

Introduction: August 20, 2024
Public Hearing: September 3, 2024

**TOWNSHIP OF CHESTER
ORDINANCE 2024-20**

**AN ORDINANCE TO PERMIT THE TOWNSHIP ZONING OFFICER TO BE THE DESIGNATED
OFFICIAL DEALING WITH CONSERVATION EASEMENT WAIVER REQUESTS**

WHEREAS, the Township of Chester is the Grantee on Conservation Easement deeds on real properties located in the Township; and

WHEREAS, residents whose properties are restricted by the Conservation Easement deeds have from time to time sought waiver relief from deed restrictions; and

WHEREAS, the Mayor and Council have determined that it would be in the best interests of the Township and its residents, for the Mayor and Council to delegate its authority dealing with Conservation Easement deed waiver requests to the Township Zoning Officer; and

WHEREAS, the Mayor and Council have determined the proposed delegation can help streamline the decision making, act more quickly, and benefit residents.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Chester, County of Morris, State of New Jersey that the following Ordinance be adopted:

Section 1.

The General Code provisions of the Township of Chester are hereby amended to add the following:

Section 2.

Conservation Easement Deeds

1. All Conservation Easement deeds in which the Township of Chester is the Grantee are subject to this Ordinance.
2. Any person or entity seeking a waiver of any conditions/restrictions set forth in a Conservation Easement deed for the purpose of removing a dead, dying or hazardous tree or vegetation shall apply in writing to the Township Zoning Officer specifying the waiver requested.
3. The Zoning Officer shall have thirty (30) days from the date of receipt of the request to make a written decision on the request.

4. If the decision is not made within the said thirty (30) day period, the request shall be deemed approved.
5. An appeal of the Zoning Officer's decision shall be made within thirty (30) days of the date of the decision. The appeal shall be in writing and be filed with the Township Clerk/Administrator.
6. The appeal shall be heard by the Township Council within thirty (30) days of the date of the appeal.
7. A majority vote of the Township Council shall determine the outcome of the appeal.

Section 3.

Any provisions of any Ordinances of the Township of Chester which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon passage and publication as required by law.

ATTEST:

TOWNSHIP COUNCIL OF THE
TOWNSHIP OF CHESTER

Robin Collins

Robin Collins
Municipal Clerk/Administrator

Timothy Drag

Timothy Drag
Mayor