

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2018-10

AN ORDINANCE TO AMEND CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE ZONING CHAPTER, TO AMEND SECTION 13-13F., THE R-5 CEMETERY OVERLAY ZONE STANDARDS CLARIFYING CLEARING BUFFER DISTURBANCE LIMITS, FOREST AND EXISTING VEGETATION REMOVAL AND SITE DISTURBANCE AND GRADING LIMITS WITH THE RIDGELINE AND HILLSIDE VIEWSHED PROTECTION OVERLAY ZONE AS PERTAIN TO THE CEMETERY OVERLAY ZONE

BE IT ORDAINED by the Township Committee of the Township of Lafayette that Chapter XIII of the Revised General Ordinances of the Township of Lafayette, being the Zoning Chapter, shall be and is hereby amended as follows:

Section 1. Amend and supplement Section 13-13F. "Cemetery Overlay Zone", subsection 13-13F.h.3 to read as follows:

3. There shall be no new disturbance of existing forest, tree lines and hedgerows that serve as the required buffer without prior site plan approval. Clearing for access driveway shall be permitted, subject to site plan approval; however, such clearing shall be limited to the minimum amount necessary to construct such access driveways.

Section 2. Amend and supplement Section 13-13F. "Cemetery Overlay Zone", subsection 13-13F by repealing and reserving subsection 13-13F.i as follows:

i. Reserved.

Section 3. Amend and supplement Section 13-13F "Cemetery Overlay Zone", subsection 13-13F.1 to read as follows:

a. Total site disturbance. For the purpose of this standard, the site disturbance and grading limits found at 13-13E, Ridgeline and Hillside Viewshed Protection Overlay Zone are not applicable to this Cemetery Overlay Zone and "new disturbance" shall be defined as areas of the property that have not been previously disturbed for agriculture or other use as indicated on 1992 aerial photography. New disturbance shall be limited to 10% (ten percent) of the gross site area; however, all such disturbance shall be subject to site plan approval and shall not contravene the purposes of perimeter buffering of the tract. Further, existing hedgerows and forested slopes in excess of 15% (fifteen percent) shall not be disturbed except for site access as may be approved by the Board.

Section 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 5. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 6. The Township Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further

directed to refer this Ordinance to the Township Land Use Board pursuant to N.J.S.A. 40:55D-64. Upon adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

Section 7. This Ordinance shall take effect after publication and passage according to law.

NOTICE

The above entitled Ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting on June 6, 2018 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on July 3, 2018.

Mayor:

Municipal Clerk: