

SUBDIVISION OF LAND

Chapter 233 (formerly 72)

SUBDIVISION OF LAND

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[HISTORY: Adopted by the Mayor and Council of the Borough of Laurel Springs 6-19-67 as Ord. No. 218. Amended at time of adoption of Code; see Ch. 1, General Provisions. Other amendments noted where applicable.]

GENERAL REFERENCES

Planning Board — See Ch. 15.
Shade Tree Committee — See Ch. 22.
Building construction — See Ch. 32.
Electrical standards — See Ch. 42.
Fire prevention — See Ch. 45.
Sewers — See Ch. 66.
Soil removal — See Ch. 68.
Streets and sidewalks — See Ch. 70.
Swimming pools — See Ch. 73.
Trailers — See Ch. 77.
Zoning — See Ch. 82.

ARTICLE I

Short Title; Purpose; Approving Agency

§ 72-1. Short title.

This chapter shall be known and may be cited as the "Land Subdivision Ordinance of the Borough of Laurel Springs."

§ 72-2. Purpose.

The purpose of this chapter is to provide rules, regulations and standards to guide land subdivision in the Borough of Laurel Springs in order to promote the public health, safety, convenience and general welfare of the municipality. It shall be administered to ensure the orderly growth and development, the conservation, protection and proper use of land and adequate provision for circulation, utilities and services.

§ 72-3. Approving agency.

The provisions of this chapter shall be administered by the Mayor and Borough Council of the Borough of Laurel Springs after favorable referral by the Planning Board of the Borough of Laurel Springs, in accordance with Section 14 of Chapter 433 of the Laws of 1953.

ARTICLE II

Definitions

§ 72-4. Definitions.

Certain words, phrases and terms in this chapter are defined, for the purpose thereof, as follows:

CIRCULATION — Provision for the movement of people, goods, water, sewage or power by means of streets, highways, railways, waterways, airways, pipes, conduits or other means, and including facilities for transit, transportation and communication.

DRAINAGE RIGHT-OF-WAY — The lands required for the installation of stormwater sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage, in accordance with Chapter 1 of Title 58 of the Revised Statutes.

FINAL PLAT — The final map of all or a portion of the subdivision which is presented to the Planning Board for final approval in accordance with these regulations, and which, if approved, shall be filed with the proper county recording officer.

LOT — A parcel or portion of land separated from other parcels or portions by description, as on a subdivision or record-of-survey map, or by metes and bounds, for purpose of sale, lease or separate use.

MAJOR SUBDIVISION — All subdivisions not classified as minor subdivisions.

MASTER PLAN — A composite of the mapped and written proposals recommending the physical development of the municipality which shall have been duly adopted by the Planning Board.

MINOR SUBDIVISION — Any subdivision containing not more than three (3) lots fronting on an existing minor street, not involving any new street or road or the extension of municipal facilities, and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map or Zoning Ordinance.¹

OFFICIAL MAP — A map adopted in accordance with the Official Map and Building Permit Act, Chapter 434 of the Laws of 1953, or any prior act authorizing such adoption. Such a map shall be deemed to be conclusive with respect to the location and width of the streets, public parks and playgrounds and drainage right-of-way shown thereon.

¹ Editor's Note: See Ch. 82, Zoning.

OWNER — Any individual, firm, association, syndicate, copartnership or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this chapter.

PERFORMANCE GUARANTY — Any security which may be accepted in lieu of a requirement that certain improvements be made before the Planning Board or other approving body approves a plat, including performance bonds, escrow agreements and other similar collateral or surety agreements.

PLAT — The map of a subdivision.

PRELIMINARY PLAT — The preliminary map indicating the proposed layout of the subdivision which is submitted to the Borough Clerk for Planning Board² consideration and tentative approval, and meeting the requirements of Article IV of this chapter.

SKETCH PLAT — The sketch map of a subdivision of sufficient accuracy to be used for the purpose of discussion and classification, and meeting the requirements of Article IV of this chapter.

STREET — Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing state, county or municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action, or a street or way on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street lines.³ For the purpose of this chapter, "streets" shall be classified as follows:

² Editor's Note: For powers and duties of Planning Board, see Ch. 15.

³ Editor's Note: For sidewalk specifications, see Ch. 70, Streets and Sidewalks, Article IV.

- A. ARTERIAL STREETS — Those which are used primarily for fast or heavy traffic.
- B. COLLECTOR STREETS — Those which carry traffic from minor streets to the major system of arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development.
- C. MINOR STREETS — Those which are used primarily for access to the abutting properties.
- D. MARGINAL ACCESS STREETS — Those which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.
- E. ALLEYS — Minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

SUBDIVIDER — Any individual, firm, association, syndicate, copartnership, corporation, trust or any other legal entity commencing proceedings under this chapter to effect a subdivision of land hereunder for himself or for another.

SUBDIVISION — The division of a lot, tract or parcel of land into two (2) or more lots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building developments; except that the following divisions shall not be considered "subdivisions," provided, however, that no new streets or roads are involved: divisions of land for agricultural purposes where the resulting parcels are three (3) acres or larger in size, divisions of property by testamentary or intestate provisions, or divisions of property upon court order. "Subdivision" also includes resubdivision, and, where appropriate to the context, relates to the process of subdividing or to the lands or territory divided.

SUBDIVISION COMMITTEE — A Committee of at least three (3) Planning Board members appointed by the Chairman of the Board for the purpose of classifying

subdivisions in accordance with the provisions of this chapter, and such other duties relating to land subdivision which may be conferred on this Committee by the Board.

ARTICLE III Procedure

§ 72-5. Submission of sketch plat.

- A. Any owner of land within the Borough of Laurel Springs shall, prior to the subdividing or resubdividing of land as defined in this chapter, submit to the Borough Clerk, at least two (2) weeks prior to the regular meeting of the Planning Board, three (3) completed applications for classification, together with nine (9) copies of a sketch plat of the proposed subdivision for purposes of classification and preliminary discussion, and a filing fee of fifty dollars (\$50.) for administration fees and cost of publication of the subdivision classification. The subdivider shall, at his own cost, publish notice of hearing at least five (5) days prior to the hearing in a newspaper designated as the newspaper for legal advertisements by the Borough of Laurel Springs and shall file an affidavit of proof of publication with the Secretary of the Planning Board. Said notice shall state the time and place for hearing, a brief description of the subdivision and that a copy of said sketch plat has been filed with the Borough Clerk for public inspection.
- B. If classified and approved as a minor subdivision by unanimous action of the Subdivision Committee or by the majority of the Planning Board, a resolution shall be adopted by the Planning Board approving the same as a minor subdivision. Said resolution shall be forwarded forthwith to the Mayor and Borough Council for its action, which shall be taken at the next regular meeting of said governing body after the receipt of the resolution from the Planning Board. A certified copy of the resolution and the determination of the Mayor and Borough Council shall be forwarded to the subdivider within one (1) week following the action of the governing body, together with an ap-

proved sketch plat signed by the Mayor and Borough Clerk. The Borough Clerk shall then cause the determination to be published in a newspaper designated as the newspaper for legal advertisements by the Borough of Laurel Springs.

- C. Before the Borough Clerk returns any approved sketch plat to the subdivider, the Clerk shall furnish one (1) copy of the sketch plat to each of the following:
- (1) Borough Clerk.
 - (2) Borough Engineer.
 - (3) Building Inspector.
 - (4) Tax Assessor.
 - (5) Secretary of the Planning Board.
 - (6) Camden County Planning Board.
- D. Either a deed description or plat map drawn in compliance with Chapter 358 of the Laws of 1953 shall be filed by the subdivider with the county recording officer within ninety (90) days from the date of the return of the approved sketch plat.
- E. If the plat is classified as a major subdivision, a notation to that effect shall be made on the plat, which will be returned to the subdivider for compliance with the procedure in §§ 72-6 and 72-7 of this Article. The Borough Clerk shall cause said determination to be published in a newspaper designated as the newspaper for legal advertisements by the Borough of Laurel Springs.

§ 72-6. Preliminary plat of major subdivision for tentative approval.

- A. At least seven (7) black-on-white prints of the preliminary plat, together with three (3) completed application forms for preliminary approval, shall be submitted to the Borough Clerk two (2) weeks prior to the Planning Board meeting at which consideration is desired. At the time of

filing, a fee, as set forth in the Annual Fees Ordinance,¹ shall be paid to the Borough Clerk to cover the cost of publishing notice and of notifying the persons concerned of the pending hearing on said subdivision. The subdivider shall also be liable to the Borough Engineer for any reasonable charges incurred in examination and inspection of the plans submitted. The Borough Clerk shall immediately notify the Secretary of the Planning Board upon receipt of a preliminary plat. [Amended 11-22-76 by Ord. No. 271]

- B. The Borough Clerk shall notify by mail at least five (5) days prior to the hearing all property owners within two hundred (200) feet of the extreme limits of the subdivision as their names appear on the municipal tax record. Said notice shall state the time and place of hearing, a brief description of the subdivision and that a copy of said subdivision has been filed with the Clerk for public inspection. At least ten (10) days prior to the hearing, the Borough Clerk shall also cause notice of the hearing to be published in a newspaper designated as the newspaper for legal advertisement by the Borough of Laurel Springs.
- C. Additional copies of the preliminary plat shall be forwarded by the subdivider at least five (5) days prior to the hearing to the following persons:
 - (1) County Planning Board.
 - (2) Borough Engineer.
 - (3) Secretary of the Board of Health.
- D. The Planning Board shall act on the preliminary plat within ninety (90) days after its submission to the Borough Clerk but in no case before the expiration of the twenty-day period within which the County Planning Board may submit a report on said subdivision. In all cases, the recommendations of the County Planning Board shall be given careful consideration in the final decision of the local Planning Board. If the County Planning Board has approval authority pursuant to N.J.S.A. 40:27-12, its action

¹ Editor's Note: See Ch. 43, Fees.

shall be noted on the plat, and, if disapproved, two (2) copies of the reason for disapproval shall be returned with the plat. If either the Planning Board or the County Planning Board disapproves a plat, the reasons for the disapproval shall be remedied prior to further consideration. The person submitting a plat shall be notified of the action of the Planning Board within ninety (90) days of its submission. If approval is required by any other officer or public body, the same procedure as applies to submission to and approval by the County Planning Board shall apply.

- E. If the Planning Board acts favorably on a preliminary plat, a notation to that effect shall be made on the plat, and it shall be referred to the Mayor and Borough Council for action. The Mayor and Borough Council shall act within thirty (30) days. The action of the Mayor and Borough Council shall be noted on the plat, and the plat shall be signed by the Mayor and Borough Clerk and shall be returned to the subdivider for compliance with final approval requirements.
- F. Preliminary approval shall confer upon the applicant the following rights for a three-year period from the date of approval:
 - (1) That the general terms and conditions under which the preliminary approval was granted will not be changed.
 - (2) That said applicant may submit on or before the expiration date the whole or part or parts of said plat for final approval.

§ 72-7. Improvements or guaranties prior to final approval.

Before consideration of a final subdivision plat, the subdivider must have installed the improvements required under Article V, or the Planning Board shall require the posting of adequate performance guaranties to ensure the installation of the required improvements.

§ 72-8. Submission of final plat of major subdivision.

- A. The final plat shall be submitted to the Borough Clerk for forwarding to the Planning Board for final approval within three (3) years from the date of preliminary approval. The

(Cont'd on page 7211)

Borough Clerk shall immediately notify the Secretary of the Planning Board upon receipt of the final plat, and the Planning Board shall act upon the final plat within forty-five (45) days after the date of submission for final approval to the Borough Clerk.

- B. The original tracing, one (1) translucent tracing-cloth copy, two (2) cloth prints, four (4) black-on-white prints and three (3) copies of the application form for final approval shall be submitted to the Secretary of the Planning Board at least five (5) days prior to the date of a regular Planning Board meeting. Unless the preliminary plat is approved without changes, the final plat shall have incorporated all changes or modifications required by the Planning Board.
- C. The final plat shall be accompanied by a statement by the Borough Engineer that he has examined all pertinent plans and finds them designed in accordance with current accepted engineering practice and that he is in receipt of a map showing all utilities in exact location and elevation, identifying those portions already installed and those to be installed, and that the subdivider has complied with one (1) or both of the following:
 - (1) Installed all improvements in accordance with the requirements of these regulations; or
 - (2) A performance guaranty has been posted with the Borough Clerk in sufficient amount to assure the completion of all required improvements.
- D. Any plat which requires County Planning Board approval pursuant to N.J.S.A. 40:27-12 shall be forwarded to the County Planning Board for its action prior to final approval by the Mayor and Borough Council.
- E. If the Planning Board favorably refers a final plat to the Mayor and Borough Council, the said governing body shall take action not later than the second regular meeting following the referral, noting its action on the plat, and the Mayor and Borough Clerk shall affix their signatures thereto if said action is favorable.

- F. Failure of the Planning Board and the Mayor and Borough Council to act within the allotted time or a mutually agreed upon extension shall be deemed to be favorable approval and the Borough Clerk shall issue a certificate to that effect.
- G. If any person shall be aggrieved by the action of the Planning Board, an appeal in writing to the Mayor and Borough Council may be taken within ten (10) days after the date of the action of the Planning Board. A hearing thereon shall be had on notice to all parties in interest, who shall be afforded an opportunity to be heard. After such hearing, the Mayor and Borough Council may affirm or reverse the action of the Planning Board by a recorded vote of a majority of the total members thereof. The findings and reasons for the disposition of the appeal shall be stated on the records of the Borough of Laurel Springs and the applying party shall be given a copy thereof.
- H. Upon final approval, copies of the final plat shall be filed by the Borough Clerk with the following:
 - (1) Borough Clerk
 - (2) Borough Engineer.
 - (3) Building Inspector.
 - (4) Tax Assessor.
 - (5) Secretary of the Planning Board.
 - (6) Camden County Planning Board.
- I. The final plat, after final approval by the Mayor and Borough Council, shall be filed by the subdivider with the office of the Register of Deeds for Camden County within ninety (90) days from the date of such approval. If any final plat is not filed within this period, the approval shall expire.
- J. No plat shall be accepted for filing by the office of the Register of Deeds for Camden County unless it has been duly approved by the Mayor and Borough Council of the Borough of Laurel Springs and signed by the Mayor and Borough Clerk.

ARTICLE IV

Plat Details

§ 72-9. Sketch plat.

The sketch plat shall be based on tax map information or some other similarly accurate base at a scale [preferably not less than one hundred (100) feet to the inch] to enable the entire tract to be shown on one (1) sheet, and shall show or include the following information:

- A. The location of the portion which is to be subdivided in relation to the entire tract.
- B. All existing structures and wooded areas within the portion to be subdivided and within two hundred (200) feet thereof.
- C. The name of the owner and of all adjoining property owners as disclosed by the most recent municipal tax records.
- D. The tax map sheet, block and lot numbers.
- E. All streets or roads and streams within five hundred (500) feet of the subdivision.

§ 72-10. Preliminary plat.

The preliminary plat shall be clearly and legibly drawn or reproduced at a scale of not less than one (1) inch equals one hundred (100) feet. Preliminary plats shall be designed and drawn by a licensed land surveyor, licensed architect, licensed engineer or by a planner holding full or associate membership in the American Institute of Planners. The plat shall show or be accompanied by the following information:

- A. A key map showing the entire subdivision and its relation to surrounding areas.
- B. The tract name, tax map sheet, block and lot number, date, reference meridian, graphic scale and the following names and addresses:
 - (1) Name and address of record owner or owners.

- (2) Name and address of the subdivider.
- (3) Name and address of person who prepared map.
- C. Acreage of tract to be subdivided, to nearest tenth of an acre.
- D. Sufficient elevations or contours based on United States Coast and Geodetic datum to determine the general slope and natural drainage of the land and the high and low points and tentative cross sections and center-line profiles for all proposed new streets.
- E. The location of existing and proposed property lines, streets, buildings, watercourses, railroads, bridges and natural features such as wooded areas and rock formations.
- F. Plans of proposed block or lot drainage and utility layouts (sewers, storm drains and water), showing feasible connections to existing or any proposed utility systems. When an individual water supply and/or sewage disposal system is proposed, the plan for such system must be approved by the appropriate local, county or state health agency. When a public sewage disposal system is not available, the developer shall have percolation tests made and certified by the design engineer and submit the results with the preliminary plat. Unacceptable percolation results may incur disapproval unless a suitable alternate method of sanitary sewage disposal is proposed. Any subdivision or part thereof which does not meet with the established requirements of this chapter or other applicable regulations shall not be approved. Any remedy proposed to overcome such a situation shall first be approved by the appropriate local, county or state health agency.
- G. A copy of any protective covenants or deed restrictions applying to the land being subdivided shall be submitted with the preliminary plat.

§ 72-11. Final plat.

The final plat shall be drawn in ink on tracing cloth at a scale of not less than one (1) inch equals one hundred (100) feet and in

compliance with all of the provisions of Chapter 358 of the Laws of 1953. The final plat shall be prepared by a licensed New Jersey professional engineer and/or land surveyor and shall show the following:

- A. Date, name and location of the subdivision, graphic scale and reference meridian.
- B. Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines and other site lines, with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves.
- C. The purpose of any easement or land reserved or dedicated to public use shall be designated, and the proposed use of sites other than residential shall be noted.
- D. Each block shall be numbered, and the lots within each block shall be numbered consecutively beginning with number one (1).
- E. Minimum building setback line on all lots and other sites.
- F. Location and description of all monuments.
- G. Names of owners of adjoining unsubdivided land.
- H. Certification by engineer and/or surveyor as to accuracy of details of plat.
- I. Certification that the applicant is the owner or the agent of the owner of the land, or that the owner has given consent under an option agreement and the owner approves this plan for filing.
- J. Certification by the Borough Clerk that a bond has been posted for the installation of monuments as shown on the subject plat, or a certification by the engineer and/or surveyor that said monuments have already been installed under his supervision.
- K. This final plat shall be accompanied by the following:
 - (1) Cross sections and profiles of streets.

- (2) Plans and profiles of storm and sanitary sewers and water mains. Stormwater systems shall show type, material and size, drainage areas and stormwater runoff computations based on currently accepted engineering practice.
- (3) Certificate from Tax Collector that all taxes are paid to date.

ARTICLE V Improvements

§ 72-12. Required improvements.

- A. Prior to the granting of final approval, the subdivider shall have installed or shall have furnished performance guaranties for the ultimate installation of the following, which shall be in accordance with the current specifications of the New Jersey State Highway Department:
 - (1) Streets.
 - (2) Street signs.
 - (3) Curbs or curbs and gutter.
 - (4) Sidewalks.
 - (5) Streetlighting.
 - (6) Shade trees, to be located on the street line so as not to interfere with utilities or sidewalks and to be of a type approved by the Planning Board.⁴
 - (7) Topsoil protection. No topsoil shall be removed from the site or used as spoil. Topsoil moved during the course of construction shall be redistributed so as to provide at least six (6) inches of cover to all areas of the subdivision and shall be stabilized by seeding or planting. (Topsoil shall conform to current FHA requirements.)

⁴ Editor's Note: See also Ch. 22, Shade Tree Committee.

- (8) Monuments, to be of the size and shape required by Section 4 of Chapter 358 of the Laws of 1953 and to be placed in accordance with said statute.
 - (9) Water mains, culverts, storm sewers and sanitary sewers. All such installations shall be properly connected with an approved system and shall be adequate to handle all present and probable future development.
- B. All of the above-listed improvements shall be subject to inspection and approval by the Borough Engineer, who shall be notified by the developer at least twenty-four (24) hours prior to the start of construction. No underground installation shall be covered until inspected and approved. The subdivider shall be liable for reasonable charges (based on current fee schedules of the New Jersey Society of Professional Engineers) incurred by the required inspection of the Borough Engineer.

§ 72-13. Performance guaranty.

- A. No final plat shall be approved by the Planning Board until the completion of all such required improvements has been certified to the Planning Board by the Borough Engineer, unless the subdivision owner shall have filed with the municipality a performance guaranty sufficient in amount to cover the cost of all such improvements or uncompleted portions thereof as estimated by the Borough Engineer, and assuring the installation of such uncompleted improvements on or before an agreed date. Such performance guaranty may be in the form of a performance bond which shall be issued by a bonding or surety company approved by the Mayor and Borough Council; a certified check, returnable to the subdivider after full compliance; or any other type of surety approved by the Borough Attorney and the Mayor and Borough Council.
- B. The performance guaranty shall be approved by the Mayor and Borough Council as to form, sufficiency and execution. Such performance guaranty shall run for a period to be fixed by the Planning Board, but in no case for a term of

more than three (3) years. However, with the consent of the owner and the surety, if there be one, the Mayor and Borough Council may, by resolution, extend the term of such performance guaranty for an additional period not to exceed three (3) years. The amount of the performance guaranty may be reduced by the Mayor and Borough Council by resolution when portions of the required improvements have been installed.

- C. If the required improvements have not been installed in accordance with the performance guaranty, the obligor and surety shall be liable thereon to the municipality for the reasonable cost of the improvements not installed, and upon receipt of the proceeds thereof, the municipality shall install such improvements.
- D. The subdivider may be required to provide a one-year maintenance bond after the installation of required improvements before municipal acceptance of said improvements.

ARTICLE VI Design Standards

§ 72-14. Rules to be followed.

The subdivider shall observe the following requirements and principles of land subdivision in the design of each subdivision or portion thereof.

§ 72-15. General.

The subdivision plat shall conform to design standards that will encourage good development patterns within the municipality. Where either or both an Official Map or Master Plan has or have been adopted, the subdivision shall conform to the proposals and conditions shown thereon. The streets, drainage rights-of-way, school sites, public parks and playgrounds shown on an officially adopted Master Plan or Official Map shall be considered in approval of subdivision plats. Where no Master Plan or Official Map

exists, streets and drainage rights-of-way shall be shown on the final plat in accordance with Section 20 of Chapter 453 of the Laws of 1953, and shall be such as to lend themselves to the harmonious development of the municipality and enhance the public welfare in accordance with the following requirements.

§ 72-16. Streets.

- A. The arrangement of streets not shown on the Master Plan or Official Map shall be such as to provide for the appropriate extension of existing streets.
- B. Minor streets shall be so designed as to discourage through traffic.
- C. Subdivisions abutting arterial streets shall provide a marginal service road or reverse frontage with a buffer strip for planting, or some other means of separation of through and local traffic as the Planning Board may determine appropriate.
- D. The right-of-way width shall be measured from lot line to lot line and shall not be less than fifty (50) feet. The following minimum widths are recommended:
 - (1) Arterial streets, eighty (80) feet.
 - (2) Collector streets, sixty (60) feet.
 - (3) Minor streets, fifty (50) feet.
 - (4) Marginal access streets, fifty (50) feet.
 - (5) The right-of-way width for internal roads and alleys in multifamily, commercial and industrial development shall be determined on an individual basis and shall be in all cases of sufficient width and design to safely accommodate the maximum traffic, parking and loading needs and maximum access for fire-fighting equipment.
- E. No subdivision showing reserve strips controlling access to streets shall be approved except where the control and disposal of land comprising such strips has been placed in

the Mayor and Borough Council under conditions approved by the Planning Board.

- F. Subdivisions that adjoin or include existing streets that do not conform to the recommended widths or the street width requirements of this chapter shall dedicate additional width along either one (1) or both sides of said road. If the subdivision is along one (1) side only, one-half ($\frac{1}{2}$) of the required extra width shall be dedicated.
- G. Grades of arterial and collector streets shall not exceed four percent (4%). Grades on other streets shall not exceed ten percent (10%). No street shall have a minimum grade of less than one-half of one percent ($\frac{1}{2}$ of 1%).
- H. Street intersections shall be as nearly at right angles as is possible, and in no case shall be less than sixty degrees (60°). The block corners at intersections shall be rounded at the curblin with a curve having a radius of not less than twenty (20) feet.
- I. Street jogs with center-line offsets of less than one hundred twenty-five (125) feet shall be prohibited.
- J. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.
- K. When connecting street lines deflect from each other at any one (1) point by more than ten degrees (10°) and not more than forty-five degrees (45°), they shall be connected by a curve with a radius of not less than one hundred fifty (150) feet for minor streets and three hundred (300) feet for arterial and collector streets.
- L. All changes in grade shall be connected by vertical curves of sufficient radius to provide a smooth transition and proper sight distance.
- M. Dead-end streets (culs-de-sac) shall not be longer than six hundred (600) feet and shall provide a turnaround at the end with a radius of not less than sixty (60) feet and tangent whenever possible to the right side of the street. If a dead-end street is of a temporary nature, a similar turn-

around shall be provided and provisions made for future extension of the street and reversion of the excess right-of-way to the adjoining properties.

- N. No street shall have a name which will duplicate, or so nearly duplicate as to be confused with, the names of existing streets. The continuation of an existing street shall have the same name.
- O. Road pavement minimum standard shall be a six-inch-thick compacted natural bank gravel base or a five-inch-thick compacted trap-rock base, and the wearing surface shall be a two-inch-thick compacted layer of hot-mix bituminous concrete. All materials shall conform to current specifications of the New Jersey State Highway Department.

§ 72-17. Blocks.

- A. Block length and width or acreage within bounding roads shall be such as to accommodate the size of lot recommended in the area by the Planning Board and to provide for convenient access, circulation control and safety of street traffic.
- B. In blocks over one thousand (1,000) feet long, pedestrian crosswalks may be required in locations deemed necessary by the Planning Board. Such walkway shall be ten (10) feet wide and be straight from street to street.
- C. For commercial, group housing or industrial use, block size shall be sufficient to meet all area and yard requirements for such use.

§ 72-18. Lots.

- A. Lot dimensions and area shall not be less than the requirements of the Zoning Ordinance of the Borough of Laurel Springs.⁵

⁵ Editor's Note: See Ch. 82, Zoning.

- B. Insofar as is practical, side lot lines shall be at right angles to straight streets and radial to curved streets.
- C. Each lot must front upon an approved street at least fifty (50) feet in width, except lots fronting on streets described in Article VI, § 72-16D.
- D. Where extra width has been dedicated for widening of existing streets, lots shall begin at such extrawidth line, and all setbacks shall be measured from such line.
- E. Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as rock formations, flood conditions or similar circumstances, the Planning Board may, after adequate investigation, withhold approval of such lots.

§ 72-19. Public use and service areas.

- A. In large-scale development, easements along rear property lines or elsewhere for utility installation may be required. Such easements shall be at least fifteen (15) feet wide and located in consultation with the companies or municipal departments concerned.
- B. Where a subdivision is traversed by a watercourse, drainageway channel or street, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose.
- C. Natural features, such as trees, brooks, hilltops and views, shall be preserved whenever possible in designing any subdivision containing such features.

ARTICLE VII

Penalties; Remedies; Administration

§ 72-20. Violations and penalties; remedies.

- A. If, before favorable referral and final approval has been obtained, any person transfers or sells, or agrees to sell, as

owner or agent, any land which forms a part of a subdivision on which, by ordinance, the Planning Board and the Mayor and Borough Council are required to act, such person shall be subject to a fine not to exceed five hundred dollars (\$500.) or to imprisonment for not more than ninety (90) days, and each parcel, plot or lot so disposed of shall be deemed a separate violation.

B. In addition to the foregoing, if the streets in the subdivision are not such that a structure on said land in the subdivision would meet requirements for a building permit under Section 3 of the Official Map and Building Permit Act (1953), the municipality may institute and maintain a civil action:

- (1) For injunctive relief.
- (2) To set aside and invalidate any conveyance made pursuant to such a contract or sale if a certificate of compliance has not been issued in accordance with Section 24 of Chapter 433 of the Laws of 1953, but only if the municipality has a Planning Board or a committee thereof with power to act and which:
 - (a) Meets regularly on a monthly basis or more frequent basis, and
 - (b) Whose governing body has adopted standards and procedures in accordance with Section 20 of Chapter 433 of the Laws of 1953.

In any such action, the transferee, purchaser or grantee shall be entitled to a lien upon the portion of the land from which the subdivision was made that remains in the possession of the subdivider or his assigns or successors, to secure the return of any deposit made or purchase price paid, and also a reasonable search fee, survey expense and title-closing expense, if any. Any such action must be brought within two (2) years after the date of the recording of the instrument of transfer, sale or conveyance of said land, or within six (6) years if unrecorded.

§ 72-21. Administration.

These rules, regulations and standards shall be considered the minimum requirements for the protection of the public health, safety and welfare of the citizens of the Borough of Laurel Springs. Any action taken by the Mayor and Borough Council and the Planning Board under the terms of this chapter shall give primary consideration to the above-mentioned matters and to the welfare of the entire community. However, if the subdivider or his agent can clearly demonstrate that, because of peculiar conditions pertaining to his land, the literal enforcement of one (1) or more of these regulations is impracticable or will exact undue hardship, the Planning Board and the Mayor and Borough Council may permit such variance or variances as may be reasonable and within the general purpose and intent of the rules, regulations and standards established by this chapter.

Chapter 233
SUBDIVISION OF LAND

[The Borough Subdivision of Land Regulations are on file in the Clerk's office.]

