

ORDINANCE 2024-22

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 350 OF THE TOWNSHIP CODE, ENTITLED "ZONING"

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of South River, County of Middlesex, State of New Jersey, that Chapter 350- Zoning and Ordinance No. 2023-7 shall be amended and supplemented as follows:

SECTION 1. Chapter 350 of the Borough Code of the Borough of South River, entitled Zoning, are hereby amended as supplemented to amend §350-28(G)(5) so as to read entirely as follows:

§350-28 Tree Removal and Woodlands Management

G.

(5) a. If there are 10 trees or less replacement trees required by the tree replacement formula in section (2), the applicant may

- i. provide replacement trees on site or on public property with the Borough's prior consent; or
- ii. make a contribution to the Borough of South River Tree Replacement Fund at a rate of \$250 per tree.

b. If there are more than 10 trees but less than or equal to 20 replacement trees required by the tree replacement formula in section (2), then the applicant may

- i. provide replacement trees on site or on public property with the Borough's prior consent; or
- ii. make a contribution to the Borough of South River Tree Replacement Fund at a rate of \$2,500 for the first 10 trees required, plus \$150 per tree for each tree required over 10, or

c. If there are more than 20 replacement trees required by the tree replacement formula in section (2), then the applicant may

- i. provide replacement trees on site or on public property with the Borough's prior consent; or
- ii. make a contribution to the Borough of South River Tree Replacement Fund at a rate of \$4,000 for the first 20 trees required, plus \$50 per tree for each tree required over 20.

SECTION 2. After introduction of this ordinance, the Borough Clerk shall send a copy of this ordinance to the Borough Planning Board for its review and comment. The Borough Clerk shall also send a copy of the ordinance to the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.


SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on April 22nd, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 13th day of May, 2024, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

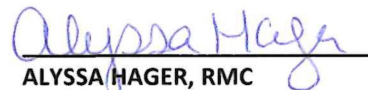
Introduced 4-22-24

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>						X
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Councilman Krenzel</i>			X			
<i>Council President Oliveira</i>	X		X			


 ALYSSA HAGER, RMC
 BOROUGH CLERK

Adopted 6-10-24

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>		X	X			
<i>Councilman Dziemian</i>	X		X			
<i>Councilman Frost</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>			X			



 ALYSSA HAGER, RMC
 BOROUGH CLERK

SIGNED BY:



PETER S. GUINDI

ATTESTED BY:



ALYSSA HAGER, RMC