

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY**

ORDINANCE 2020 – 4

**AN ORDINANCE AMENDING CHAPTER 60A “TREES, SHRUBBERY AND
LANDSCAPING”, CHAPTER 60B “TREE REMOVAL”, CHAPTER 63A “WATER
RESOURCE BUFFER CONSERVATION ZONES” AND CHAPTER 27, ARTICLE III,
SECTION 27-30.7 “CHECKLISTS FOR APPLICATIONS FOR DEVELOPMENT”**

WHEREAS, the Township Committee of the Township of Mansfield declares and finds that the current Township Ordinances governing landscaping plans and tree removal are in need of revision; and.

WHEREAS, the Township Committee further finds and declares that the current Township Ordinance governing Water Resource Buffer Conservation Zones requires clarification if a waiver of submission of a management plan is requested; and

WHEREAS, the Township Committee further declares and finds that the Township checklists for submission of applications for development need to be amended to include the submission of the plans required by the Code provisions herein amended.

WHEREAS, the Township Council for the Township of Medford deems it to be in the best interests of its residents to adopt this Ordinance.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Mansfield, in the County of Burlington and State of New Jersey, as follows:

SECTION ONE: The first sentence of Chapter 60A, Article IV, Section 60A-9(A), "Landscape plan required", is hereby deleted and repealed, and replaced as follows:

“A. All applications for development, as defined in the New Jersey Municipal Land-Use Law, 40:55D-3 et seq., except for minor subdivisions and variance applications not requiring a site plan or subdivision approval, shall include a landscape plan in the form and with the details and specifications required by this Ordinance.”

SECTION TWO: The first sentence of Chapter 60A, Article III, Section 60A-6(B) "Buffers and landscape screens" is hereby deleted and repealed and replaced as follows:

“B. When any lot or parcel of land is submitted for site plan or subdivision approval, appropriate landscaping and screening shall be provided by the applicant from all adjacent uses, including streets and roadways, and shown as part of the landscape plan.”

SECTION THREE: The first sentence of Chapter 60A, Article VII, Section 60A-23 "Fees" is hereby deleted and repealed and replaced as follows:

“A landscape plan shall be submitted for all applications for development except for minor subdivisions and variance applications not requiring a site plan or subdivision approval, and therefore no additional fees shall be charged under this Chapter.”

SECTION FOUR: Article III, Section 27-30.7 entitled "Checklist for Applications for Development", and "Checklist A: General Checklist", "Checklist B: Site Plan Checklist (preliminary and final)", and "Checklist C: Major Subdivision Checklist (preliminary and final)" are hereby amended to add as a checklist submission requirement, unless waived by the Board, the submission of a landscape plan in accordance with Chapter 60A of the Mansfield Township Code."

SECTION FIVE: Chapter 60B, Section 60B-5 "Permit, site plan information" is hereby amended to add the following provisions to said Section:

"In the case of an application for development for site plan, major subdivision, minor subdivision, or a variance that may involve tree removal regulated by this ordinance, no separate fee shall be required in addition to the fees charged for the application for development. The application for development shall include, either a tree removal site plan in accordance with subsection B, below, including a tree survey on tracts of land of 50 acres or more, if required by subsection C, below, or an application for a no-tree verification required by subsection D, below, to be reviewed by the Township Forester, and for tracts of three acres or more, the Environmental Commission in accordance with Section 60B-6."

SECTION SIX: Article III, Section 27-30.7 entitled "Checklist for Applications for Development", and "Checklist A: General Checklist", "Checklist B: Site Plan Checklist (preliminary and final)", "Checklist C: Major Subdivision Checklist (preliminary and final)", "Checklist D: Minor Subdivision Checklist" and "Checklist E: Appeals to Zoning Board of Adjustment" are all hereby amended to add as a checklist submission requirement, unless waived by the Board, the submission of a tree removal site plan in accordance with subsection 60B-5(B), including a tree survey on tracts of land of 50 acres or more, if required in accordance with subsection 60B-5(C), or an application for a no-tree verification in accordance with subsection 60B-5(D), as set forth in Chapter 60B of the Mansfield Township Code."

SECTION SEVEN: Chapter 63A of the Mansfield Township Code "Water Resource Buffer Conservation Zones", Section 63A-10 entitled "Management Plan", subsection E is hereby repealed and deleted and replaced as follows:

"E. Water Resource Buffer Conservation Zone management plan is not required where the WRBCZ is not being disturbed and conservation easements/deed restrictions are applied to ensure there will be no future clearing or disturbance of the WRBCZ. Either a Water Resource Buffer Conservation Zone management plan as required by Section 63A-10, or a request for a waiver of the Water Resource Buffer Conservation Zone management plan pursuant to this section, shall be submitted with the application for development."

SECTION EIGHT: Article III, Section 27-30.7 entitled "Checklist for Applications for Development", and "Checklist A: General Checklist", "Checklist B: Site Plan Checklist (preliminary and final)", "Checklist C: Major Subdivision Checklist (preliminary and final)", "Checklist D: Minor Subdivision Checklist" and "Checklist E: Appeals to Zoning Board of Adjustment" are all hereby amended to add as a checklist submission requirement, unless waived by the Board, for any application for development within a Water Resource Conservation Buffer Conservation Zone established by Mansfield Code Section 63A,

submission of either a Water Resource Buffer Conservation Zone management plan as required by Section 63A-10, or a request for a waiver of the Water Resource Buffer Conservation Zone management plan pursuant to Section 63A-10E, with the application for development.

REPEALER, SEVERABILITY AND EFFECTIVE DATE

- A. Any and all Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency
- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect immediately upon final passage and publication according to law.

CERTIFICATION

I, LINDA SEMUS, RMC, CMR, Municipal Clerk of Mansfield, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the Ordinance finally adopted by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at their regular meeting held on March 5, 2020 at the Mansfield Township Complex at 6:00pm.

LINDA SEMUS, RMC, CMR, Municipal Clerk

INTRODUCED: February 6, 2020

ADOPTED: March 5, 2020