

ORDINANCE NO. 2-2010

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF TOWNSHIP OF HARRISON,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 192
ENTITLED "SUBDIVISION OF LAND" OF THE CODE OF THE TOWNSHIP OF HARRISON**

WHEREAS, the Mayor and Committee, Township of Harrison, have determined that certain amendments to Chapter 192 entitled "Subdivision of Land" are necessary; and

WHEREAS, in all other respects Chapter 192 entitled "Subdivision of Land" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

§192-5. entitled "Definitions" shall be amended to add the following:

OPEN SPACE – Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that such areas may be improved with only those buildings, structures, streets and offstreet parking and other improvements that are designed to be incidental to the natural openness of the land.

PLANNED UNIT DEVELOPMENT – An area with a specified minimum contiguous or noncontiguous acreage of 10 acres or more to be developed as a single entity according to a plan, containing one or more residential clusters or planned unit residential developments and one or more public, quasi-public, commercial or industrial areas in such ranges of ratios of nonresidential uses to residential uses as shall be specified in the zoning ordinance.

PLANNED UNIT RESIDENTIAL DEVELOPMENT – An area with a specified minimum contiguous or noncontiguous acreage of five acres or more to be developed as a single entity according to a plan containing one or more residential clusters, which may include appropriate commercial, or public or quasi-public uses all primarily for the benefit of the residential development.

RESIDENTIAL CLUSTER – A contiguous or noncontiguous area to be developed as a single entity according to a plan containing residential housing units which have a common or public open space area as an appurtenance.

Section 2.

§192-31. entitled "Recreation and Open Space" shall be amended to read as follows:

The developer shall design and install recreational facilities as part of the plan for ~~a major residential development~~ a planned unit development, planned unit residential development or residential cluster. The land proposed to be set aside for recreational facilities and open space may be dedicated or available to public use. In the event that the recreational facilities are not dedicated for public use, then the developer shall provide for an organization for the ownership and maintenance of any recreational facilities for the benefit of owners or residents of the development.

Paragraph F shall be amended to read as follows:

- F. Preservation of use. The method by which the ~~recreational use of the~~ recreational facilities and open space shall be preserved will be determined by the Planning Board prior to or at the time of the final ~~site plan~~ approval and may include easements, deed restrictions, dedication of the lot to the Township, if applicable, or dedication of the lot to the homeowners' association as a common area for the development, developer agreements and other means.

Paragraph H shall be deleted in its entirety.

Section 3.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF HARRISON

**BY: _____
LOUIS F. MANZO, MAYOR**

ATTEST:

CAROL L. PUSZTAY, Deputy Clerk

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, held on January 19, 2010. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township's Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062, in the Township, on February 16, 2010 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the Municipal Building, 114 Bridgeton Pike, in the Township, to the members of the general public who shall request the same.

CAROL L. PUSZTAY
Deputy Clerk