

**AN ORDINANCE OF THE BOROUGH OF MANVILLE TO AMEND
AN ORDINANCE, ORDINANCE #643, ENTITLED, "THE ZONING
ORDINANCE OF THE BOROUGH OF MANVILLE (1987)" AS AMENDED**

BE IT ORDAINED by the Mayor and Council of the Borough of Manville, in the County of Somerset and State of New Jersey, that "The Zoning Ordinance of the Borough of Manville (1987)" be and the same is hereby amended as follows:

SECTION 1.0 Article 2, Section 201, "Zone Districts" is hereby amended by adding the following zone district:

AH-10 Affordable Housing - 10 District

SECTION 2.0 Article 2, Section 202, "Zoning Map", is hereby amended by rezoning Block 42.01, Lot 1.03 from the current zoning district designation within the S-100 Residential District to the newly created AH-10 Affordable Housing-10 District.

SECTION 3.0 Article 3, Section 301, "Definitions of terms" is hereby amended by replacing the definition for the following term as indicated below:

301.60.1. TOWNHOUSE - A one-family dwelling in a connected row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separate from any other unit by one or more vertical common fire-resistant walls. One (1) structure, developed as a single entity, in a line of two (2) or more connected dwelling units having common interior walls, in which individual lots have a common or public open space as an appurtenance.

SECTION 4.0 Article 6, "Zone District Regulations" is hereby amended by adding thereto the following:

609 AH-10 Affordable Housing 10 District

609.1 PERMITTED PRINCIPAL USES

609.1-1 Townhouse development, subject to the developer's monetary contribution to the Borough's Affordable Housing Trust in accordance with the terms of a settlement agreement.

Fund in court-approved

609.2 PERMITTED ACCESSORY USES AND STRUCTURES

- 609.2-1 Private garages.
- 609.2-2 Signs permitted in residential districts, subject to the provisions of Article 9.
- 609.2-3 Fences, subject to the provisions of Article 10.
- 609.2-4 Off-street parking facilities.
- 609.2-5 Other normal, incidental residential secondary structures such as private swimming pools, tool sheds, outdoor barbecues, trellises, lamp posts, the like.
- 609.2-6 Other customary accessory uses and buildings which are clearly incidental to the principal use and building.

609-3 AREA AND BULK REQUIREMENTS

Townhouse developments shall be subject to the following schedule of area and bulk requirements:

| Regulation | | Requirement |
|---|--------------------------|---|
| Maximum number of dwelling units | | Ten (10) dwelling units |
| Minimum overall tract area | | 50,000 square feet |
| Minimum frontage on an improved public street | | 200 feet |
| Maximum building coverage of all buildings | | 35% (principal & accessory) |
| Minimum dwelling units per building | | Three (3) dwelling units |
| Maximum dwelling units per building | | Six (6) dwelling units |
| Maximum height (feet) | | 35 feet |
| Maximum number of stories | | 2 1/2 stories |
| Minimum Principal Building Setbacks | Front yard | 20 feet (from street line) |
| | Rear yard | 20 feet |
| | Side yard | 20 feet |
| | Between buildings | 10 feet |
| | Interior roadway/street* | 20 feet |
| Dwelling Unit Standards | Minimum width | 20 feet |
| | Minimum depth | 40 feet |
| Fee Simple Lot Standards | Minimum lot width | 20 feet |
| | Minimum depth | 65 feet |
| | Minimum lot area | 1,300 square feet |
| Minimum number of Parking Spaces | | As specified by the "New Jersey Residential Site Improvement Standards" |

*Measured between the building line and the face of curb or edge of pavement.

609.4 SUPPLEMENTARY BULK REQUIREMENTS

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townhouse
an

shall be
facing any

building and
from any
property
accessory
swimming pools
at least fifteen
and at least
line.

least
and
and
- 609.4-1 No driveway, individual parking space, or curb serving an individual townhouse dwelling shall enter directly from the public street. Vehicular access to parking spaces and individual unit garages shall only be provided from internal driveway or private street.
- 609.4-2 No garage opening or entrance for vehicles located on the façade of the building public street.
- 609.4-3 Any accessory building or structure shall be located at the rear of any principal shall be a minimum of fifteen (15) feet principal building, ten (10) feet from the line and ten (10) feet from another building or structure; clubhouses, and recreational facilities shall be (15) feet from a principal building fifteen (15) feet from a property
- 609.4-4 The maximum height of an accessory building shall not exceed sixteen (16) feet.
- 609.4-5 A buffer strip having a minimum width of at ten (10) feet shall be provided along all side rear lot lines, consisting solely of open space landscaping.

609.5 DESIGN STANDARDS

- heights
and
façade.
- 609.5-1 Building plans and elevations shall show a variation in design and appearance of units and structures to be achieved by types of roof, of eaves and peaks, building materials architectural treatment of building
- 609.5-2 Architectural design and materials used in the construction of accessory buildings shall to or compliment those used in the the principal buildings.
- conform
construction of

entrances. 609.5-3 Each townhouse dwelling unit shall have individual private outside front and rear

adjoining (20) feet building line pavement. 609.5-4 Each townhouse dwelling unit shall have an individual private landscaped yard area an entrance of the unit of at least twenty in depth, as measured between the and the face of curb or edge of

roadways accordance with Improvement 609.5-5 All off-street parking areas and internal shall be designed and improved in the New Jersey Residential Site Standards.

609.6 LANDSCAPING AND OPEN SPACE REQUIREMENTS

609.6-1 Exclusive of internal roadways, driveways and parking areas, there shall be provided a minimum of twenty (20) percent of the entire tract for common open space and facilities.

609.6-2 Effective screening by a fence or wall no less than four (4) feet nor more than six (6) feet in height shall be provided to shield parking areas and other common facilities from view of adjoining residential properties; provided, however, screening by hedge or other natural landscaping may be substituted for the required fence or wall if approved by the approving authority as part of the development plan.

609.6-3 Adequate lighting shall be provided in parking areas and along sidewalks, walkways and internal roadways. The source of lighting shall be directed downward, away from the buildings and adjoining street and property lines. Lighting fixtures shall be so arranged that the direct source of light is not visible from any adjacent residential area.

609.7 RESIDENT ASSOCIATION

609.7-1 Membership in any created resident association shall be mandatory, and each member shall agree, in writing, to be responsible for his pro rata share of the association costs, and the Borough of Manville shall be a party beneficiary to such agreement.

609.7-2 Each Deed for the individual unit shall, in the form of restrictions and covenants, set forth the individual owner's responsibility to be a member of the resident association and liability for its responsibilities.

609.7-3 The agreements of the resident association and the deeds of conveyance shall provide that in the event that the resident association shall cease to function or shall fail to pay municipal taxes, including maintenance, upkeep, snowplowing and snow removal, then the Borough of Manville shall have the right, by special assessment, to assess to owners of each condominium unit in the development annually a sum of money which will be sufficient to pay the taxes, provide proper upkeep and maintenance, snowplowing and snow removal and public liability insurance for said premises.

609.7-4 Said restriction shall further provide that the same shall not be altered, amended, avoided or released in whole or in part without the written consent of the Borough of Manville.

SECTION V. EFFECTIVE DATE

This ordinance shall be effective immediately upon final adoption, approval, and publication in accordance with law.

Borough of Manville

Angelo Corradino, Mayor

ATTEST:

Philip E. Petrone, Borough Clerk

ORDINANCE #2004-999

FIRST READING:

| Introduced | Seconded | Council | Yes | No | Abstain | Absent |
|------------|----------|--------------------|-----|----|---------|--------|
| √ | | ALLAN | √ | | | |
| | | ASHER | | √ | | |
| | | OTRIMSKI | √ | | | |
| | | PETROCK | | | | √ |
| | | POLAK | √ | | | |
| | √ | WEISS | √ | | | |
| | | | | | | |
| | | MAYOR CORRADINO | | | | |

PASSED this 22nd day of November, 2004.

Attest:

Philip E. Petrone, Borough Clerk

SECOND READING:

| Introduced | Seconded | Council | Yes | No | Abstain | Absent |
|------------|----------|--------------------|-----|----|---------|--------|
| | √ | ALLAN | √ | | | |
| | | ASHER | | √ | | |
| | | OTRIMSKI | √ | | | |
| | | PETROCK | √ | | | |
| | | POLAK | | | | √ |
| √ | | WEISS | √ | | | |
| | | | | | | |
| | | MAYOR CORRADINO | | | | |

PASSED this 27th day of December, 2004.

Attest:

Philip E. Petrone, Borough Clerk