

# TOWNSHIP OF MAPLE SHADE

## Ordinance 2019-16

AN ORDINANCE AMENDING CHAPTERS 4-40; 22-5; 178-19; AND 178-20 TO ELIMINATE REQUIREMENT THAT ZONING BOARD OF ADJUSTMENT APPLICATIONS APPEAR BEFORE THE SITE PLAN REVIEW ADVISORY BOARD

**WHEREAS**, the Municipal Land Use Law permits the establishment of various advisory boards to the Planning Board; and

**WHEREAS**, for land use ordinance consistency with the Municipal Land Use Law, the Township professionals have recommended that the ordinance be amended; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Maple Shade that the Township Code is hereby amended as follows: (*Revisions are indicated as underlined and deletions by strike-through.*)

### **Section 1.**

Administration of Government chapter 4, subchapter 40 Site Plan Review Advisory Board is amended as follows:

#### A. Membership; terms.

(1) There shall be a Site Plan Review Advisory Board that consists of three members and two alternate members to be appointed by the Township Council. One regular member shall be from the Township Council, who is not a member of the Planning Board and shall serve a term of one year. One of the remaining two regular members shall be from the regular or alternate Class IV membership of the Planning Board and the other member shall be a member of the Zoning Board of Adjustment. The alternate members shall be from the regular or alternate membership of the Planning Board. The regular members first appointed and the two alternate members first appointed shall be appointed to serve for terms respectively expiring on the first days of the first and second January next ensuing after the date of their appointment. Thereafter, the terms of each regular and alternate members appointed shall be one year. All appointments except to fill vacancies shall take effect upon the first of January of each year for the full term of one year. If a vacancy shall occur otherwise than by expiration of a term, it shall be filled by appointment, as above provided, for the unexpired term. ~~Notwithstanding any Code provision to the contrary, the Site Plan Advisory Board shall also review site plans submitted to the Zoning Board of Adjustment as part of its jurisdictional responsibilities.~~

## **Section 2.**

22-5 Land use procedures is amended as follows:

The Site Plan Review Advisory Board shall review and advise on all Planning Board site plans in accordance with the site plan requirements and standards set forth in Part 2, Site Plan Review, of Chapter 178, Subdivisions and Site Plans, of this Code.

## **Section 3.**

178-19 Subdivision and Site Plan Ordinance is replaced with:

The purpose of the Site Plan Review Advisory Board (Ref. N.J.S.A. 40:55D-39.f) is to review and advise the Planning Board on site plan applications.

~~The Township has established under its Administrative Code a Site Plan Review Advisory Board. The Site Plan Review Advisory Board shall review all site plans which have been properly submitted and deemed complete by the Community Development Director and make its report and recommendations thereon to the Planning Board or Zoning Board of the Township of Maple Shade.~~

## **Section 4.**

Subdivision and Site Plan Ordinance 178-20 Site Plan review procedures subsection .B is replaced with:

B. Upon receiving an application for Planning Board Site Plan approval, the Community Development Director may schedule the applicant to appear at a Site Plan Review Advisory Board (SPRAB) meeting. The Planning Board Engineer and/or a Planning Board Member of the SPRAB may report any recommendations to the Planning Board. The applicant is not required to revise its plan until after Planning Board action at a public meeting, as all recommendations of the Site Plan Review Advisory Board are purely advisory.

~~Upon an application being deemed complete, the Community Development Director shall transmit the site plan application to the Site Plan Review Advisory Board, the Planning Board Engineer and to designated officials and agencies and shall schedule the applicant to appear at a Site Plan Review Advisory Board meeting. At the conclusion of the meeting, at which the application was considered, the Site Plan Review Advisory Board shall report its conditions and recommendations for approval. The applicant is not required to revise its plan until after Planning Board action at a public meeting, as all conditions and recommendations prior thereto are purely advisory.~~

## **Section 5.**

**Repealer.** Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

## **Section 6.**

**Severability.** In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudicated by a court of competent jurisdiction to be involved or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder

thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Introduction: June 27, 2019

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Manchello			x			
Nunes		x	x			
Volpe	x		x			
Wiest			x			
Kauffman			x			

**CERTIFICATION**

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Maple Shade Township Council at a meeting held on July 25 2019.

---

Andrea T. McVeigh, Township Clerk

Adoption: July 25 , 2019

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Manchello	x		x			
Nunes		x	x			
Volpe			x			
Wiest				x		
Kauffman			x			