

Township of Sandyston, NJ
Wednesday, July 3, 2019

Chapter 150. Zoning

Article IX. V-1 Highway Village Zone

[Amended 10-2-1975; 10-4-1984; 12-14-1993 by Ord. No. 7-1993; 8-1-1995 by Ord. No. 9-95; 11-1-2005 by Ord. No. 10-05]

§ 150-42. Purpose.

The occupations or uses intended for this zone are village highway enterprises, restricted to the highway portion of the Village Center in Hainesville as well as Tuttle's Corner, provided that the performance standards of § **150-48** are complied with.

§ 150-43. Compliance required.

Within these zones, no premises, lot or structure shall be erected or altered to be used, in whole or in part, unless it complies with the schedule of § **150-8**, the applicable regulations of Article **IV**, the following regulations and all other regulations that may be provided by the Planning Board.

§ 150-44. Permitted uses.

The following uses are permitted:

- A. Light industries, such as small machine shops, woodworking or cabinet shops, and the warehousing and fabrication of materials and the like, provided that water demands and its efficient disposal can be properly provided for, including jobbing and wholesaling, without detriment to the community.
- B. Public utilities as provided for in § **150-14**.
- C. Stores, shops and markets where goods are sold or personal services rendered, including food stores, bakeries, variety stores, sports shops, gift shops, drugstores, beauty and barber shops and stores selling appliances.
- D. Crafts production and sale.
- E. The offices of doctors, dentists, insurance and real estate agents or brokers and similar professions.
- F. Stores selling and repairing boats and their fittings.
- G. Banks and fiduciary institutions.
- H. Garages, service stations, repair establishments and car laundries, as provided for in § **150-21**.

- I. Telephone exchanges, telegraph and express offices and public service installations, but excluding communications towers for the transmission or reception of radio, television, telephone or other communications.
- J. Information centers and government buildings, federal, state and local.
- K. Hotels, motels, restaurants, bars, taverns and inns and bed-and-breakfast establishments.
- L. Theaters, auditoriums and other similar places of public assembly.
- M. Signs, as regulated in Article X.
- N. The outdoor display and sale of seasonal farm produce.
- O. Stores and related yards for the sale of lumber and other building supplies.

§ 150-44.1. Accessory uses.

The following accessory uses shall be and are hereby permitted in said zone:

- A. Combined and or mixed use of the principal building as a single-family dwelling and a commercial establishment, subject to the following conditions:
 - (1) The dwelling unit shall be a residential unit for occupancy by the owner's family.
 - (2) The commercial unit shall be used for a permitted use as provided under this article.
 - (3) The commercial unit must be operated by or under the supervision of the resident owner or a member of the owner's family.

§ 150-45. General regulations.

- A. Retail or wholesale stores offering goods for sale may manufacture or process goods on the premises as long as the operation is incidental to the primary purpose and the products are also sold retail or wholesale on or off the premises.
- B. Accessory structures which are clearly incidental to the primary or principal structure may be permitted, provided that they are harmonious with other structures of the zone and also meet the approval of the Planning Board.
- C. No goods or supplies or materials shall be kept, stored, displayed or operated on outside the confines of the building unless the same is so screened by a special planting or fence, as approved by the Planning Board, so that they are not visible from any adjacent residential zone or any public street. This regulation shall not apply to the display and sale of seasonal farm produce and nursery stock.

§ 150-46. Prohibited uses.

The following uses are prohibited:

- A. Any use not permitted in § 150-44.
- B. Any of the uses listed in § 150-20.

- C. Hospitals, nursing homes and boardinghouses, tourist homes, tourist cabins or trailer courts or unlicensed trailers or more than one licensed trailer.
- D. Lunch counters or road stands which are open-air stands. Enclosed stands are permitted to serve through openings, in the V-1 Zone.
- E. Open-air drive-in theaters.
- F. The aboveground storage of crude oil and any of its products or other inflammable materials.
- G. Heavy industry.
- H. Used car lots, except where such use is accessory to the franchised new car dealer.
- I. Industrial operations within the V-1 Zone.
- J. Warehousing, jobbing or wholesale distribution of commodities in the V-1 Zone, except where such is incidental to the primary purpose.

§ 150-47. Site plan review.

Site plans for any of the permitted uses, professionally prepared, shall be submitted to the Planning Board for approval before any building may be erected, and no building permit shall be issued until a site plan has been approved.

- A. Site plans shall include a set of drawings, scale not more than one inch equals 50 feet, showing the following:
 - (1) The size of lot and all lot line dimensions.
 - (2) Building setbacks, side lines and rear yard distances.
 - (3) The location of all proposed buildings.
 - (4) The location of off-street parking areas, with dimensions showing parking spaces, access drives, traffic circulation and the location and description of any lighting in connection with the parking area.
 - (5) The location and description of all proposed signs.
 - (6) The type of surface, paving and curbing.
 - (7) Fully adequate and safe provisions for the disposal of sewage wastes, taking into account the nature of the soil and the future installation of central sewage treating units for each V-1 Zone.
[Amended 4-4-2006 by Ord. No. 2-06]
 - (8) All landscaping, fences, walls or similar facilities to be provided.
 - (9) Plans for the preservation of trees and the planting of new trees, shrubbery, lawns and walks so as to provide a natural, effective and harmonious addition to the landscape.
 - (10) The location of all structures within 100 feet of the property.
 - (11) Preliminary plans and elevations for all proposed buildings.

(12) The location and dimensions of all proposed drainage facilities, including but not be limited to all pipes, inlets, manholes, outlets, connections, dry wells and retention basins. All proposed stormwater control measures shall conform to the standards set forth in the New Jersey Residential Site Improvement Standards, N.J.A.C. 5:21-1.1, and/or the requirements in Chapter 138, Stormwater Control, as applicable.
[Added 4-4-2006 by Ord. No. 2-06]

- B. In reviewing said site development plan, the Planning Board shall consider the following factors;
- (1) That the provisions of this chapter, with respect to height, minimum lot area, mandatory open spaces and the like, are complied with.
 - (2) That adequate provision is made for off-street parking in accordance with the provisions of this chapter.
 - (3) That adequate provisions are made for the disposal of stormwater, as approved by the Township Engineer.
 - (4) That the location, design and construction of any building is not likely to involve undue risk due to traffic congestion or other hazards to the public safety.
 - (5) That the design or construction of any building or use will not be so markedly incongruous with the character of the neighborhood as to materially affect the value of adjacent or nearby property.
 - (6) That ingress to and egress from the lot or tract is adequate and will not unduly impede or obstruct the flow of traffic upon the public street.
 - (7) That there shall be no objectionable smoke, fumes, dust, odors or noises emanating from any building or use.
- C. In approving any site plan, the Planning Board may impose such reasonable conditions as it may deem necessary in the public interest.

§ 150-48. Performance standards.

- A. Before the issuance of a building permit for any industrial use permitted in any V-1 Zone, the site plan submitted for the Planning Board shall include a description of any proposed machinery or process, its operation and products, as well as a signed affidavit by the applicant and the owner acknowledging his understanding of those performance standards set forth and his agreement to conform to the same at all times.
- B. If there is any reasonable doubt that the intended use will not conform to any of the performance standards, the Planning Board shall request a sufficient deposit from the applicant for each such section in doubt, to be used to defray a reasonable proportion of the cost of a special report from an expert consultant qualified to advise on the conformance with the required standards. Said report shall be made within 30 days of the request for such study. The applicant shall have the right to approve the selection of any expert consultant. Agreement must be reached, as to the consultant, by the Planning Board and the applicant. A copy of the report shall be promptly furnished to the applicant. If nonconformance is found by the consultant, the applicant shall correct said nonconformance before further consideration for approval is made.
- C. Approval by the Planning Board shall be rendered in the form of a written report authorizing the issuance of a building permit and further authorizing the issuance of an occupancy permit, conditioned upon the applicant's completed buildings and installations in operation conforming to

a reasonable application of the performance standards. Any portion of any requested deposit not used for the special report and services of a consultant shall be returned to the applicant.

D. The following regulations must be complied with:

- (1) Fire and explosion hazards. All activities or operations shall be carried on in such a manner and with such precaution against fire and explosion hazards as to produce no hazard, as determined by the New Jersey Inspection Bureau, to a use on adjacent property. Such activity or building shall provide fire-extinguishing devices sufficient in view of the nature and extent of the fire risk as determined by the Chief of the Fire Department, according to the requirements of the Fire Prevention Code for the Township of Sandyston.^[1]

[1] *Editor's Note: See Ch. 71, Fire Prevention.*

- (2) Smoke, fumes, gases, dust and odors. There shall be no emission of any smoke, fumes, gas, dust, odors or any other atmospheric pollutant, vibration or noise which will disseminate beyond the boundaries of the lot occupied by such use.
- (3) Liquid or solid waste. No industrial operations shall discharge untreated industrial waste of any kind into any reservoir, pond or lake or stream. All methods of sewage and industrial waste treatment and disposal shall be approved by the township and New Jersey State Health Departments. Effluent from a treatment plant shall at all times comply with the Health Department's standards applicable for mingling with the streams of New Jersey. No effluent shall contain any acids, oils, dust, toxic metals, corrosives or other toxic substance in solution or suspension which would create odors or discolor, poison or otherwise pollute the stream in any way.
- (4) Glare. There shall be no direct or sky-reflected glare exceeding 1.5 footcandles, measured at the property line of the lot occupied by such use. This regulation shall not apply to lights used at the entrances or exits of service drives leading to a parking lot.