for the action taken, approve, conditionally approve or withhold approval of the site plan if it abuts a County road or affects County drainage facilities.

The County's Division of Policy and Planning shall submit a copy of the site plan to the County Engineer for an engineering evaluation in accordance with the standards and criteria established in this Ordinance. The County shall not act on a site plan until a report from the County's Engineer's office is received, containing recommendations for County requirements and the amount of performance guarantees, payments in lieu of County road improvements, and proportionate share of future installation of drainage facilities.

408. Site Plan Requirements and Details

Any site plan presented to the County's Division of Policy and Planning shall be drawn at a scale not smaller than one-inch equals fifty feet and not larger than one-inch equals ten feet. For site plans with a scale of 1" = 30' or smaller, a secondary plan of the County road shall be submitted at a scale of 1" = 20'.

Any site plans shall include and show the following information with respect to the subject lot or lots:

- (A) The sizes of all maps and plans of any proposed land development shall be consistent with the sizes permitted under Chapter 141 of the Laws of 1960 as amended (known as the New Jersey Map Filing Act) as follows:

8 1/2 x 13 inches
15 x 21 inches
24 x 36 inches
30 x 42 inches

- (B) A key map showing the entire site development and its relationship to the surrounding area.
- (C) The name and address of the applicant and the owner and the name, address and title of the person preparing the plan, maps and accompanying data.

- (D) The name of the development, the municipal tax map block and lot numbers of the lot or lots, tax sheet numbers and date, north arrow and scale.
- (E) The acreage of the site to be developed to the nearest tenth of a acre.
- (F) The zone district as indicated in the local zoning ordinance in which the site is located.
- (G) All existing and proposed setback dimensions, landscaped areas, trees over six-inch diameter, and fencing within 30 feet of the County right-of-way line.
- (H) All existing and proposed signs, traffic control devices, lighting standards, and utility poles designating their size, height, type of construction, and location within twenty-five feet of the County road right-of-way line or, where appropriate, proposed County right-of-way line.
- (I) The existing and proposed principal building or structure and all accessory buildings or structures, if any, and finished grade elevations at all corners of said buildings along with an indication of whether those existing will be retained or removed.
- (J) Existing topography based on New Jersey Geodetic Control Survey Datum and proposed grading with a maximum of two-foot contour intervals. NJGS datum may be waived, if no monument exist in the area.
- (K) The location, type, and size of all existing and proposed inlets, catch basins, storm drainage facilities, and utilities, plus all required design data supporting the adequacy of the existing and/or proposed facility to handle future storm flows.
- (L) The location, type, and size of all existing and proposed curbs, sidewalks, driveways, fences, retaining walls, signs, parking space areas, and the layouts thereof and all off-street loading areas, together with the dimensions of all the foregoing on the site in question. Where unusual conditions exist, the County Planning Board may require the above details within 100 feet of said site.

At the proposed intersections of roads and driveways, sight triangles shall be clearly indicated, including all trees of eight-inch caliper or larger and any other obstruction within the right-of-way of the County road or adjacent there to that affects sight distance.
- (M) The location, size, and nature of all existing and proposed right-of-way, easements and other encumbrances, which may affect the lot or lots in question, and the location, size, and description of any lands to be dedicated to a municipality or to the County of Union.
- (N) The location, size, and nature of the entire lot or lots in question and any contiguous lots owned by the applicant or in which the applicant has a direct or indirect interest, even though only a portion of the entire property is involved in the site plan for which approval is sought; provided, however, that where it is physically impossible to show

such entire lot or lots or contiguous lots on one map, a key map thereof shall be submitted.

- (O) The location, names, pavement and right-of-way width of all existing and proposed streets abutting the lot or lots in question and within 200 feet of said lot.
- (P) The site plan shall show or be accompanied by profiles and cross sections of proposed access drives within the development and existing streets and highways abutting the site. The typical cross section of streets shall clearly indicate the type and width of pavement and location of curb, location of sidewalks and shade tree planting strips. At intersections, any existing or proposed sight triangles and the radius of curb lines shall be clearly indicated.
- (Q) All existing watercourses shall be shown and accompanied by the following information:
 - (1) When a brook or stream is proposed for alternation, improvement, or relocation or when a structure or fill is proposed over, under, in, or along a running stream, evidence of submission of an application for the proposed work to the New Jersey Department of Environmental Protection shall accompany the site plan.
 - (2) Cross sections of watercourses at a scale within the guidelines established by the New Jersey State Department of Environmental Protection showing extent of flood plain (if defined), top of bank, normal water level and bottom elevations at the following locations;
 - a) At any point where a watercourse crosses a boundary of the site;
 - b) At 50 foot intervals for a distance of 300 feet upstream and downstream of any proposed culvert or bridge within or adjacent to the site;
 - c) Immediately upstream and downstream of any point of juncture of two or more watercourses;
 - d) At a maximum of 500-foot intervals along all water courses which run through or adjacent to the site.
 - (3) When ditches, streams, brooks, or water courses are to be altered, improved or relocated the method of stabilizing slopes and measures to control erosion and siltation as well as typical ditch sections and profiles shall be shown on the site plan.
 - (4) The boundaries of the flood plains of all water courses within or adjacent to a development in the area upstream of the site shall be shown on the site.
 - (5) All wetlands within the subject site shall be shown on the site plan.
- (R) The total acreage in the drainage basin of any watercourse within or adjacent to a development in the area upstream of the site.

- (S) The total acreage in the drainage basin to the nearest downstream drainage structure and the acreage of the site which drains to the structure.
- (T) The location and width of drainage, utility and conservation easements, and stream encroachment lines.
- (U) The site plan shall show or be accompanied by plans for any storm drainage systems including the following: all existing or proposed storm sewer lines within or adjacent to the site showing size and profile of lines, and the location of each catch basin, inlet and manhole; the location and extent of any proposed dry well, ground water recharge basins, retention basins or other water conservation devices.
- (V) The site plan shall show or be accompanied by plans showing existing and proposed sanitary sewerage facilities serving the site including the following: location, size and slope of all sanitary sewer lines, pumping stations, and connections to existing facilities; location of any proposed sanitary sewerage treatment plants.
- (W) The site plan shall show or be accompanied by plans showing the size and location of all water mains.
- (X) The location of any other underground utilities and the easements to accommodate them shall be clearly indicated on the plan.
- (Y) It may also be required that the application include any and all other information and data necessary to meet any of the requirements of this Ordinance and any and all other information required to facilitate administering the provisions of this Ordinance.

500. DESIGN STANDARDS

501. Design Standards – General

The design of any subdivision/site plan subject to the County approval shall conform to the proposals and standards contained in this Ordinance. However, in the event that municipal design standards are more stringent than those specified herein, the municipal standards shall prevail.

501.1 Dedication of Road Right-of-Way

- (A) Subdivisions that adjoin or include existing county roads that do not conform to widths as recommended by the County Planning Board and local Planning Board shall dedicate additional width along either one or both sides of said road.
- (B) In order to effect dedications required by this section, the dedication for such lands shall be shown on the final plat or site plan. Said dedication shall be to the municipality.

501.2 Streets

- (A) Insofar as possible and in cooperation with the municipal approval authority, the street layout shall be designed to provide the least number of interior streets giving direct access to a County road.
- (B) A new street from a subdivision should be located in relation to intersecting streets on the opposite side of a County road in a way that best facilitates the existing and future flow of traffic on the County road. In general, streets that connect with a County road should be offset at least 150 feet between center lines from intersecting streets on the opposite side of such County road, or else in direct alignment to avoid jog intersections.
- (C) Streets or roads should intersect an existing or proposed County road at a right angle wherever possible, and intersections of less than 60 degrees, measured at the centerline of streets, shall not be permitted.
- (D) Whenever a new road servicing a residential or commercial area is to intersect with a County road, a radius of no less than 25 feet shall be provided between the right-of-way line of the new street and the right-of-way line of the County road. However, a greater radius will be required where it is determined that existing or future traffic volumes on the County road will necessitate a widening, or where it can be shown that the traffic generated by the subdivision/site plan will consist of trucks requiring greater radii.
- (E) A maximum grade of two percent should be maintained on streets connecting with a County road on the approaches to the intersection for at least 100 feet from the centerline of the County road.

- (F) Along that portion of a County road that abuts a proposed subdivision, where curbing is required under Section 501.4 of this Ordinance, highway pavement of sufficient width shall be designed and installed to provide for a shoulder in the area between the edge of existing pavement and curbing along the entire property frontage of the County road in accordance with standards and specifications as set forth by the County Engineer.

501.3 Sidewalks

A sidewalk shall be provided within the County road right-of-way if such is required by any zoning, subdivision, site plan, or other ordinance of the municipality in which the subdivision, site plan, or other ordinance of the municipality in which the subdivision is to be located. In the absence of a municipal requirement, the County Planning Board may require the installation of a sidewalk in the County right-of-way where it finds that such will be needed to protect pedestrian flow while facilitating vehicular traffic on the County road.

If a sidewalk is required as a condition of approval under this Ordinance or is required by a municipality, such sidewalk shall be designed and constructed in accordance with local specifications. In the absence of local specifications the following shall apply:

- (A) Sidewalks shall be constructed of 4000-psi Portland cement concrete, 6% air entrained, in accordance with the standards and specifications of the New Jersey Department of Transportation, Concrete Class B. The sidewalk shall be four inches thick, except at residential driveways where it shall be six inches thick and at commercial and industrial driveways, where it shall be twelve inches thick. Portland cement concrete sidewalk is hereinafter termed concrete sidewalk.
- (B) Sidewalks shall be a minimum of four feet in width and placed within the right-of-way. The edge of the sidewalk shall be one foot from the property line except in commercial areas. Sidewalks in commercial areas may extend from building to the curb line.
- (C) In all cases, the sidewalk shall conform to standard slope specifications of sidewalk and sidewalk area, which shall be 1/4" per foot rising from the top of standard curb, except where depressed curb type driveways require a lowering of the sidewalk grade in accordance with the driveway specification outlined below.

501.4 Curbs

Each subdivision/site plan required County approval should install curbs along the entire property frontage of the County road in conformance with the standards and specification approved by the County Engineer and in accordance with this Ordinance. The County Engineer may waive the installation of curbing.

501.5 Driveways

The following standards shall be used for driveways from such lots:

- (A) All driveway openings shall have a depressed curb design; radius curbing across their driveway will not be acceptable.
- (B) Driveways shall enter the County road system as nearly as possible to a right or 90 degree angle.
- (C) Driveways shall be so designed to permit all vehicles to turn around on the site in order to prevent the necessity of any vehicle backing onto the County road from such a site.
- (D) Single lane driveways shall have a minimum width of ten feet. Double lane driveways shall have a minimum width of twenty-four feet.
- (E) Changes in driveway gradients above 7% can cause cars to bottom out. A critical design point is where the roadway surface meets the driveway ramp. Driveway gradients within the county right-of-way shall be less than or equal to 5%. Beyond the county right-of-way, when grades exceed 7%, the driveway profile is to be designed with the use of vehicle templates.
- (F) Lots used for other than single-family dwellings shall conform to the requirements for driveways as set forth in the Design Standards Specific to Site Plans section of this Ordinance.
- (G) No driveway, which intersects the right-of-way line of any County road, shall be constructed or modified unless a construction permit is first obtained from the County Department of Operational Services, Division of Public Works.

(1) Number of Driveways

The number of driveways provided from a site directly to any one County road shall be recommended as follows:

<u>Length of Site Frontage</u>	<u>Recommended Number</u>
Less than 300 feet	2
300 feet and over	As determined by the County Engineer

(2) Location of Driveways

- (a) All entrance and exit driveways to a County road shall be located to afford maximum safety to traffic on the County road.

- (b) Any exit driveway or driveway lane shall be so designed in profile and grading and shall be so located to permit the following minimum sight distance measured in each direction along the County road; the measurement shall be from the driver's seat of a vehicle standing on that portion of the exit driveway that is immediately outside the edge of the County road traveled way or shoulder:

<u>Allowable Speed on County Road</u>	<u>Required Sight Distance in Feet</u>
25 MPH	150
30"	200
35"	250
40"	300
45"	350
50"	400

- (c) The County Engineer reserves the right to require additional sight distance based on existing conditions, where a site occupies a corner of two intersecting roads, no driveway entrance or exit may be located within the existing or proposed curb radius abutting the site.
- (d) No entrance or exit driveway should be located on the following portions of a County road: on rotary; on a ramp of an interchange; or within the curb radius of the beginning of any ramp or other portion of the interchange.
- (e) Where two or more driveways connect a single site to any one County road, a minimum clear distance of 25 feet measured along the curb line shall separate the closest edges of any two such driveways.
- (f) No driveway or curb cut will be allowed within 25 feet of the back edge of a crosswalk at an intersection to the proposed closest edge of the curb cut. In the absence of crosswalks, the distance from the edge of the curb cut closest to the intersection to the curb line extension of the intersecting cross street shall be 25 feet.

(3) Driveway Angle

- (a) Two-Way Operation: Driveways used for a two-way operation shall intersect the County road at an angle to as near 90 degrees as site conditions shall permit and in no case shall be less than 60 degrees.
- (b) One-Way Operation: Driveways used by vehicles in one direction of travel (right turn only) shall not form an angle smaller than 45 degrees with a County road, unless acceleration and deceleration lanes are provided.

(4) Driveway Dimensions

The dimensions of driveway shall be designed to adequately accommodate the volume and character of vehicles anticipated to be attracted daily onto the land development for which a site plan is prepared. The required maximum and minimum dimensions for driveways are indicated below. Driveways serving large volumes of daily traffic or traffic over 25 percent of which is truck traffic shall be required to utilize high to maximum dimensions. Driveways serving low daily traffic volumes or traffic less than 25 percent of which is truck traffic shall be permitted to use low minimum dimensions:

	<u>One-way Operation</u>		<u>Two-way Operation</u>	
	Curb line Driveway		Curb line Driveway	
	<u>Opening (in feet)</u>	<u>Width (in feet)</u>	<u>Opening (in feet)</u>	<u>Width (in feet)</u>
5-9 Family Residence	12 – 15	10 – 13	12 – 30	10 – 26
10 Family or Over	12 – 30	10 – 26	24 – 36	20 – 30
Commercial & Industrial	18 – 36	18 – 34	24 – 50	24 – 46
Service Stations	15 – 36	12 – 34	24 – 36	20 – 34

The County Engineer may modify driveway dimensions.

(5) Driveway Surfacing

The surface of any driveway subject to County site plan/subdivision approval shall be constructed with a permanent type surface.

Driveway Profile: Any vertical curve on a driveway shall be flat enough to prevent the dragging of any vehicle undercarriage. Changes in driveway gradients above 7% can cause cars to bottom out. A critical design point is where the roadway surface meets the driveway ramp (See 501.4E). When grades exceed 7%, the driveway profile is to be designed with the use of vehicle templates.

Should the sidewalk be so close to the curb at a depressed curb driveway as to cause the ramp to be too steep and be likely to cause undercarriage drag, the sidewalk should be appropriately lowered to provide a suitable ramp gradient? An application of this is shown in the detail standards.

502 Design of Off-Street Parking Area

502.1 Off Street Parking

No required off-street parking space, including adjacent parking access lanes or maneuvering space, shall be located within the existing or proposed right-of-way of the County road including sidewalk areas.

Off-street parking areas are to be designed to prevent the maneuvering of vehicles into or out of parking spaces or the storage of vehicles within any portion of an entrance driveway or driveway lane. Off-street parking areas shall be so designed to permit all vehicles to turn around within the site in order to prevent the necessity of any vehicle backing out onto a County road.

502.2 Off-Street Loading Spaces and Areas

Each land development subject to County site plan approval shall provide on its lot the number of off-street truck loading or unloading spaces required by any zoning, subdivision, site plan or other ordinance of the municipality in which the land development is to be located. However, in the absence of local off-street truck loading requirements applicable to the site, the standards specified below shall be applied.

No part of any off-street truck loading or unloading space shall be located within the right-of-way of the County road including the sidewalk area. Off-street truck loading and unloading spaces shall be located and designed to permit any truck to maneuver from a driveway into and out of such space without encroaching upon any portion of a County road existing or proposed right-of-way including the sidewalk area.

Graphic proof shall be furnished showing that trucks can make the necessary turning and backing movements into proposed truck loading stalls.

502.3 Customer Service Areas

Any site plan that provides temporary stopping space or maneuvering space for vehicles of customers or patrons seeking service at a roadside business establishment shall be located so that the stopping or maneuvering space is behind the existing, or where applicable, future right-of-way line of the County road.

502.4 Curbing

Each land development requiring County site plan approval shall install curbs along the entire property frontage of the County road in accordance with the standards and specifications as set forth by the County Engineer and in compliance with American Disabilities Act (ADA). The County Engineer may waive the installation of curbs along the entire property frontage.

(A) The alignment and grade of curbing is to be determined by that established or existing in the area and subject to the approval of the County Engineer. Before construction, a County curb construction permit will be required.

In general, all driveways will be the depressed curb types. No driveway curbing will be permitted between the curb line of the street and the property side of the sidewalk.

(B) Where depressed curbs are used at driveways, the following specifications shall apply:

(1) Existing curb: To construct a depressed curb where curbing exists, the existing curb must be removed and replaced with new depressed curbing modified in accordance with the requirements as set forth in Appendix B.

(2) New depressed curb: New depressed curb shall be constructed in accordance with specifications as set forth by the County Engineer.

(3) Height of depressed curb above street pavement or shoulder: The top of the depressed curb shall be no greater than one-half higher than the gutter grade.

(C) The horizontal transition of depressed curb from full curb height to depressed curb height shall not exceed 18 inches except where the sidewalk is so narrow and close to the curb that a portion of the sidewalk four feet or less from its outer edge has a slope exceeding 6:1. In this case, the depressed curb transition may be modified to prevent the outer four feet of sidewalk from exceeding a slope of 6:1.

502.5 Sidewalk (see 501.3)

502.6 Shoulder Paving

Each land development requiring County site plan approval shall install paving in the area between the edge of existing pavement and newly constructed curbing along the entire property frontage of the County road in accordance with standards and specifications as set forth by the County Engineer.

502.7 Right-of-Way Encroachment

No part of the right-of-way of a County road may be used for the conduct of private business. The right-of-way of the County road is to be kept clear of buildings, sales or merchandise displays, shrubbery, vehicular parking areas, servicing of vehicles, service equipment and appurtenances thereto.

502.8 Dumpsters

The placing of dumpsters within the roadway of a County road shall be approved by the County Engineer.

502.9 Signs

(A) Directional, Regulatory, and Advisory Signs

To facilitate the safe and efficient movement of traffic into and out of a site, the County may as a condition of the site plan approval require the installation of specified directional, regulatory or advisory signs or pavement markings at designated locations on the site on the County road right-of-way. All proposed signing must conform to the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) for size, legend and placement. All proposed signing shall be fabricated from high intensity or material.

(B) Advertising Signs

No advertising sign, device or marking may be designed to be erected on or overhang a County roadway. Advertising signs which revolve, move, flash, give the illusion of movement or resemble official traffic control devices shall be prohibited within 25 feet of the existing or proposed future curb line or any other location that would adversely impact the safe operation of a motor vehicle and/or cause confusion to pedestrians.

502.10 Clear Sight Areas

In order to afford maximum safety to traffic on a County road, clear sight areas shall be established on a site plan for all land developments subject to County approval. Sight triangle easements shall be dedicated as follows: The area bounded by the right-of-way lines and a straight line connecting "sight points" on street center lines:

- (A) When a municipal street intersects a County road, fifty (50) feet on the municipal street, and four hundred (400) feet on the County road.
- (B) Where two County roads intersect, fifty (50) feet on the County road having the lower daily traffic volume as determined from traffic count data, and four hundred (400) feet on the County road having the higher daily volume as determined from traffic count data.

(C) Where a County road intersects a state highway, fifty (50) feet on the County road, and five hundred (500) feet on the state highway.

(D) The County Engineer may revise the requirements of (A), (B), and (C).

600. DRAINAGE REQUIREMENTS

All developments shall be required to provide adequate drainage facilities along County roads. To facilitate the review of proposed drainage facilities for a development, design calculations prepared by the developer's engineer shall accompany the site plan.

601. Drainage Runoff Requirements

Any development requiring submission pursuant to Section 301 or Section 302 shall be developed so that the rate of the storm water runoff is not increased over existing conditions. Furthermore, no site shall be developed so that any previously existing stormwater detention facility will be reduced in size or capacity. [underlined as per Union County Freeholder ordinance #654-2007 – 8/23/07]

No development adjacent to County road right-of-way will be allowed to discharge storm water runoff, especially point discharge, onto the County road.

Where properly sized detention facilities are unable to be constructed and the requirement for zero net increase in runoff as defined above cannot be adhered to, the developer shall be required to provide adequate drainage facilities in such a manner as to not over burden the County drainage facilities, and to share in the costs of improvements to existing County drainage structures and facilities requiring enlargement, modification of private reconstruction as a result of the increase in runoff from the development. New facilities shall be designed to conform to accepted engineering standards and practice. To facilitate the review of proposed drainage facilities for a development, design calculations prepared by the developer's engineer shall accompany the development plan.

The runoff from the development shall not adversely affect adjacent areas.

The calculation methodology is provided in Appendix C.

Storm water management procedures for small developments of subdivision or site plans in Union County shall not be approved unless it includes a statement, and/or drawing describing the manner in which erosion, sediment, water quality impacts and storm water, resulting from the development will be controlled or managed. Storm water management or drainage plans which require approval by the County Engineer, shall indicate whether storm water will be managed on-site or off-site, and if on-site the general location and type management. Those storm water management or drainage plans shall be referred for comment to the department and other public agencies including state and/or municipalities. A storm water management or drainage plan must be in conformance with NJAC 7:13-1.1 (Flood Hazard Area) and NJAC 7:7F1 (Freshwater Wetlands Protection Act Rule).

Any alteration of current land use to another form of urbanized development, which will increase the rate of volume of storm runoff or degrade quality of runoff, should be required to implement storm water management techniques. The application should be flexible

enough to account for location differences within a watershed while still providing for adequate water quantity and quality controls.

Any detention techniques mentioned in publication “A Guide to Storm water Management Practices in New Jersey” would be acceptable to the County. For large developments in which the impervious area is greater than one acre, the water quality requirement for detention basin must be in conformance with NJAC 7:8-3.4 (NJ Storm water Management Regulations). To determine allowable release rates and the required storage of the detention basin for small developments the attached design procedure will be used.

In addition to the above, the development adjacent to County road right-of-way will not be allowed to discharge storm water run off, especially point discharge into a County road.

No subdivision or site plan approval shall be issued by the County, unless a storm water management or drainage plan, consistent with the requirements of this section, or waiver thereof, for the plat or parcel, has been approved by the County Engineer.

700. TRAFFIC IMPACT ANALYSIS

701. Criteria Governing the Need for Traffic Impact

Any land development located along or affecting a County road which shall result in: (1) a development containing 10 or more dwelling units, (2) any new or redeveloped site which will generate 100 or more additional (new) peak direction (inbound or outbound) trips to or from the site during adjacent roadways' peak hours or the development's peak hour, shall require a detailed traffic impact study.

The applicant's engineer may request a waiver from strict compliance with this requirement if it can be demonstrated, in writing, that the land development will not have a significant impact on County roads. This determination will be made by the County Engineer.

In the event that none of the above thresholds are met, which would initiate a traffic impact study; a study may still be required based upon the following considerations:

- (A) The existence of any current traffic problems in the area such as high traffic volumes, restricted roadway widths that affect future capacity, or safety related problems;
- (B) The current or projected level of service of the roadway system adjacent to the proposed development which will be significantly affected;
- (C) The sensitivity of the adjacent neighborhoods or other areas that may be perceived as impacted or affected;
- (D) The proximity of the proposed development drives with respect to existing adjacent development driveway locations or roadway system to handle increased traffic or the feasibility of improving the roadway intersections;
- (E) The ability of adjacent existing or planned roadway system to handle increased traffic or the feasibility of improving the roadway system to handle increased traffic;
- (F) Other specific problems of deficiencies that may be affected by the proposed development of affect the ability of the development to be satisfactorily accommodated.

Determination of the need for a traffic impact study, based upon the above considerations, will be made by staff of the Union County Department of Operational Services, Division of Engineering, and Division of Policy and Planning. Once the need for a traffic impact study has been determined, the applicant's engineer should contact appropriate County staff to discuss specific traffic elements related to the proposed development.

Applications that require a traffic impact study will not be reviewed by County staff, with respect to traffic related issues, until a traffic impact study is prepared and submitted. Once the study has been deemed acceptable by the County in terms of scope, content and findings, a comprehensive traffic review of the entire development will be made.

Based upon the results of the traffic impact study, the applicant may be required to implement or be assessed for various off-tract improvements to mitigate the proposed development's impact on the County roadway system.

If the development's impact on the County's roadway system warrants the installation of a traffic signal, or if the County requires the installation of a traffic signal, the applicant shall pay all costs for the design and construction of the traffic signal. The applicant shall obtain an agreement with the municipality for the operation and maintenance of the traffic signal. The County shall not approve the application until such an agreement is approved by the municipality.

The traffic signal is subject to the policy and procedure of the N.J Department of Transportation, Bureau of Traffic Engineers, for authorization to design, install, and operate.

702. Elements and Requirements of Traffic Impact Studies

Traffic impact studies shall be conducted in accordance with the latest edition of the Institute of Transportation Engineers' (ITE) publication, Traffic Access and Impact studies for Site Development. As a minimum, the following components must be included in all traffic impact studies as required under Section 701 above in order to be acceptable by the County.

- (A) Existing traffic volumes for the abutting and surrounding roadways and intersections. The scope of the study area shall be as defined by the aforementioned ITE publication.
- (B) Existing level of service calculations using the Transportation Research Board's Special Report 209, Highway Capacity Manual. Different analytical methods (i.e. consultant produced software) must receive prior approval from appropriate County staff.
- (C) Peak period trip generation rates for the proposed development for the AM, PM, Saturday time periods, or any other significant time period that can be associated with the proposed development. Trip generation rates can be derived from the latest edition of the Institute of Transportation Engineers' publication, Trip Generation. Trip generation rates derived for a development of identical land usage may be allowed, provided the applicant's engineer can satisfactorily prove that the rates used are reasonable and consistent with the surrounding land use and traffic conditions. If the applicant's engineer cannot prove this point satisfactorily, then the ITE rates shall apply.
- (D) A schematic drawing(s) showing the site generated traffic distribution upon the surrounding roadway system. A narrative of the methodology and reasoning to determine the trip distribution pattern is also required. upon the surrounding roadway system. A narrative of the methodology and reasoning to determine the trip distribution pattern is also required.

- (E) Future year traffic volumes with level of service calculations for a horizon year established with the County. Target year volumes must include those from other potential sites in the study area, the proposed development's volumes and background traffic volumes.
- (F) Traffic improvements strategies for mitigating the impact of the proposed development. Feasibility and cost estimate implementing these strategies must also be included. Strategies may include implementing physical or operational improvements. All improvements designed and implemented shall be designed for a minimum level of service, or other appropriate level of service as defined by County staff.
- (G) An assessment of any existing or anticipated traffic safety problems.
- (H) Justification for any deviation from the parking requirements set forth by the County in this ordinance.
- (I) Copies of all capacity analyses and other calculations used in the preparation of the traffic impact study. Full copies must be provided: summary sheets are not acceptable. Copies of the analyses are preferable on printouts as well as computer diskette.
- (J) Copies of all raw data collected, adjusted, and used in the preparation of the traffic impact study.
- (K) Copies of any other relevant data (i.e., accident records or signal warrant analyses) used in the preparation of the traffic impact study.
- (L) Possibility of diversion of site generated traffic through local streets.
- (M) Any other traffic or operational items that are relevant to the subject development. Such items would include traffic signal warrant analyses, trip reduction via mass transit, ride sharing, or other means.

703 Exceptions From The Methodology

It should be noted that any deviation from the methodology in the aforementioned publications used to prepare traffic impact studies, must first have the approval of County review staff. Failure to obtain permission will result in the rejection of the study. Topics which require approval include, but are not limited to:

- (A) Use of a saturation flow rate greater than 1800 vehicles per hour per lane. Adjustment of the saturation flow rate is allowed only after appropriate field measurements (as outlined in Highway Capacity Manual) are obtained. Justification for using a rate other than 1800 vehicles per hour per lane must be included in the narrative of the report. Adjusting the rate to minimize a development's impact on the surrounding roadway system will not be permitted.

- (B) Use of trip generation rates for sites that are similar in size, nature, and operating characteristics. If similar site is used for comparison, features such as roadway type, similar ADTs, travel patterns and surrounding characteristics must also be similar. In any event, comparison to established ITE rates must be included in the narrative of the report using charts or diagrams, which show side by side comparisons.
- (C) Use of pass-by trips credits and the percentage of credit thereto. Justification in the use of pass-by trip credit must be presented and substantiated in the narrative of the report.

800. ASSESSMENTS FOR OFFSITE/OFF TRACT IMPROVEMENTS*

There are some instances in which the construction of improvements may not be the most appropriate or effective way to fulfill the developer's obligations. In those cases, the developer may be assessed its "fair share" in lieu of constructing improvements. The reasons for the assessment in lieu of requiring developers to construct the improvements vary from application to application depending on topography, environmental constraints, safety and type of improvement.

The guidelines to be followed in determining if an assessment is a feasible alternative are presented below. The guidelines have been separated into two categories, roadway improvements and storm water management improvements.

(A) Roadway Improvements

Roadway improvements are considered to be all improvements associated with the construction of roadways; examples include sidewalks curbing, pavement, drainage inlets, piping systems, culverts, bridges, guide rails and traffic control devices. Although there are many possible reasons for the County to request a contribution in lieu of roadway improvements to be constructed, some of the more common reasons include:

- (1) The existing horizontal or vertical road alignment does not meet current standards and the proposed frontage improvement is not extensive enough to correct same.
- (2) The County is planning to improve the roadway in the vicinity of the site and therefore, since the proposed frontage improvement is limited in length, it the County's improvement project.
- (3) The county is planning to improve an intersection(s) in the immediate vicinity of the developer's site.
- (4) The County is planning to replace the drainage system, culvert, or bridge in the vicinity or downstream of the developer's site.

(B) Calculation of Contribution Amount for Roadway Improvements

If it has been determined that a contribution will be collected in lieu of constructing frontage improvements, the amount of the assessment shall be calculated as follows:

An estimate of quantities is to be submitted by the applicant's engineer for the improvements had they been installed. The estimate will then be reviewed by the County Engineer for accuracy, completeness, and any necessary revisions will be made. Ancillary items (which include construction stakeout, payment and performance bond, contingencies, engineering/project management, and maintenance/protection of traffic) are added to the estimate. Using the average of unit prices that the County has received through the bidding process for similar projects over the past two years, the County shall determine the estimated

cost of the improvements based on the estimate of quantities prepared by the applicant's engineer. The amount of the assessment will be the estimated cost of the improvements as determined above.

(C) Storm Water Management Improvements

The collection of an assessment in lieu of providing on-site detention is contingent on many factors such as downstream impacts, regional Storm water management plans, the site's ability to support a Storm water detention facility and other relative conditions.

(D) Calculation of Contribution Amount for Storm Water Management Improvements

If it has been determined that an assessment is a feasible alternative to on-site detention, the amount of the assessment shall be calculated as follows:

A conceptual detention basin plan, designed by the applicant's engineer, is to be submitted with an estimated of quantities for the conceptual design.

The County Engineer will then review the conceptual detention basin design and the estimated of quantities for accuracy and completeness and any necessary revisions will be made. Ancillary items (which include construction stakeout, pavement and performance bond, contingencies and engineering/project management) are added to the estimate. Using the average of the unit prices that the County has received through the bidding process for similar projects over the past two years, the County shall determine the estimated cost of the improvements based on the estimate of the quantities prepared by the applicant's engineer. The amount of the assessment will be the estimated cost of the improvements as determined above.

801. Development Agreements

The County Planning Board may, as a condition of approval, require an applicant to enter into an agreement with the Board of Chosen Freeholders in order to meet an off-tract, an on-tract, or an on-site obligation. The said agreement must be conceptually approved by the Planning Board prior to being forwarded to the Board of Chosen Freeholders and County Counsel for execution. Said agreements will vary depending on the scale and complexity of the proposed project and County obligation, but generally will detail the applicant's responsibilities toward off-tract, on-tract, or on-site contributions, improvements and easements.

*"Offsite" means located outside the lot line of the lot in question, but within the property (of which the lot is a part) which is subject of a development application or contiguous portion of a street or right-of-way.

*"Off-Tract" means not located on the property, which is the subject of a development application, nor on a contiguous portion of a street or right-of-way.

(Definitions from the Municipal Land Use Law)

900. VALIDITY, REPEAL OF CONFLICTING ORDINANCES AND EFFECTIVE DATE

901. Validity

If any section, subsection, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such adjudication shall not affect the validity of this Ordinance as a whole or any part or provisions hereof other than the part so adjudged to be invalid or unconstitutional.

902. Repeal of Conflicting Ordinances

All Ordinances or parts of Ordinances, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

903. Effective Date

This Ordinance shall take effect as provided by law.

APPENDIX A

DEVELOPMENT REVIEW APPLICATION FORM

COUNTY OF UNION, NEW JERSEY

NOTICE TO APPLICANT: Please forward one paper copy of the plan, supporting documentation and this application form & checklist along with one electronic (PDF) copy of the plans and associated reports on a compact disk /USB drive to the Union County Bureau of Land & Facilities Planning, Department of Economic Development, Administration Building, 2nd Floor, Elizabethtown Plaza, Elizabeth, NJ, 07207, Telephone: (908) 527-4268.

1. TYPE OF DEVELOPMENT: (check one)

- A. Subdivision: _____
_____ Minor Exempt Subdivision
_____ Minor Subdivision
_____ Major Subdivision

B. Site Plan: _____

Is this a revised plan/plat? Yes () or No () Circle One: Plan or Plat

2. LOCATION OF DEVELOPMENT: Municipality: _____

Street or Road: _____

Tax Map: Block # _____ Lot # _____

3. APPLICANT: _____

Address: _____

Telephone # _____ Email Address: _____

4. PROPERTY OWNER: _____

Address: _____

Telephone # _____ Email Address _____

5. ATTORNEY: _____

Address: _____

Telephone # _____ Email Address _____

6. ENGINEER: _____

Address: _____

Telephone # _____ Email Address _____

7. ARCHITECT: _____

Address: _____

Telephone # _____ Email Address _____

8. LAND SURVEYOR: _____

Address: _____

Telephone # _____ Email Address _____

9. DEVELOPMENT INFORMATION:

- a. Project Name (if any): _____
- b. No. of existing lots* _____ No. of proposed lots* _____
- c. Area of entire tract _____
- d. Area conveyed by present owner or other * _____
- e. Area of impervious surface (sq. ft.) _____
- f. No. of parking spaces _____
- g. Zoning district _____
- h. Existing use _____
- i. Proposed use _____
- j. No. of housing lots for sale* _____
- h. No. of multi-family residential units _____
- i. Sq. ft. of building area for commercial use _____
- j. Sq. ft. of building area for industrial use _____
- k. Sq. ft. of building area of other use _____
- l. When did you apply to the municipality for this development? _____
- m. Status of Municipal Review: Approved ___ ; Pending ___ ; Denied ___
- n. Municipal Site Plan/Subdivision Approval (Resolution) Date: _____
- o. Has the Applicant or Developer previously applied to the Union County Planning Board for approval of the proposed development? Yes () or No () If so, when _____ and what was the County Application# _____

10. Signatures

APPLICANT SIGNATURE: _____ DATE: _____

OWNER SIGNATURE: _____ DATE: _____

Any additional information, which the applicant may wish to note may be provided on a separate sheet.

NOTE: Submission of this application to Union County does not exclude the possibility for the need of any technical studies or reports to support or substantiate the proposed development identified in this application. Any application information requested would be provided by the applicant. Our acknowledgement of the application as complete does not exclude the possibility of a need for any future technical studies.

***Subdivision applications only.**

Please call the Union County Bureaus of Planning & Economic Development at (908) 527-4268 or (908) 527- 4197.

Note: See Section 300 of the Land Development Ordinance for the associated Land Development Review Fee schedule and separate stand-alone application for site plan and subdivision checklist provided on the County Planning Board Section of the website. Contact the noted phone number for any assistance on the application process.

APPENDIX B

Policy and Procedures for Right-of-Way Excavation – Application Form (Contact County Public Works for any associated updates)

For County Use Only:

File No. _____

Date Rec'd _____

Fee Paid _____

Fee Type _____

Application for construction within a public right-of-way in Union County

Name of Municipality where work is located _____ Permit No. _____ County Permit

Type of Permit-Road opening _____ Curb _____ Other _____ Description _____ Date _____

Application is made by _____

Address _____ Phone # _____

Construction by _____ Phone # _____

Address _____ Emer. Phone # _____

Type of work _____

Location of work _____

Total area of road opening _____ Sq. Ft Width _____ Ft. Length _____ Ft. Depth _____ Ft.

Class of pavement-Concrete () Bituminous Concrete () Other () Specify _____

Total Lineal Ft. of Std. Curb _____ Ft. Depressed Curb _____ Ft.

Type of material to be used – Concrete () Granite Block ()

Remarks _____

Date work will be started on _____ & Finished by _____

Call 1-800-272-100 72 hours before any digging.

All work must conform to construction standards of jurisdiction. A copy of the ordinance for the standards and requirements must be accompanied with this permit.

Applicant's Signature _____

Application Fee \$_____ Application issued by_____ Date_____

Permit Fee \$_____ Permit issued by_____ Date_____

Bond if Applicable \$_____ Application issued by_____ Date _____

Inspect Temporary opening by_____ Date_____ Final inspection by_____ Date_____

Inspect permanent opening by_____ Date_____

Remarks on permit_____

Procedure: All restoration must conform to the requirements on the reverse side of the permit. You should also have a copy of the ordinance outlining the County policy and procedures pertaining to the requirements of this excavation work.

This application must be made before any work is started except in cases of emergency. The original permit approved and signed must be available on the site at all times when work is in progress.

The permittee agrees to comply with the current laws of the State of New Jersey and the County Regulations. The acceptance of this permit shall be deemed an agreement to abide all of its terms, conditions, and requirements as set by the County of Union. Notice will be given 24 hours before work starts to the County of Union to allow the inspectors sufficient time to check forming and compliance to standards. Call 789-3654 or 789-3658 from 8:30 A.M. to 4:00 P.M. Evening call 789-3654 or 789-3667 and leave a detailed message.

FEE SCHEDULE
FOR COUNTY CONSTRUCTION PERMITS

ROAD OPENING PERMITS

Application Fee

Normal	\$30.00
Non-reported opening	\$90.00

Permit Fee

Up to 20 sq. ft.	\$40.00
Between 20 and 80 sq. ft.	\$100.00
Additional over 80 sq. ft.	\$ 0.50 per sq. ft.
Multiple openings are a minimum of \$40.00	

Cash Bond

Up to 43 sq. ft.	\$800.00
------------------	----------

Over 43 sq. ft. \$18.75 per Sq. Ft. per opening
 Multiple openings are a minimum of \$800.00 each
 Newly paved roads (5 years or less) \$0.00 - \$10,000.00 as determined by County Engineer.

CURB PERMITS

Application Fee	\$20.00
Permit Fee	
Depressed curb (driveway opening)	\$25.00
Full height curb	0.50 per lin. Ft. \$25.00 minimum
Cash Bond	
For a single driveway	\$12.00 per linear ft.
All others	\$12.00 per linear ft.

BRIDGE PERMITS

Application Fee	\$30.00
Permit Fee	
All work within 10 ft. of bridge	\$250.00
Outside of these limits	Same as road opening fee above
Cash Bond	
All work within 10 ft. of bridge	\$1,600.00
Outside of these limits	\$400.00 for each 200 sq. ft. of opening

APPENDIX C

Stormwater and Flood Control – This Appendix items has been removed.
Contact County Engineering for current requirements and regulations.

APPENDIX D

UNION COUNTY: ROADS BY MUNICIPALITY [Note: Contact County or respective Municipality for any updates on roadway jurisdiction]

TOWN: BERKLEY HEIGHTS

<u>Street</u>	<u>From</u>	<u>To</u>
Springfield Ave.	Passaic Twp. Line- Passaic River	New Providence Line-150 ft. East of Delmore Ave.
Valley Rd. continuing as Glenside Avenue	Watchung Borough Line	Summit Line-2000 ft. west of W.R. Tracy Dr.
McMane Ave.	Diamond Hill Rd.	Glenside Ave.
Mountain Ave.	Warren Twp. Line	New Providence Line
Mountain Ave.	New Providence Line West of Old Brook La.	New Providence Line East of Murray Hill Blvd.
Diamond Hill Rd.	Mountain Ave.	Watchung Line
Horseshoe Road	Mountain Ave.	Plainfield Ave.
Plainfield Ave.	Springfield Ave.	Watchung Line- Valley Rd.
Bonnie Burn Rd. Somerset Co.	Valley Rd.	Route 22

TOWN: CLARK

Oak Ridge Rd. continuing as Raritan Road	Lake Ave.	Cranford Town Line west of Walnut Ave.
Madison Hill Rd.	Raritan Road	Westfield Ave.
Lake Ave.	Oak Ridge Road	Scotch Plains Town Line at Rail Road Overpass

Central Ave.	Westfield Line West of Piction St.	Garden State Parkway Circle at Ex. 135
<u>Street</u>	<u>From</u>	<u>To</u>
Brant Ave.	Pkwy. Circle # 135	Westfield Ave.
Westfield Ave.	Brant Ave.	Madison Hill Rd.
Walnut Ave.	Valley Rd.	Cranford Line- Raritan Rd.
Valley Road	Pkwy Circle # 135	Walnut Ave.
Valley Road	Ross St.	Linden Line- 190 ft. East of Pennbrook Terrace
Parkway Dr.	Valley Rd. near Autum Ave.	Highland Place
Rahway Park Dr.	St. Georges Ave.	Valley Rd.
Union County Parkway Dr.	Valley Rd.	S. Stiles St.
Ross St.	Valley Rd.	Georgian Drive/ Rahway Line
Parkway Dr.	Valley Rd. Near Walnut Ave.	Dead End (entire length)

TOWN: CRANFORD

Kenilworth Blvd.	Kenilworth Line- just west of Shady Lane	Springfield Ave.
Springfield Ave.	Westfield Line	North Ave.
Walnut Ave.	South Ave.	Clark Line- Raritan Rd.
Raritan Rd.	Clark Line- 460 ft. west of Walnut Ave.	Linden Line

<u>Street</u>	<u>From</u>	<u>To</u>
South Ave. (Corridor)	Roselle Line- 100 ft. east of Parkway overpass	Garwood Line- Elise St.
Nomahegan Park Dr.	Springfield Ave.	900 ft. east of Romore Place
County Park Dr.	Kenilworth Blvd.	Cranford Swim Club

TOWN: ELIZABETH

Morris Ave.	Westfield Ave.	Union Line- North Ave.
Lidgerwood Ave.	Edgar Rd./ Washington Ave.	Linden Line
W. Grand St.	Cherry St.	Roselle Line- Park St.
S. Broad St.	Bayway Ave.	Elizabeth Ave.
N. Broad St.	Lower Rd.	Hillside Line- King St.
Orchard St.	Morris Ave.	Magie Ave.
Magie Ave.	Orchard St.	Galloping Hill Rd.
W. Jersey St.	Cherry St.	Elmora Ave.
Jersey Ave.	Elmora Ave.	Roselle Line- 320 ft. west of Standish St.
Grove St.	East Side of N.J.S.H. 1&9 North	Clarkson Ave.
S. Pearl St.	Grove St.	Rahway Ave.
Jefferson Ave.	Magnolia Ave.	North Ave.
Linden Ave.	Elmora Ave.	Warinanco Park Dr.

<u>Street</u>	<u>From</u>	<u>To</u>
Elizabethtown Plaza	Caldwell Pl.	Rahway Ave.

TOWN: FANWOOD

Martine Ave. Corridor	Sc. Pl. Line-Portland Ave.	Sc. Pl. Line-King St.
Terrill Road Corridor	Sc. Pl. Line 165 ft. north of Midway Ave.	Sc. Pl. Line-King St.
LeGrande Ave.	Terrill Rd.	Laurel Pl.
Laurel Pl.	LeGrande Ave.	South Ave.-Rt. 28

TOWN: GARWOOD

South Ave. Corridor	Cranford Line-Elise St.	Westfield Line-Windsor Ave.
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TOWN: HILLSIDE

Hillside Ave.	N. Broad St.	Chestnut St.
N. Broad St.	Elizabeth Line-Lower Rd.	Newark Line-Bailey Ave.
Chestnut Ave.	Irvington Line	Hillside Ave.
Liberty Ave.	Hillside Ave.	Union Line-Elizabeth River
Conant St.	Salem Ave.	Liberty Ave.

TOWN: KENILWORTH

Galloping Hill Rd.	Union Line-450 ft. east of Washington Ave.	Parkway # 138
Boulevard	G.S.P. # 138	Cranford Line-160 ft. east of Pembroke Drive

<u>Street</u>	<u>From</u>	<u>To</u>
Michigan Ave.	N.J.S.H. Rt. 22	Roselle Park Line- Colfax Ave.

TOWN: LINDEN

Valley Rd.	Stiles St.	Clark Line- 190 ft. east of Pembroke Terr.
Linden Ave.	Elizabeth Line South of Spofford Ave.	Park Ave.
Elizabeth Ave.	Park Ave.	Rahway Line- 300ft. south of Bradford Ave.
Wood Ave. Corridor	Rt. 1 & 9 South	Raritan Road
Raritan Rd. Corridor	Wood Ave.	Stiles St.
Stiles St.	Rt. 1 & 9 South	Raritan Rd.
Roselle St.	Elizabeth Ave.	St. Georges Ave.- Route 27

TOWN: MOUNTAINSIDE

Springfield Ave.	Springfield Line South of Dunbar Rd.	Westfield Line- Mill La.
Mountain Ave.	Route 22	Springfield Line- 600 ft. north of Sheffield St.
Mountain Ave.	Westfield Line- North of Mt. View Terrace	Route 22
Echo Lake Park Dr.	Mountain Ave.	Mill Lane
New Providence Rd.	Mountain Ave.	Whippoorwill Way

Deer Path	Whippoorwill Way	Tanager Way
W.R. Tracy Dr.	(Entire Length) Deer Path	Glenside Ave.
<u>Street</u>	<u>From</u>	<u>To</u>
Coles Ave.	Sc. Pl. Line- 375 ft. west of Tanager Way	New Providence Rd. at Trailside
New Providence Rd.	(Trailside) Coles Ave.	Summit Road
Summit Lane	New Providence Rd.	Summit Road
Tanager Way	Coles Ave.	Deer Path
Ackerman Ave.	Deer Path	Coles Ave.
Baltusrol Rd.	Summit Lane	Springfield Line 250 ft. south of Outlook Drive

TOWN: NEW PROVIDENCE

Springfield Ave. Corridor	Berk. Heights Line- 150 ft.east of Delmore Ave.	Summit Line- Constantine Pl.
South St.	Mountain Ave.	Springfield Ave.
Passaic St	Springfield Ave.	Morris County Line- Passaic River
Mountain Ave. Corridor	Diamond Hill Road Berkley Hgts Line	Berkley Hgts Line East of South St.
Mountain Ave.	Berkley Hgts Line East of Bergen Rd.	Summit line Division Ave.

TOWN: PLAINFIELD

Plainfield Ave.	W. 5th St.	Middlesex Cty Line
E. Front St.	Watchung Ave.	Terrill Road

W. 7th St.	Middlesex Cty Line	Park Ave.
E. 7th St.	Park Ave.	Terrill Road
<u>Street</u>	<u>From</u>	<u>To</u>
Park Ave.	W. 9th St.	S. Plainfield Line
Green Brook Dr.	Clinton Ave.	West End Ave.
Myrtle Ave. Extension	Myrtle Ave.	Green Brook Dr.
Cedar Brook Park Dr.	Park Ave.	Penberton Ave
Mathewson Dr. Rose St. Extension	Randolph Ave. Laramie Rd.	Cedar Brook Dr. Mathewson Dr.
Arlington Ave.	Laramie Rd.	Cedar Brook Dr.

TOWN: RAHWAY

Madison Hill Rd.	Clark Line East of Beechwood Dr.	Westfield Ave.
E. Grand Ave.	Rt. 1 & 9	Elizabeth Ave.
W. Grand Ave.	Elizabeth Ave.	Rt. 27
Westfield Ave.	Rt. 27	Madison Hill Rd.
W. Hazelwood Ave.	Rt. 27	New Brunswick Ave.
E. Hazelwood Ave.	New Brunswick	Hart St.
Hart St.	E. Hazelwood Ave.	Randolph Rd.
New Brunswick Ave.	Rt. 27	Hazelwood Ave.
E. Milton Ave.	Rt. 1 & 9	Essex St.
W. Milton Ave.	Essex St.	Rt. 27
Lawrence St.	E. Hazelwood Ave.	E. Grand Ave.
Elizabeth Ave.	W. Grand Ave.	Linden Line-

300 ft. south of
Bradford Ave.

Scott Ave.	Rt. 1 & 9	Rt. 27
<u>Street</u>	<u>From</u>	<u>To</u>
Ross St.	Clark Line- Georgian Dr.	Rt.27
W. Inman Ave.	Rt. 27	Woodbridge Line- Dukes Rd.

TOWN: ROSELLE

Chestnut St. 9th Ave.	Rt. 27 Chestnut St.	1st Ave. Locust St.
Locust St.	9th Ave.	Roselle Park Line- -Central R.R.
1st Ave.	Elizabeth Line- Park St.	Cranford Line- 1000 ft. east of Parkway overpass
3rd Ave.	Elizabeth Line-	Amsterdam Ave.
Amsterdam Ave.	1st Ave.	Wood Ave.
Linden Rd.	Roselle Park Line -Central R.R.	Warinanco Park Loop Drive
Park Ave. Entrance	Rt. 27	Loop Drive
Warinanco Park Loop Dr.	Entire Length through Warinanco Park	
Park St. Entrance	E. 3rd Ave.	Loop Drive
7th Ave Entrance	Thompson Ave.	Loop Drive
Linden Ave. Entrance	Elizabeth Line	Loop Drive

TOWN: ROSELLE PARK

Chestnut St.	Rt. 28	Union Line-
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		Summer Ave.
Galloping Hill Rd.	Rt. 28	Union Line- 40 ft. north of Lehigh Ave.
<u>Street</u>	<u>From</u>	<u>To</u>
Linden Rd.	Rt.28	Roselle Line
Lincoln Ave.	Chestnut St.	Galloping Hill Rd.
Faitoute Ave.	Rt. 28	Kenilworth Line- Colfax Ave.

TOWN: SCOTCH PLAINS

Lake Ave.	Scotch Plains Line	Martine Ave. Extension
North Ave.	Westfield Line	Fanwood Line
Willow Ave.	Rt. 22	Mountain Ave.
Mountain Ave.	Willow Ave.	Westfield Line- 780 ft. north of Fawn Ridge
Park Ave.	Rt. 22	Fanwood Line- Portland Ave.
Martine Ave.	Fanwood Line -King St.	Lake Ave.
Terrill Rd.	N. Plainfield Line -Greenbrook	Fanwood Line -McCrea Pl.
Terrill Rd.	Fanwood Line -King St.	Raritan Rd. Ash Brook Golf Course
Raritan Rd.	Terrill Rd.	Old Lake Ave.
Front St.	Park Ave.	Terrill Rd.
Sky Top Drive	Valley Rd./ Berk. Hts. Line	Mountainside Line -Coles Ave.

<u>Street</u>	<u>From</u>	<u>To</u>
Lamberts Mill Rd.	Westfield Line- West end of Radley Rd.	Westfield Line- East end of Radley Rd.

TOWN: SPRINGFIELD

Morris Ave.	Morris & Essex Turnpike	Summit Line- Rt.24 Bridge
Orchard St.	Summit Line- 235 ft. east of Briant Parkway	Mountview Rd.
Shunpike Rd.	Mountview Rd.	S. Springfield Ave.
Meisel Ave.	S. Springfield Ave.	Morris Ave.
S. Springfield Ave.	Mountainside Line	Shunpike Rd.
S. Springfield Ave.	Shunpike Rd.	Mountain Ave.
Main St.	Maple Ave. (Both Ramps)	Essex Cty. Line
Mountain Ave.	660 ft. north of Sheffield St.	Morris Ave.-Rt. 82
Hillside Ave.	Mountain Ave.	Rt. 22
Baltusrol Rd.	Mountainside Line- South of Outlook Way	Summit Line- 150' north of Rt. 78

TOWN: SUMMIT

Broad St.	Springfield Line -M & E Tnpk	Morris Ave.
Springfield Ave.	Morris Ave.	New Prov. Line 300 ft. south of Beech Spring Dr.
Chatham Rd.	Chatham Boro Line -Passaic River	River Rd.

Morris Ave.	River Rd.	Springfield Ave.
<u>Street</u>	<u>From</u>	<u>To</u>
Springfield Ave.	Springfield Line Route 24 Bridge	Morris Ave. -Car wash Chapel St.
Glenside Ave.	Baltusrol Rd.	Berkley Hts. Line -2000 ft. west of W.R. Tracy Dr.
River Rd.	Iris Rd.	Morris Ave.
Passaic Ave.	Morris Ave.	Constantine Pl.
Constantine Pl.	Passaic Ave.	Springfield Ave.
Orchard St.	Morris Ave.	Springfield Line -235 ft. east of Briant Pkwy
Mountain Ave.	Morris Ave.	Ashland Rd.
Ashland Rd.	Mountain Ave.	New Providence Line-Division Ave.
Baltusrol Rd.	Summit Line -150 ft. north of Rt. 78	Morris Ave.
Summit Ave.	Morris Ave.	Morris & Essex Turnpike

TOWN: UNION

Stuyvesant Ave.	Essex County Line -Hillside Ave.	Vauxhall Rd.
Chestnut St.	W. Chestnut	Roselle Park Line- Summer Ave.
Tucker Ave.	Galloping Hill Rd.	Roselle Park Line -Summer Ave.
Galloping Hill Rd.	Elizabeth Line-	Kenilworth Line-

	Magie Ave.	East of Washington Ave.
<u>Street</u>	<u>From</u>	<u>To</u>
Salem Rd.	Galloping Hill Rd.	Hillside Line -Elizabeth River
W. Chestnut St.	Chestnut St.	N.J.S.H. Rt. 22
Burnet Ave.	Morris Ave.	Maplewood Line-
Vauxhall Rd.	-N.J.S.H. Rt. 82 Salem Rd.	North of Laurel Ave. Millburn Line- Millburn Ave.
Fairway Drive	Chestnut St.	Fairway Dr. (South) Intersection

TOWN: WESTFIELD

North Ave.	E. Broad St.	Scotch Plains Line
Springfield Ave.	Cranford Line	Mountainside Line- South of Mill La.
Mountain Ave.	Scotch Plains Line East of Fawn Ridge Rd.	N.J.S.H. Rt. 22
W. Broad St.	Lamberts Mill Rd.	South Ave.- Rt.28
E. Broad St.	Elmer St.	Springfield Ave.
Mountain Ave.	Mountainside Line- North of Mountain View Ter.	E. Broad St.
Central Ave.	E. Broad St.	Clark Line- North of Picton St.
South Ave.	Garwood Line -East of Windsor Ave.	Westfield Circle
Lamberts Mill Rd.	Scotch Plains Line- Radley Rd.	Rahway Ave.

Street From To

TOWN: WINFIELD PARK

Union County
Parkway Dr.

Stiles St.

Raritan Rd.