

TOWNSHIP OF MONTVILLE

ORDINANCE NO. 2024 - 10

AN ORDINANCE OF THE TOWNSHIP OF MONTVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING CHAPTER 169, "FEE SCHEDULE," AND CHAPTER 230, "LAND USE AND DEVELOPMENT REGULATIONS," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MONTVILLE

WHEREAS, the Township Code currently sets forth standards and requirements related to development throughout the Township; and

WHEREAS, a review of the Township Code related to these standards and requirements has revealed certain deficiencies and changes that must be addressed; and

WHEREAS, a review of the Township Code has also revealed the need to clarify certain standards and requirements in an effort to make the Township's development regulations more transparent; and

WHEREAS, the Township Committee has reviewed the proposed amendments to the Code and recommends acceptance of the proposed amendments.

THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Montville, County of Morris, State of New Jersey, that the following amendments and revisions are made to the Revised General Ordinances of the Township of Montville.

SECTION 1. Chapter 169, "Fee Schedule," Section 169-5, "Land Use," Subsection A., "Application Fees," shall be amended as to the following section only to read as follows, and all remaining provisions of this section shall remain unchanged:

**§169-5 Land use.**

A. Application fees.

	Application Fee or Charge	Initial Escrow Deposit
Meeting fee	\$1,500 per special meeting plus \$250 per special meeting to be paid to the Board Secretary out of the applicant's escrow	

SECTION 2. Chapter 230, "Land Use and Development Regulations," Section 230-66, "Lots," Subsection H. "Driveways," shall be deleted in its entirety.

SECTION 3. Chapter 230, "Land Use and Development Regulations," Section 230-115, "Applicability of Provisions," shall be amended to include a new Subsection C., which shall read as follows:

- C. All existing and future parcels located within the Critical Water Resources (CWR) Overlay Districts, inclusive of the CWR Prime Aquifer Area and the CWR Restricted Area, shall comply with all standards and requirements applicable to the CWR Overlay Districts. Nothing herein shall be interpreted to exempt previously existing buildings or lots from these provisions.

**SECTION 4.** Chapter 230, "Land Use and Development Regulations," Section 230-122, "Existing Platted Lots," shall be deleted in its entirety.

**SECTION 5.** Chapter 230, "Land Use and Development Regulations," Section 230-124, "Prohibited Uses," shall be amended to include a new Subsection C., which shall read as follows:

- C. Rooming and boarding houses. Rooming houses and boarding houses, as said terms are defined in §55:13B-3 of the Rooming and Boarding House Act (N.J.S.A. 55:13B-1 et seq.), are prohibited in all zones and districts within the Township of Montville. However, this prohibition shall not apply to the leasing or rental of a room or rooms within a single-family dwelling owned by any senior citizen, provided such dwelling is the senior citizen's primary residence, and further provided such room or rooms are leased or rented to not more than one person (per N.J.S.A. 40:55D-68.4 and Chapter 230, Schedule C, of this Code).

**SECTION 6.** Chapter 230, "Land Use and Development Regulations," Section 230-128, "Accessory Structures," Subsection A.(7)(c), shall be amended to read as follows:

- (c) Fifty percent of the gross area of decks with openings which permit stormwater to flow between the deck boards shall be excluded from the calculation of impervious coverage, provided that such decks are neither roofed nor enclosed, and further provided that such exclusions shall not be applied where there is a concrete or other impervious base (other than footings) underlying said decks.

**SECTION 7.** Chapter 230, "Land Use and Development Regulations," Section 230-128, "Accessory Structures," Subsection A.(8), shall be amended to read as follows:

- (8) Twenty percent of the gross area of dry-laid pavers over a crushed stone gravel subbase (ASTM -D 2940) which serve single- or two-family residential dwellings shall be excluded from the calculation of impervious coverage, provided that such exclusions shall not be applied where there is a concrete or other impervious base underlying said pavers. Said reduction is for zoning purposes only and shall not be included in calculations for stormwater management.
  - (a) When individual plot plans are submitted and the applicant elects to apply the paver reduction factor, the applicant shall be required to provide a table depicting the various impervious coverage components, including but not limited to building, accessory structures, driveways, walkways, patios, pools, etc., and any applicable reduction factors for each of the proposed impervious coverage components shall be identified as to their square footage and percentage of requested reduction.
  - (b) When individual plot plans are submitted and the applicant elects to apply the paver reduction factor, additional stormwater management measures may be required to be reviewed and approved by the reviewing engineer.

**SECTION 8.** Chapter 230, "Land Use and Development Regulations," Section 230-128, "Accessory Structures," Subsection C.(2), shall be amended to read as follows:

- (2) Service sidewalks and driveways to the dwelling, nor any other paving or at-grade patios, provided that such exclusions as set forth at §230-128.A.(8) shall be permitted;

**SECTION 9.** Chapter 230, "Land Use and Development Regulations," shall be amended to include a new Section 230-132.1 entitled "Driveways on Single- or Two-Family Residential Lots," which new Section shall read as follows:

§230-132.1. Driveways on single- or two-family residential lots.

- A. A driveway, designed in accordance with the standards set forth in Schedule B, not less than 12 feet in width and having a grade not exceeding 10% shall be installed on each detached single- or two-family residential lot between the curb and dwelling. If the setback of the dwelling from the street right-of-way exceeds 100 feet, the Township Engineer may, upon written request of the owner, reduce the requirement of pavement to the first 25 feet of driveway length measured from the street; provided, however, that the Engineer shall establish appropriate conditions for grading, drainage, erosion control and surface improvement as circumstances relating to the driveway may demand in order to guarantee safe and convenient access and to protect the public interest. Each lot whereon driveway access is provided on any street other than a cul-de-sac street shall provide a viable k-turn or similar turnaround area to enable vehicles to pull out head first from the driveway on to the street. Side-entry garages are encouraged to the greatest extent possible. No driveway shall be located within 50 feet of an intersection.
- B. The connection of any driveway to a street shall be by a vertical curve of sufficient radius to provide a smooth transition. The angle of intersection of a driveway with a street shall not be less than 60°. The initial 20 feet and the 20 feet in front of a garage of any driveway shall not have a slope exceeding 2%.
- C. For sag curves, the grade difference between a driveway and the adjoining roadway should not exceed 12% within any 10 feet of distance. For crest curves, the maximum grade difference should not exceed 8% within any 10 feet.
- D. Driveways and parking areas on residential lots in the R-120, R-80 and R-43 Districts shall be located at least 10 feet from side and rear property lines. Driveways and parking areas in the R-27, R-20 and R-15 Districts shall be located at least five feet from side and rear property lines.

**SECTION 10.** Chapter 230, "Land Use and Development Regulations," Section 230-143.1, "Regulation of Slopes," Subsection B, shall be amended to include a new Paragraph (2), which shall read as follows:

- (2) The maximum disturbance limitations set forth above shall be applied to each individual building lot in a development application.

**SECTION 11.** Chapter 230, "Land Use and Development Regulations," Section 230-152, "Private Swimming Pools," Subsection D., shall be amended to read as follows:

- D. The water surface area of a private swimming pool shall be excluded when calculating total impervious coverage on a parcel. Further, the water surface area of a private swimming pool shall be excluded when

determining compliance with §230-128.A.(6), which limits total coverage by accessory structures to no more than 5% of the lot area.

**SECTION 12.** Chapter 230, "Land Use and Development Regulations," Section 230-152, "Private Swimming Pools," shall be amended to include a new Subsection G., which shall read as follows:

G. The rental of private swimming pools shall be prohibited.

**SECTION 13.** Chapter 230, "Land Use and Development Regulations," Section 230-159, "Fences and Walls," Subsection M.(5), shall be amended to read as follows:

(5) Retaining walls shall be exempt from the requirements of §230-71.B.(12).

**SECTION 14.** Chapter 230, "Land Use and Development Regulations," Section 230-159, "Fences and Walls," Subsection M., "Retaining Walls," shall be amended to include a new Paragraph (6), which shall read as follows:

(6) A safety fence shall be constructed atop any retaining wall that is 2.5 feet in height or greater. The safety fence, where required, shall be 48 inches in height and shall not be considered part of the retaining wall height when determining compliance with §230-159.M.(1) and (2). Safety fences constructed of chain link are specifically prohibited within the front yard. Elsewhere on a lot, chain link safety fences shall be permitted only as specified at §230-159.J.

**SECTION 15.** Chapter 230, "Land Use and Development Regulations," Section 230-161.2, "Keeping of Animals," Subsection A., "Small Animals," shall be amended to include a new Paragraph (2), which shall read as follows:

(2) Nothing herein shall be interpreted to limit the number of small animals less than 10 weeks of age that may be kept accessory to a dwelling unit.

**SECTION 16.** Chapter 230, "Land Use and Development Regulations," Section 230-161.2, "Keeping of Animals," Subsection D., "Beekeeping," shall be amended to read as follows:

D. Beekeeping. The New Jersey Department of Agriculture shall regulate, monitor, and enforce the breeding and keeping of honey bees and any activities related thereto.

**SECTION 17.** Chapter 230, "Land Use and Development Regulations," Section 230-165, "Kennels," shall be amended to include a new Subsection I., which shall read as follows:

I. Any person who breeds and sells, or offers for sale, dogs or cats from their place of residence shall not be considered a "kennel" for the purposes of this Chapter, provided that the number of small animals on the lot does not exceed the maximum requirements set forth at §230-161.2.A.

**SECTION 18.** Chapter 230, "Land Use and Development Regulations," Section 230-166, "Community Shelters for More Than Six Victims of Domestic Violence," Subsection B., shall be amended to read as follows:

B. All yard, setback and height requirements applicable to one-family dwellings for the zone in which the use is located shall be met.

**SECTION 19.** Chapter 230, "Land Use and Development Regulations," Section 230-169, "Office Buildings in R-20C Residential District," Subsection B., shall be amended to read as follows:

- B. The requirements applicable to one-family dwellings in the R-20A Residential District, as contained in Schedule D, Schedule of Area and Bulk Requirements, included at the end of this chapter, shall be complied with, except that side and rear yards adjoining properties located in residential zones other than the R-20C District shall not be less than twice the setback required in the R-20A District.

**SECTION 20.** Chapter 230, Schedule D, "Schedule of Area and Bulk Requirements," which is included in Chapter 230 as Attachment 4, shall be amended to add Footnotes '13' and '14' to the 'Maximum Building Height' column and incorporate the following changes to the list of 'Footnotes to Schedule D':

- Replace Footnote 13, which reads as "[Reserved]," with a new Footnote 13, which shall read as follows: "In the R Residential Zones, in the event the maximum building height is proposed to be exceeded, the topography of surrounding properties within 200 feet of the subject property shall be considered when reviewed by the approving board."
- Replace Footnote 14, which reads as "[Reserved]," with a new Footnote 14, which shall read as follows: "Unless otherwise specified in this chapter, any use other than a one-family dwelling shall be limited to a maximum building height of 30 feet in the R Residential Zones."

**SEE ATTACHED CHAPTER 230 ATTACHMENT 4 "SCHEDULE D; SCHEDULE OF AREA AND BULK REQUIREMENTS."**

**SECTION 21.** All Ordinances of the Township of Montville which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

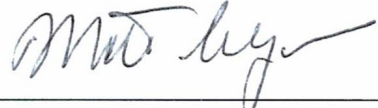
**SECTION 22.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 23.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST

TOWNSHIP OF MONTVILLE  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

  
\_\_\_\_\_  
Stacy Kostka, Township Clerk

  
\_\_\_\_\_  
Matthew S. Kayne, Mayor

Introduced: 5/14/2024  
Public Hearing: 5/28/2024  
Adopted: 5/28/2024

INSERT "SCHEDULE D; SCHEDULE OF AREA AND BULK REQUIREMENTS"

TOWNSHIP OF MONTVILLE

SCHEDULE D

Schedule of Area and Bulk Requirements

[Amended 12-9-2014 by Ord. No. 2014-33; 9-27-2016 by Ord. No. 2016-23; 9-27-2016 by Ord. No. 2016-24; 6-13-2017 by Ord. No. 2017-24; 9-9-2019 by Ord. No. 2019-08; 7-16-2019 by Ord. No. 2019-23; 8-13-2019 by Ord. No. 2019-25, Ord. No. 2019-26, Ord. No. 2019-27 and Ord. No. 2019-30; 3-9-2021 by Ord No. 2021-03; 07-19-2022 by Ord Nos. 2022-22 and 2022-23; -\_-2024 by Ord No. 2024-\_\_]

Zone	Primary Permitted Uses	Minimum Lot Area (square feet)	Minimum Lot Width		Minimum Depth of Corner Lot <sup>1</sup> (feet)	Minimum Yards			Minimum Side Yards Combined <sup>2</sup> (percent)	Maximum Building Height <sup>3,4,13,14</sup>		Maximum Coverage		Maximum Floor Area Ratio (percent)	Minimum Distance Between Buildings <sup>5</sup> (feet)		
			At Street Line (feet)	At Req'd Setback Line (feet)		Front <sup>19</sup> (feet)	Rear (feet)	Each Side (feet)		(feet)	(stories)	Building (percent)	Impervious <sup>18</sup> (percent)				
R-120	One-family dwellings:																
	Conventional	120,000	144	216	240	60	85	40	40	35	2 ½	10	20	--	--	--	
	Cluster	43,750	105	158	190	50	75	25	35	35	2 ½	12	24	--	--	--	
R-80	One-family dwellings:																
	Conventional	80,000	120	180	220	50	75	30	35	35	2 ½	10	20	--	--	--	
	Cluster	27,000	81	122	148	50	50	20	35	35	2 ½	14	28	--	--	--	
R-43	One-family dwellings:																
	Conventional	43,750	105	158	190	50	75	25	35	35	2 ½	12	24	--	--	--	
	Cluster	27,000	81	122	148	50	50	20	35	35	2 ½	14	28	--	--	--	
R-27A	One-family dwellings:																
	Conventional	27,000	81	122	148	50	50	20	35	35	2 ½	14	28	--	--	--	
	Cluster	21,850	69	104	125	50	50	15	35	35	2 ½	15	29	--	--	--	
	Prime Aquifer (CWR District):																
	Conventional	80,000	120	180	220	50	75	30	35	35	2 ½	10	20	--	--	--	
	Cluster	27,000	81	122	148	50	50	20	35	35	2 ½	14	28	--	--	--	
	Restricted Area (CWR District):																

Zone	Primary Permitted Uses	Minimum Lot Area (square feet)	Minimum Lot Width			Minimum Depth of Corner Lot <sup>1</sup> (feet)	Minimum Yards			Minimum Side Yards Combined <sup>2</sup> (percent)	Maximum Building Height <sup>3,4,13,14</sup>		Maximum Coverage		Maximum Floor Area Ratio (percent)	Minimum Distance Between Buildings <sup>5</sup> (feet)
			At Street Line (feet)	At Req'd Setback Line (feet)	At Req'd Corner Lot <sup>1</sup> (feet)		Front <sup>19</sup> (feet)	Rear (feet)	Each Side (feet)		(feet)	(stories)	Building (percent)	Impervious <sup>18</sup> (percent)		
R-27B	Conventional	43,750	105	158	190	50	75	25	35	2 ½	12	24	--	--		
	Cluster	27,000	81	122	148	50	50	20	35	2 ½	14	28	--	--		
R-27C	One-family dwellings															
	Townhouses															
R-27D	One-family dwellings															
	Adult community housing															
R-27E	One-family dwellings															
	Child- & elder-care centers <sup>6</sup>	40,000	150	150	150	50	50	25	--	2 ½	20	55	--	--		
R-27F	Office buildings															
	One-family dwellings															
R-20A	Retail, office															
	One-family dwellings															
R-20B	Residential health care facilities															
	One-family dwellings:															
R-20B	Conventional	20,000	60	90	110	45	50	15	35	2 ½	16	30	--	--		
	Prime Aquifer (CWR District):															
R-20B	Conventional	43,750	105	158	190	50	75	25	35	2 ½	12	24	--	--		
	Restricted Area (CWR District):															
R-20B	Conventional	27,000	81	122	148	50	50	20	35	2 ½	14	28	--	--		
	One-family dwellings															
R-20B	Townhouses															



Zone	Primary Permitted Uses	Minimum Lot Area (square feet)	Minimum Lot Width		Minimum Depth of Corner Lot <sup>1</sup> (feet)	Minimum Yards			Minimum Building Height <sup>3,4,13,14</sup> (feet)	Maximum Coverage		Maximum Floor Area Ratio (percent)	Minimum Distance Between Buildings <sup>5</sup> (feet)	
			At Street Line (feet)	At Req'd Setback Line (feet)		Front <sup>19</sup> (feet)	Rear (feet)	Each Side (feet)		Building (percent)	Impervious <sup>18</sup> (percent)			
R-20C	One-family dwellings Office buildings													
			See R-20A District											
			Conditional use; see §230-169											
R-15	One-family dwellings	15,000	60	90	110	35	40	12	35	30	2 ½	18	35	--
AH-1	Multi-family dwellings													
AH-2	Multi-family dwellings													
AH-4	Multi-family dwellings													
AHR-1	Multi-family dwellings													
AHR-2	Multi-family dwellings													
TH/MFD	Townhouses, multi-family dwellings													
PURD	One-family dwellings, townhouses													
TC1	Mixed-uses													
TC2	Mixed-uses													
B-1	Local business	20,000	100	100	125	25	30 <sup>7</sup>	10 <sup>8</sup>	--	30	--	30	75	30
	Apartments													
			Conditional use; see §230-170											
B-2	Local business	43,750	175	175	200	40	50 <sup>7</sup>	20	--	30	--	20	55	25
B-3	Highway business	43,750	175	175	200	40	50 <sup>10</sup>	20	--	30	--	30	75	--
B-4	Highway business	217,800	360	360	360	75	50 <sup>10</sup>	25	--	30	--	20	55	25
B-5	Garden centers													
			See §230-148											
	Self-storage facilities													
			Conditional use; see §230-173											
OB-1	Office buildings	60,000	200	200	200	50	50 <sup>11</sup>	20 <sup>12</sup>	--	30	--	20	55	25
OB-1A	Office buildings													
			See OB-1 District											

Zone	Primary Permitted Uses	Minimum Lot Area (square feet)	Minimum Lot Width		Minimum Depth of Corner Lot <sup>1</sup> (feet)	Minimum Yards			Minimum Side Yards Combined <sup>2</sup> (percent)	Maximum Building Height <sup>3,4,13,14</sup>		Maximum Coverage		Maximum Floor Area Ratio (percent)	Minimum Distance Between Buildings <sup>5</sup> (feet)
			At Street Line (feet)	At Req'd Setback Line (feet)		Front <sup>19</sup> (feet)	Rear (feet)	Each Side (feet)		(feet)	(stories)	Building (percent)	Impervious <sup>18</sup> (percent)		
	Adult community housing														
OB-2A	Office buildings	87,000	200	200	200	50	50 <sup>11</sup>	25 <sup>11</sup>	--	30	--	20	55	25	--
	Self-storage facilities	87,000	200	200	200	50	50 <sup>11</sup>	25 <sup>11</sup>	--	35 <sup>20</sup>	3 <sup>20</sup>	20	55	--	--
OB-3	Office buildings	217,800	360	360	360	150	50 <sup>11</sup>	50 <sup>11</sup>	--	30	--	--	30	15	--
	Office buildings	87,000	200	200	200	50	50 <sup>11</sup>	25 <sup>11</sup>	--	30	--	25	65	30	--
OB-4	Self-storage facilities	87,000	200	200	200	50	50 <sup>11</sup>	25 <sup>11</sup>	--	35 <sup>20</sup>	3 <sup>20</sup>	25	65	--	--
	Office buildings	217,800	360	360	360	150	50 <sup>11</sup>	50 <sup>11</sup>	--	30 <sup>9</sup>	--	--	40	20	--
	Self-storage facilities														
I-1A	Industry	217,800 <sup>15</sup>	360	360	360	75 <sup>11</sup>	75 <sup>11</sup>	50 <sup>11</sup>	--	30 <sup>16</sup>	--	20 <sup>17</sup>	55 <sup>17</sup>	25	--
I-1B	Industry	217,800	360	360	360	75 <sup>11</sup>	75 <sup>11</sup>	50 <sup>11</sup>	--	30 <sup>16</sup>	--	20 <sup>17</sup>	55 <sup>17</sup>	25	--
	Self-storage facilities														
I-2	Industry	87,000	200	200	200	50	50 <sup>11</sup>	25 <sup>11</sup>	--	30 <sup>16</sup>	--	20 <sup>17</sup>	55 <sup>17</sup>	25	--
I-2A	Industry	87,000	200	200	200	50	50 <sup>11</sup>	25 <sup>11</sup>	--	30 <sup>16</sup>	--	20 <sup>17</sup>	55 <sup>17</sup>	25	--
	Retail														
BIR	Industry, highway business														
LR	Country club														
PBR	Retail, service, hotel														
PBO Overlay	Retail, service, hotel														
Rt 202 Overlay	Multi-family dwellings														

See §230-146

See §230-149

Conditional use; see §230-173

Conditional use; see §230-171

See Article XXXV

See Article XXIV

See Article XXX

See Article XXXI

See Article XXXII

Zone	Primary Permitted Uses	Minimum Lot Area (square feet)	Minimum Lot Width		Minimum Depth of Corner Lot <sup>1</sup> (feet)	Minimum Yards			Minimum Side Yards Combined <sup>2</sup> (percent)	Maximum Building Height <sup>3,4,13,14</sup>		Maximum Coverage		Maximum Floor Area Ratio (percent)	Minimum Distance Between Buildings <sup>5</sup> (feet)
			At Street Line (feet)	At Req'd Setback Line (feet)		Front <sup>19</sup> (feet)	Rear (feet)	Each Side (feet)		Building (percent)	Impervious <sup>18</sup> (percent)				
Stiles Ln Overlay	Multi-family dwellings														
Two-Family Overlay	Two-family dwellings														

See Article XXXIII

See Article XXXVI

## Footnotes to Schedule D:

- 1 Lot depth shall be calculated in accordance with §230-54.
- 2 Percent of lot width at the setback line.
- 3 See §230-131, Exceptions to height requirements.
- 4 Provided that, in no event shall the maximum height for detached dwellings, as measured to the highest point of the ridge line for a sloped roof, exceed 45 feet, measured from any point around the building.
- 5 See §230-127 for all zone districts.
- 6 See §230-150 for additional requirements.
- 7 Must be free of structures, except fencing and screening, if it adjoins a residential district.
- 8 No side yard required if building abuts a building on an adjoining lot in the B-1 District.
- 9 [Reserved]
- 10 Must be free of structures, except fencing and screening.
- 11 One hundred (100) feet when yard adjoins a residential district.
- 12 Forty (40) feet when yard adjoins a residential district.
- 13 In the R Residential Zones, in the event the maximum building height is proposed to be exceeded, the topography of surrounding properties within 200 feet of the subject property shall be considered when reviewed by the approving board.
- 14 Unless otherwise specified in this chapter, any use other than a one-family dwelling shall be limited to a maximum building height of 30 feet in the R Residential Zones.
- 15 Notwithstanding the requirements for this zone district, the minimum lot size of lots hereafter created in the CWR Critical Water Resources District may be that required in the I-2 Industrial District, provided that the lots so created have an aggregate area not exceeding 20% of the total area of the tract being subdivided, and further provided that the balance of the tract not included in said lots or in streets shall be reserved as permanent open space either by dedication to public use or by private covenant or deed restriction. When lots are so created, the requirements of the I-2 Industrial District for minimum width of corner lot and minimum yards shall also apply. All other requirements applicable to the I-1A Industrial District shall be met.
- 16 Notwithstanding the provisions of §230-131, vents, air-conditioning units, elevator lift housing and the like, and customary and normal roof appurtenances may extend up to 12 feet above the roof surface, provided that they occupy not more than 10% of the area of said roof surface.
- 17 The coverage limitations specified shall apply to the area of the lot excluding areas subject to certain physical and environmental constraint exceeding 25% of the lot area according to the schedule below.

### Area Constraint By Which Lot Area Is Subject to Reduction\*

Constraint	Area Constraint By Which Lot Area Is Subject to Reduction*
Bodies of water	100%
Floodways <sup>a</sup>	100%
Flood fringe (100-year) <sup>a</sup>	75%
Freshwater wetlands, including transition areas <sup>b</sup>	100%
Slopes 15% to 20% <sup>c</sup>	40%
Slopes 20% to 25% <sup>c</sup>	60%
Slopes 25% to 30% <sup>c</sup>	80%
Slopes 30% and greater <sup>c</sup>	100%
Major utility transmission line easements and rights-of-way <sup>d</sup>	50%

\* If more than one constraint applies to a given area, the constraint with the greatest reduction shall apply. The lot area shall be reduced only by the total area of constraint that exceeds 25% of the lot area.

- (a) As determined by the Department of Environmental Protection or other governmental agency with jurisdiction of floodways.
- (b) As determined by a survey by a qualified expert confirmed by the Department of Environmental Protection.
- (c) Calculated within two-foot contour intervals from aerial topography confirmed by survey of a New Jersey licensed land surveyor.
- (d) Includes water, power and fuel and pipelines and sanitary sewer interceptor lines. Does not include easements and rights-of-way serving the property.

#### Example

	Fifty-acre site	
	Area (acres)	Reduction Factor
Bodies of water	0	100%
Floodways	5	100%
Flood fringe	0	75%
Freshwater wetlands	5	100%
Slopes 15% to 20%	5	40%
Slopes 20% to 25%	5	60%
Slopes 25% to 30%	5	80%
Slopes 30% and greater	2	100%
Major utility line easement	3	50%
<b>Total area of constraint</b>		<b>22.5</b>

Area of constraint (22.5 acres) – 25% of site (12.5 acres) = area by which site is to be reduced (10 acres).

Site area (50 acres) – area by which site is to be reduced (10 acres) = area by which maximum coverage determined (40 acres).

- 18 Maximum impervious coverage in portions located in the CWR Critical Water Resources District shall be 40% in the Prime Aquifer/aquifer proper area and 50% in the Restricted Area/aquifer recharge basin, unless a lesser percentage is specified in this schedule, in which case the lesser percentage shall apply.

<sup>19</sup> See §230-130.A. for additional requirements.

<sup>20</sup> Provided that the max. height at the front of the building shall be 28 feet/2 stories.