

TOWNSHIP OF DELAWARE  
ORDINANCE #2015-06LU

AN ORDINANCE SUPPLEMENTING AND AMENDING THE ORDINANCE ENTITLED “THE LAND USE ORDINANCE OF THE TOWNSHIP OF DELAWARE” TO AMEND THE PROVISIONS FOR CERTAIN EXEMPTIONS FROM THE LOT LIMIT FOR MINOR SUBDIVISIONS.  
#2015-06LU

WHEREAS, the Delaware Township Committee adopted Ordinance 2003-28LU on November 10, 2003; and

WHEREAS, Section 9:2.1D.1. exempts minor subdivision creating one or more severable exceptions from a single tract from the lot limit for minor subdivisions if the lot(s) is preserved under the State’s Farmland Preservation Program; and

WHEREAS, there are additional agencies and programs that preserve land.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, that the Land Use Ordinance of the Township of Delaware is hereby amended, supplemented and revised as follows:

SECTION I. Article IV, Section 9:2.1D. Exemptions from lot limit for minor subdivisions shall be amended as follows:

9:2.1D. Exemptions from lot limit for minor subdivisions.

1. Severable exceptions. A minor subdivision creating one or more severable exceptions from a single tract that is to be preserved under the State's Farmland Preservation Program, the NJDEP Green Acres program, federal land conservation and preservation programs, and other non-profit land conservancy and preservation programs shall be permitted in the A-1 and A-2 Zones regardless of the number of minor subdivisions or lots

resulting from minor subdivisions previously approved on a single tract; provided, however, that no such minor subdivision creating severable exceptions shall become effective until the balance of the tract has been permanently deed restricted and preserved, and the landowner or applicant has provided satisfactory documentation of said deed restriction and preservation to the municipal agency.

SECTION 2. Severability. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 3. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

ATTEST:

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Judith A. Allen, RMC  
Township Clerk  
March 30, 2015  
Published 4/16/15

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Roger Locandro, Mayor

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at a Regular Meeting of the Delaware Township Committee held on March 30, 2015. It will be considered on second reading for final adoption and will have a public hearing at a Regular Meeting beginning at 7:30 p.m. on May 11, 2015 at the Delaware Township Municipal Bldg., 570 Rosemont Ringoes Road (Rt. 604), Sergeantsville, NJ. At that time an opportunity will be given for all interested citizens to be heard.