

**CUMBERLAND COUNTY, NJ
DEVELOPMENT REVIEW STANDARDS**

Effective January 1, 2012

Adopted by the Cumberland County Board of Chosen Freeholders
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CHAPTER 100: TITLE, PURPOSE AND AUTHORITY

101 Title

This document shall be known and may be cited as the “Cumberland County, NJ, Development Review Standards.”

102 Purpose

These Standards are enacted in order to promote a safe and efficient county road system for the health, convenience, safety and general welfare of the public by:

- Providing a procedure with standards for review and approval of land development applications in Cumberland County according to the County Planning Act, N.J.S.A. 40: 27-1 et seq. for the safety and convenience of the traveling public and, where applicable, to the Pinelands Protection Act, N.J.S.A. 13: 18A-1 et seq.;
- Promoting land development that is consistent with County plans, infrastructure and facilities, and that avoids adverse impacts from proposed development on County roads, drainage facilities and lands;
- Setting standards for assessing Applicants a proportional share of any burden their development directly or indirectly imposes on County facilities;

103 Statutory Authority

These Standards are adopted pursuant to the County Planning Act, N.J.S.A 40:27-1 et seq., L. 1935, C. 251 amended by various Laws including L. 1968, C. 285.

104 Repeal of Conflicting Resolutions and Ordinances

The Cumberland County Subdivision and Site Plan Rules, Regulations, Standards and Procedures as adopted in March 1991 and amended thereafter, are repealed and replaced with these Standards. With the adoption of these Regulations, all other resolutions or parts of other resolutions which are inconsistent with the provisions of these Standards are hereby repealed to the extent of any inconsistency.

105 Severability

If any provision of this Document is judged to be invalid by a court of competent jurisdiction, such order shall not invalidate any other part of the Standards and, to this end, the provisions of each article, section, subsection, paragraph, subdivision, clause or phrase of the Standards are hereby declared to be severable.

106 Use of Language

Unless expressly stated otherwise:

- All references to ‘County’ refer to Cumberland County.
- All references to the ‘Board’ refer to the Cumberland County Planning Board.
- The words ‘shall’ and ‘must’ are mandatory.
- Words in the singular shall include the plural and the converse.
- The masculine gender includes the feminine gender.

107 Standards Violations and Penalty

- Any person, corporation, or other entity violating any of the terms and provisions of these regulations shall be subject to a penalty for each offense not to exceed \$1000.00 or imprisonment in the County Jail for a period not exceeding ninety (90) days, or both.
- Each day during which a violation takes place or continues, after a party has received a written notice of the violation, shall be treated as a separate offense.
- Proceedings against any person for violation of these regulations shall be as in the case of disorderly persons pursuant to N.J.S.A. 40: 24-2 et seq. in a Court of appropriate jurisdiction, and shall be on the complaint of an authorized representative of the Planning Board.
- Any person or persons, firm or corporation violating any section of this regulation which results in damage to or obstruction of any public road, gutter, storm drain, ditch, basin, inlet or culvert shall be responsible for all expenses incurred by the County for repairing the damage and/or removing the obstruction in addition to all other penalties.

CHAPTER 200: DEFINITIONS

Acceleration Lane – See Speed Change Lane

Adverse Drainage Condition – Any situation involving the movement of surface water whether leading to, from, along, and/or through a County road or facility which will:

1. not provide adequately for storm drainage, thus causing an increase in discharge from a county culvert, channel or collection system; or
2. cause either flooding, erosion, silting or other damaging effect to a County road or drainage structure; or
3. threaten to damage private property as a result of surface water passage from, along or through a County road or County drainage structure.

Agricultural Purposes - Farming and related pursuits not including the erection, alteration, enlargement, occupancy or use of any building designed for or suitable for residential, commercial, or industrial occupancy.

Applicant - Any person or entity filing an application for a development.

Application - The County form, fees, and all accompanying documents required by municipal regulation and these Standards for approval of a subdivision plat or site plan.

Approval - The official action of the Cumberland County Development Review Committee taken on an application, after all the conditions, engineering plans, and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees have been properly posted for their completion.

As-Built Plan - A plan specifying the locations, dimensions, elevations and capacities of structures or facilities as they have been constructed.

AASHTO - American Association of State Highway and Transportation Officials (AASHTO).

Bikeway - Any road, path or way which, in some manner, is specifically designated as being open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes. (RSIS)

Bridge - A structure, including supports and retaining walls erected over a depression or an obstruction to the roadway, having an overall span in excess of twenty (20) feet designed to convey vehicles and/or pedestrians over a depression or an obstruction to the road such as a water course, railroad, or highway.

Building Permit - Permission, by a duly appointed municipal official, which authorizes approved construction to begin on a specific parcel under New Jersey building codes.

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Cartway - The actual road surface area from curblines to curblines, which may include travel lanes, shoulders, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the cartway is that portion between the edges of the paved, or hard surface, width.

Centerline of right-of-way - A line which is located in the exact center of the original right-of-way, as laid out by the road return, or as subsequently relocated by the Cumberland County Board of Chosen Freeholders. This may or may not constitute the exact center of the existing paved cartway.

Circulation Plan - A long-range plan intended to guide the County's transportation improvements. (Traffic and Transportation Plan).

Conditional Approval – A stage in the approval process for a site plan or subdivision with certain conditions, as recorded in the DRC report, that the applicant must meet before final County approval can be granted.

County - The County of Cumberland, New Jersey.

County Master Plan or Master Plan - A composite of the proposals for the physical development of the County, with the accompanying maps, plats, charts, and descriptive, explanatory, and policy material as adopted by the County Planning Board pursuant to N.J.S.A. 40: 27-2, and as updated.

County Road – Any of the public roads as shown in Appendices G and H as further supplemented by any future County Official Map or Transportation Elements to the County Master Plan.

County Road Right-of-Way Dedication - A dedication or conveyance to the County of Cumberland of an interest in land for the purpose of installation of utilities, construction, widening, or improving a County road including the repair and maintenance of the County road and the construction, reconstruction, or alteration of facilities related to the safety, convenience or carrying capacity of the County road including drainage facilities and traffic control devices.

Culvert - A closed or open conduit designed for the purpose of conveying an open channel watercourse under a road, highway, pedestrian walk, railroad embankment or other type of overhead structure and having a clear span of twenty feet or less.

Curblines - Line, whether curbing exists or not, which is the edge of the pavement or shoulder of the road or driveway

Customer Service Area – Temporary stopping or maneuvering space provided for vehicles of customers at a roadside business establishment such as a drive-in bank, roadside stand, or filling station.

Deceleration Lane – See Speed Change Lane

Dedication - An act permanently conveying private property rights by deed or other instrument for public use. (See County Road ROW Dedication)

Detention Basin - A man-made or natural water collector facility designed to collect surface and sub-surface water in order to impede its flow by releasing the same gradually at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

Development, Public - Any development, including subdivision, by any county or public agency.

Development Review Committee (DRC) - A committee consisting of the County Planning Director or official alternate, County Engineer or official alternate, and four (4) full or alternate members of the County Planning Board appointed by the Chairman, with one of those four serving as an alternate member of the Development Review Committee. The DRC shall act on behalf of the County Planning Board with regard to administering this Document.

Drainage - The removal of surface water or groundwater from land by drains, grading, or other means.

Drainage Facility – Any bridge, culvert, drainage system, swale or drainage structure for which the County is responsible in whole or in part..

Drainage System - Natural and human-made components that contain, convey, absorb, store, treat, or dispose of surface-water runoff or groundwater. (RSIS)

Drainage Easement - The land or assignable rights and restrictions to that land required along a natural stream or water course upon which structures may not be erected and upon which the County is given ingress, egress, and regress for the preservation of the channel and floodway and or for the installation and maintenance of storm water sewers, culverts, swales or drainage ditches in order to safeguard the public against flood damage in accordance with N.J.S.A. 40:55D-2.

Driveway - A paved or unpaved area used for ingress or egress of vehicles from a street, road or alley to gain access to the interior of a lot or parcel of land or a building or other structure or facility.

Easement - A right-of-way granted, but not dedicated, for a non-possessing interest held by one party in the land or part of the land of another party for partial use of for a specific purpose. The easement restricts but does not remove the rights of the owner to use the land.

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Easement for County purposes - An easement to the County for purposes specific to the safety, convenience, and carrying capacity of a County road or drainage facility.

Electronic Submission - Digital or electronic documents submitted as part of an application.

Flood Plain - A relatively flat or low land area, including the floodway and the flood fringe (as defined in N.J.A.C. 7:13-1.2), which is subject to partial or complete inundation from an adjoining or nearby stream, river, or water course and/or any area subject to the unusual and rapid accumulation of surface water from any source.

Grade - The slope of a street, or other public way, specified in percentage (%) terms.

Impervious Surface - A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Improvement - Any constructed element that becomes part of, is placed upon or beneath, or is affixed to, real estate.

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

Lot Frontage - That portion of a lot extending along a street line.

Maintenance Bond or Guarantee - A security in a form acceptable to the County Counsel which assures the maintenance of required improvements installed by a developer for a period of two years after the completion and acceptance of such improvements or the release of the developer's performance guarantee with respect to such improvements.

Major Subdivision - See **Subdivision, major**.

Marginal Access Street – An internal road or street running along the edge of developments that provides access to abutting properties and separation from through traffic.

Minor Subdivision – Any subdivision which is not defined as major.

Multi-Family Structure - A structure containing more than one (1) single family attached dwelling.

Off-Site - Located outside the lot lines of the lot in question but within the property (of which the lot is a part) that is the subject of a development application, or on a contiguous portion of a street or right-of-way.

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Off-Street Parking - Storage area for a motor vehicle that is directly accessible to an access aisle and that is not located within a dedicated street right-of-way. (RSIS)

Off-Tract - Not located on the property that is the subject of a development application nor on a contiguous portion of a street or right-of-way.

Off-Tract Improvements - Improvements to County roads or drainage facilities not located on the property that is the subject of the development application nor on a contiguous portion of a street or other right-of-way.

On-Site - Located on the lot in question.

On-Tract - Located on the property that is the subject of a development application or on a contiguous portion of a street or right-of-way.

On-Tract Improvements - Improvements to County roads or drainage facilities, located within the property that is the subject of a development application, or within a contiguous portion of a street or other right-of-way.

Owner - The person, corporation, government or other entity having a legally enforceable proprietary interest in a property.

Performance Guarantee - A security acceptable to the County Planning Board, approved by the County Counsel as to form and by the County Engineer as to amount, which may be accepted in lieu of a requirement that certain improvements be made before the DRC grants approval.

Plan, Final - The map of all or a portion of a subdivision or land development complying with the respective requirements of these Regulations, and meeting all of the conditions established by DRC in granting a conditional or preliminary approval.

Plan, Preliminary (Plat, Preliminary) - The map of a proposed subdivision or land development of sufficient accuracy to be used for review and discussion purposes and meeting the requirements under Plan Details for sketch plans.

Plan, Sketch (Plat, Sketch) - See Sketch Plat/Plan

Planning Board - The Planning Board of the County of Cumberland, New Jersey.

Plat - A map or maps of a subdivision or site plan.

Plat, Final - The final map of all or a portion of a subdivision which is presented to the DRC for approval and which:

- Meets the Standards and/or the conditions set by the Planning Board;
- Has met relevant Municipal standards; and
- Complies with the NJ Map Filing Law (N.J.S.A. 46:23-9 et seq.)

Residence, Single Family Detached - A building accommodating one dwelling for a single family and generally having two (2) side yards, one (1) front and one (1) rear yard.

Residence, Single Family Attached - A dwelling accommodating one family and attached by one or more walls or common divisions (including floors or ceilings) to one or more similar dwellings. Apartments and townhouses are two examples of single family attached dwellings.

Retention Basin - A storm water management basin designed to retain some water on a permanent basis.

Right-of-Way – County - A strip of land partially occupied by a cartway to convey vehicles, pedestrians and utilities. The right-of-way is a demarcation of the physical area controlled by Cumberland County. The right-of-way generally extends outside the edge of the roadway and is generally consistent with the adjacent property lines.

Roadway - The entire cross-sectional portion of a road inclusive of all applicable components, including the entire right-of-way, whether paved or not.

Road opening permit - A permit issued by the County Engineer, after payment of proper fee under current regulations, to make improvements within the County right-of-way , including but not limited to construction or reconstruction of :

- curbs
- gutters,
- pavement,
- guiderail,
- traffic signals and equipment,
- other traffic control devices,
- utility trenches and installations,
- planting/cutting of trees,
- excavation within the ROW or
- any similar operation involving tearing up, opening, excavating or connecting to any portion of a County road ROW or a County drainage structure or facility.

Setback - The municipally regulated line parallel to the right-of-way (either existing or proposed) of a road which sets the distance at which structures are allowed.

Shoulder - The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses. (RSIS)

Sight Triangle Easement - A triangular-shaped portion of land established along County roads at street intersections and driveway intersections with the road, in which nothing is to be erected, planted, or allowed to grow between the height of two (2) feet and ten (10)

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feet above the center line grade of either street in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Site Plan – Any activity involving the installation of a structure, or a change in the use of land, including, without limitation, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any:

- multi family structures of 5 or more units,
- commercial use or building or other structure,
- industrial use or building or other structure,
- any mining, excavation of land,
- paving,
- any use or change in the use of any building or other structure, or
- any land or expansion or extension of use of land,

any of which requires review and approval under the provisions of these regulations or the County Planning Act (N.J.S.A. 40:27-6.2 and 40:27-6.6 et. seq.).

Sketch Plat/Plan – An optional submission to the Planning Board for non-binding guidance and comment by Staff and/or the DRC.

Special Improvements Fee - A fee to be paid by a developer to the County in connection with any subdivision or site plan subject to County Planning Board review, in order to defray the developer's proportional share of the cost of correcting any adverse drainage condition or other condition detrimental to a County facility which is caused, or that will be caused in whole or in part by the proposed development and which cannot be adverted by the development alone and/or by the Standards of this Document.

Speed Change Lane – An auxiliary lane for the acceleration or deceleration of vehicles entering or leaving the flow of normal traffic.

Stormwater - Water resulting from precipitation (including rain and snow) that runs off the land's surface.

Stormwater Management Basin - An excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

Stormwater Management Measure - Any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

Street - Any thoroughfare, avenue, boulevard, road, land, parkway or freeway which is an existing State, County, or municipal roadway, or a proposed street or way as shown on

an adopted municipal Master Plan or Official Map, or upon a plat heretofore approved pursuant to law and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas, utilities and other areas within the street lines.

Structure - A combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land (MLUL)

Subdivision - The division of a lot, tract, or parcel of land into two (2) or more lots, tracts, parcels or other divisions of land for sale or development; except that the following divisions shall not be considered subdivisions provided, however, that no new streets or roads are involved:

1. divisions of land for agricultural purposes where the resulting parcels are five (5) acres or larger in size;
2. divisions of land by testamentary or intestate provisions, or divisions of property upon court order.

Subdivision also includes re-subdivision, and where appropriate to the context, relates to the process of subdividing or to the lands or territory divided.

With regard to County development, any minor subdivision approval for a parcel of land submitted to the Cumberland County Planning Board which is involved in a new subdivision application within five years and would result in more than four new lots in total, including the original approval, will be classified as a major subdivision and the cumulative total subdivided area will be reviewed by the DRC.

Subdivision, major – Any subdivision resulting in four new lots plus the remainder.

Traffic Control Plan - A plan for the regulation and control of vehicular, pedestrian, and public traffic movements along major transportation corridors, including detailed proposals for the scope and design of future arterial intersections, interchanges, grade separations, bridges, etc.

Vehicle Trip – A single vehicle movement into or from a site.

Water Body – Any natural or artificial area of water which can be wet continuously or intermittently.

Water Course - Any swale, stream, brook, or river which is the natural course of storm or running water through which water flows ordinarily and frequently but not necessarily continuously. This definition includes water courses which have been artificially realigned or improved.

CHAPTER 300: APPLICATION PROCESS

301 General Information for all Applications

301.A Roles and Responsibilities

301.A-1 Applicant

- a. An applicant must file an application for development with the County Planning Board when a proposed development meets the criteria specified in either Section 302.A-2 or 302.A-3.
- b. Pinelands – It is the applicant’s responsibility to determine whether the proposed development is subject to Pinelands Comprehensive Management Plan.
 - i. A map showing areas of Cumberland County under Pinelands’ jurisdiction procedures can be found in Appendix A
 - ii. Pinelands requirements can be found in Appendix B
- c. The applicant has the right to appear before the Development Review Committee.
- d. The applicant can be represented by an attorney or a licensed design professional.
- e. The applicant must inform the County Development Review Coordinator one week prior to the meeting if he/she or a representative wishes to present the application at the DRC meeting.

301.A-2 Municipality

- a. The municipality through its zoning power controls the type of land use, its internal design and the intensity of the development.
- b. Municipal Boards shall condition final municipal development approvals on receipt of a favorable County Planning Board review when County review is applicable.
- c. Municipal permitting authorities shall assure County approval before issuing permits on developments subject to County review and approval.

301.A-3 County Planning Staff

- a. The Development Review Coordinator (Coordinator) will receive and process all applications in consultation with the County Planning and Engineering Staff.
- b. The Coordinator will issue Application forms and/or direct Applicant to on-line forms.
- c. The Coordinator will inform Applicants by fax or email whether Application is administratively incomplete after Staff review.
- d. The Coordinator will transmit application materials to the Engineering Staff for review.
- e. Planning Staff will meet with Engineering to evaluate applications prior to the Development Review Committee meeting.

- f. The Coordinator will present the application and Planning/Engineering evaluations to the Development Review Committee at a regularly scheduled public meeting.
- g. The Coordinator will transmit Development Review Committee reports with action taken by the DRC to the Applicant and other stakeholders (see Section 303.A-4).

301.A-4 County Engineering Staff

- a. Engineering will conduct technical review of complete applications and report their findings to the Coordinator for the Development Review Committee report.
- b. Engineering Staff will meet with the Planning Staff to evaluate applications prior to the Development Review Committee meeting.
- c. The Development Review Coordinator will write a report for the DRC, based on Engineering/Planning Staff review, which details concerns, requirements and/or recommendations with regard to the application's meeting the standards of this Document.
- d. Engineering Staff will calculate the amount of Performance Guarantee and Maintenance Bond required.
- e. When necessitated by the size or impact of a proposed development, the Engineering Staff will conduct a pre-construction meeting with the Applicant's staff prior to any work on or impacting County facilities.

301.A-5 Development Review Committee

- a. The Development Review Committee (DRC) of the Cumberland County Planning Board has been vested by the Board to review and approve site plans and subdivisions according to N.J.S.A. 40:27-6.8. DRC actions are taken on behalf of the Planning Board and shall be considered actions of the Board.
- b. The Development Review Committee will consider administratively complete applications which have been reviewed by Staff at its regularly scheduled monthly meetings.
- c. The DRC will base its actions on whether the application meets the Purpose of these Standards.

301.A-6 Public

- a. The public has the right to attend the meetings of the Development Review Committee (DRC) and Planning Board in accordance with the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.).
- b. The public will be entertained at meetings at the time shown on the meeting agenda.

301.A-7 Pinelands Jurisdiction

- a. Any development in the area designated under the Pinelands Protection Act must comply with the rules and regulations of the Pinelands Comprehensive Management Act in addition to County and other agency requirements.
- b. The procedures for applications within the Pinelands Area are in Appendix B.
- c. Pinelands jurisdiction requirements are in addition to the requirements of these Standards.

301.B Procedures for Filing an Application

301.B-1 County Planning Board contacts

- a. The Development Review Coordinator is the contact person for all County Planning Board applications.
- b. Contact information for the Development Review Coordinator is:
 - i. Address: 790 E. Commerce Street
Bridgeton, NJ 08302
 - ii. Telephone: 856-453-2175
 - iii. Fax: 856-453-9138
 - iv. Email: devrevcoor@co.cumberland.nj.us
- v. This Document, all forms and checklists and other information are available on the County website:
<http://www.co.cumberland.nj.us/content/173/251/761/2947/3098/2981/default.aspx>

301.B-2 What to Submit

- a. Completed and signed County application form (Appendix C)
 - i. The Municipal application form, if different from County's, with date of submittal to municipality must be submitted with County application.
- b. Plans
 - i. Four (4) - Complete sets of full size plans in sizes as permitted under Chapter 141 of the Laws of 1960 known as the New Jersey Map Filing Act as follows:
 - 8-1/2 x 13 inches
 - 15 x 21 inches
 - 24 x 36 inches
 - 30 x 42 inches
 - ii. Surveys and plans must be signed and sealed by the appropriate professional (PLS or PE).
- c. Fees for the type of application as shown in Appendix F.
 - i. Staff will make final determination of fee required during completeness review and notify applicant.
 - ii. The DRC will not review application until correct fee is received.
- d. Supporting documentation if asking for waivers (see Section 301.B-3)
- e. Stormwater Management Plan, if required under Section 602.B-2.
 - i. Applicants should contact the Engineering Department prior to submission if they are not sure whether a Stormwater Management Plan is required
- f. Proof of submission to requisite outside agencies
 - i. Listing of outside agencies with jurisdiction over application
 - ii. Status of the application with those agencies
- g. Applicants may submit the checklists in Appendices D and E.
 - i. Staff will utilize the checklists in reviewing applications.
- h. Applicants may submit a digital copy of all application information in addition to paper documentation.

- i. The application may be filled out and submitted electronically and is online at <http://www.co.cumberland.nj.us/content/173/251/761/2947/3098/2981/default.aspx>A digital submission of all final subdivision plats and site plans may be required as part of the approval at the discretion of the DRC.
- ii. An electronic copy of all reports which contributed to approval may be required as part of the approval at the discretion of the DRC.

301.B-3 Waivers Process

Waivers are a means by which the DRC, for specific reasons, may reduce or eliminate a requirement, either technical or administrative.

- a. Waivers must be requested in writing at the time of the application submission
 - i. Waiver requests are not necessary for items in these Standards which are based on the County Engineer's discretion.
- b. Waivers must state reasons for the request and the specific County standard from which a waiver(s) is being requested.
 - i. Waiver requests must provide supporting information, including an analysis of why granting the waiver will not have an adverse effect on any County facility or on the public health safety or welfare.
- c. Waivers will be reviewed by Planning and/or Engineering staff and applicant will be informed of Staff recommendation prior to the DRC meeting date.
- d. All waiver requests will be presented to the DRC and will be decided based on:
 - i. Extent of waiver from Standards
 - ii. Impact of request on County facilities
 - iii. Staff recommendation.
- e. Rulings on all waivers requested will be recorded in the Report issued by the DRC.

301.B-4 Fees

- a. An application will not be designated as complete and the review period for an application will not begin until all fees are received.
- b. Fees are listed in Appendix F.
- c. If an incomplete application lies dormant, that is, there is no written communication to the Development Review Coordinator for 1 year, it will be considered withdrawn and a new submission with new fees will be required.
- d. Fees will not be refunded if the application is withdrawn or the scope of the project is reduced.

301.B-5 Timeline for Review

- a. All application materials shall be submitted to the Development Review Coordinator twenty days prior to the regularly scheduled Development Review Committee meeting for consideration at that meeting.
- b. Within 10 days, Development Review Coordinator will inform applicant by fax or email of:
 - i. Re-classification of Application, if applicable (see Section 302.A)
 - ii. Any additional fees required by re-classification

- iii. Whether application is administratively incomplete and which items are missing for administrative completeness
- c. Technical review will only commence when an application is deemed administratively complete.
- d. The statutory time period for review will not start until the application is declared administratively complete

301.B-6 Effect of Transfer of Property on Application

The sale of any parcel which is the subject of an application shall give the same rights and obligations to the new owner in pursuit of any approvals.

302 Pre-Review Process

302.A Classification for Review

302.A-1 Non-binding submittals

- a. Optional Sketch Plat - An applicant may submit a sketch plat for any subdivision or site plan application to the Planning Board.
 - i. The submission is for comment and guidance only and is not binding.
 - ii. The sketch plat should contain sufficient detail to allow for discussion and comment.
 - iii. The Planning Staff will review submitted sketch plats and inform applicant whether it is sufficient for discussion within ten days.

302.A-2 Subdivision applications

All proposed subdivisions and re-subdivisions must be submitted to the County Planning Board for review classification as follows:

- a. Review and Approval - Subdivisions that affect County roads as delineated in Appendix G and/or drainage facilities
 - i. A subdivision application containing lots created or remaining from a previous subdivision approved within the past five years by the County shall be reviewed for cumulative county road and drainage impacts of both the present application and previously approved subdivision. The review of cumulative impacts will include the ability of the applicant to control the impacts based on site geography, lot layout, and responsible parties for the subdivision lots.
- b. Review only – All other subdivisions

302.A-3 Site Plan applications

Site Plans, including all land development, building foundations or change of use shall be classified as follows:

- a. Review and Approval
 - i. Developments which are located on County roads as delineated in Appendix G
 - ii. Developments which will impact County drainage facilities
- b. Review only – All Site Plan applications not located on a County road or anticipated to affect County drainage facilities which:

- i. Include commercial, industrial, or multifamily structures of 5 or more units;
 - ii. Require off street parking
 - iii. Exceed this Document's standards for surface water runoff
 - c. Exempt from County review
 - i. All single family residences and their permitted accessory uses
 - ii. Development which is not on a County road AND includes less than 43,560 square feet of impervious surface in total

302.B Administrative Completeness Evaluation and Notification

302.B-1 Contents required for Administrative Completeness

- a. A County application form completed with all information pertinent to the type of plan submitted.
 - i. Electronic applications are available on the Planning Board website
 - ii. Paper forms are available from the Development Review Coordinator and in Appendix C of this Document.
 - iii. Instructions for completion are on forms
- b. Four (4) - Complete sets of full size plans
 - i. Plans must conform to the Plan format requirements of Chapter 700
- c. Any supporting documentation required for review according to the Design Standards of Chapter 600, including:
 - i. Waiver request meeting the standard of 301.B-3
 - i. Drainage calculations if required for technical review of the application according to Section 602
 - ii. Traffic Impact Statement if application meets the threshold of Section 603
- d. Application Fee for type of submission
 - i. The application fee must be in the form of check or money order.

302.B-2 Notification of Incompleteness

- a. Within 10 days of receipt of an application, the Development Review Coordinator will notify applicants via the fax or email address on the Application Form if the application is incomplete..
 - i. Missing items will be itemized.
 - ii. If the fee is incorrect, applicant will be expected to submit correct fee prior to DRC meeting.

303 Review and Approval Procedures

303.A-1 Timing for Review by Development Review Committee

- a. The DRC will take action and issue a report within 30 days of the receipt of a complete application.
- b. There may be one 30 day extension period with the written consent of the County, the municipal board and the applicant.
- c. If there is no action by the DRC within the allowed time period, the application shall be considered approved by default.

- 303.A-2 Types of Action to be Taken at DRC meeting**
- a.** Non-binding review for concept
 - i.** Staff reviews and comments
 - ii.** May be presented to DRC
 - iii.** No formal report issued
 - b.** Exempt after review
 - i.** DRC and/or Staff may make comments as part of exempt report to applicant.
 - c.** Disapproval
 - i.** Any application subject to approval which does not meet these Standards and, for reasons stated in the DRC’s written report, cannot be brought up to the Standards through the imposition of conditions.
 - d.** Approval with no conditions
 - i.** Report of approval is sent to Applicant and the Municipal Approving Authority
 - ii.** Plats will be signed by County Engineer and Planning Director for recording/filing after local approvals.
 - e.** Conditional approval
 - i.** Report with all conditions is sent to Applicant and the Municipal Approving Authority
 - ii.** County Staff may approve a plan administratively after conditions imposed by the DRC are met without re-submission to the DRC.
 - iii.** Conditions must be met within three years or conditional approval expires.
- 303.A-3 Approval Requirements**
- a.** Any unfulfilled conditions of ~~final~~ the approval and/or any requirements of these Standards which have not been explicitly excused as part of the approval must be completed within the time frames of the approval or, if not specified in the approval, the time frames imposed by these Standards.
 - b.** Any approval for a subdivision or site plan which will impact County facilities must provide:
 - i.** A Performance Guarantee or acceptable substitute
 - ii.** Right-of-way dedications which are part of the approval and which must be shown on final plan/plat and/or as recorded in deed
 - iii.** Easements which are part of the approval and which must be shown on the final plan/plat and/or recorded in deed.
 - iv.** If utilities are to be relocated, the following note shall be added to the final plan: “The applicant/developer shall be responsible for coordination of the relocation of any utilities within the County right-of-way.”
 - v.** All requirements which are part of the DRC’s written approval.
- 303.A-4 Notification Procedures for Decisions of Development Review Committee**
- a.** The DRC shall issue a written report of its actions, copies of which will be sent to:
 - i.** The applicant
 - ii.** The applicant’s professional agent(s) as provided by the applicant on the application form when submitted or amended.

- iii. Municipal Planning Board Secretary
- iv. Any objectors to an application who are present at the DRC meeting at which action was taken or who submitted written comments prior to the DRC meeting (by certified mail).
Municipal permitting officer(s)
Municipal engineer
County Soil Conservation Department

303.A-5 Appeal Process

- a. The applicant may file an appeal of any decision of the DRC to the County Planning Board using the following procedures:
 - i. A written copy of the appeal must be received by the Board within 10 days of applicant's receipt of the certified letter of action taken.
 - ii. The Board shall consider the appeal at a public meeting within 45 days of the applicant's filing the appeal.
 - iii. Public notice of the date and time of the meeting shall be sent by certified mail to the applicant and to relevant municipal authorities as well as to the Board of Freeholders.
 - iv. The Planning Board shall make a decision regarding the appeal within 30 days of the date of the hearing.
- b. Any interested party may file an appeal of any action of the County Planning Board with regard to a subdivision or site plan review and approval.
 - i. The appeal, in writing, to the County Board of Freeholders must be filed with the County Clerk within 10 days of receipt of certified notice of action taken by the Planning Board.
The Board of Freeholders shall consider the appeal within 45 days at a public meeting to which the appellant, the applicant (if different from the appellant) and other pertinent municipal authorities have been given notice by certified mail.
The Freeholders will issue a decision within 30 days of the public meeting.

303A-6 Expiration of DRC Approvals

- a. Conditional Approval shall remain in effect for three (3) years from date of issue.
 - i. The applicant shall submit all required material and perform any required actions of the conditional approval within this three year period or the approval shall expire.
 - ii. An applicant may apply for up to two (2) one year extensions of the conditional approval.
 - iii. Extension requests must be in writing and document the rationale for the extension.
- b. The Approval shall be valid for three (3) years from date of issue.
 - i. If construction does not commence and/or the subdivision plat is not recorded with the County Clerk, the approval shall expire.
 - ii. An applicant may apply for up to two (2) one year extensions of the final approval.

- iii. Extension requests must be in writing and document the rationale for the extension.
- c. A new application must be submitted to the Planning Board once the time period for any approval and/or for any extensions properly applied for, expires.

304 Post Approval Procedures

304.A-1 Requirements prior to Construction and/or Filing Subdivision Plat

Before any construction involving or affecting County facilities and/or prior to filing a subdivision with the County Clerk, the following must be completed, as applicable:

- a. Issuance of a Road Opening Permit for any work on or adjacent to a County Road.
- b. Signatures of the County Planning Director and County Engineer on approved plans.
- c. Receipt by the Development Review Coordinator of all easements and dedications required under the approval
 - i. The County will file all such instruments with the County Clerk after review by County staff.
- d. Final plans, showing all changes and/or conditions imposed by the DRC, received in the County Planning Office and County Engineer's Office.
 - i. The final plan shall consist of four hard copies as detailed in Sections 703.B-2 and 704.A-3 including, if so required by the approval, a digital copy meeting the standards of Section 703.B-2e or Section 704.A-3c.
- e. County Engineer approval of cost of construction affecting County facilities
 - ii. If the developer chooses, he may complete all required improvements prior to approval rather than submit a Performance Guarantee.
- f. Posting of an inspection fee, if required, per Section 502.
- g. Posting of a Performance Guarantee meeting all the requirements of Section 503.
- h. If requested by the County Engineer as part of approval, a construction schedule with procedure for 72 hour notification to the County Engineer prior to any work requiring County inspection or testing.
- i. Proof of liability insurance extending through the life of the maintenance guarantee for any construction work involving County facilities or property.
 - i. As a minimum, such insurance shall cover the job for the amount of at least \$1,000,000 for personal injury in each accident, an aggregate total of \$2,000,000 for personal injury in each accident, and \$2,000,000 for property damage.

Said insurance must remain in effect throughout the period of work and must cover any liability incurred as a result of the work for one year thereafter. The County Engineer must be notified of any cancellation, diminution, or any changes in the insurance policy or coverage.

304.A-2 Plan Changes after Approval

- a.** Plan changes to a previously approved project which are so substantial as to require new review by any other approving agency shall require submission of a new County Planning Board application with associated fees.
- b.** Changes which substantially revise the intent and/or layout of a development in such a manner that the impact to County facilities upon which the approval was based is altered shall require submission of a new County Planning Board application with associated fees.
- c.** The County Engineer may, when there are unforeseen site conditions which require deviations from an approved plan, permit such changes to the approved plan without requiring new DRC review.
 - i.** All such changes must be recorded on the final as-built plan and submitted to the County prior to release of any Performance Guarantee.

304.A-3 Penalties for Construction/Excavation in Violation

- a.** In addition to any penalties imposed by Section 107 for violations of these Standards, the County Planning Board shall have the right to take the following actions for failure to comply with the conditions of approval:
 - i.** Refusal to issue a Road Opening Permit;
 - Request to municipal authority to revoke or refuse to issue permits for zoning and/or building;
 - Court action.
- b.** A written notice detailing the noncompliance issues shall be mailed to the municipal approving authority and to the applicant.

CHAPTER 400: EASEMENTS AND DEDICATIONS

401. Dedications

401.A County Right-of-Way

401.A-1 Establishment of County Right-of-Way

- a. This Document establishes a standard County right-of-way width for all County roads in an Official Road Classification as seen in Appendix G.
- b. The official width is established based on engineering and planning standards which will best protect the safety and welfare of those utilizing County roads
- c. In certain, site-specific circumstances, the established County right-of-way may not be sufficient due to road geometry, topography or other factors, to ensure the safety of the travelling public within the established right-of-way.
 - i. The County Engineer may request, after specifying the rationale, that the DRC require additional right-of-way in those circumstances.

401.A-2 Purpose of Right-of-Way Dedications

- a. The purpose of a right-of-way dedication is to allow for future improvements to County roads.

401.A-3 Circumstances requiring Dedication of additional Right of Way

- a. When the existing Right-of-Way does not conform to the standard County Right-of-Way for a project's frontage, proposed projects shall dedicate an interest in the land to the County for the difference between the present right-of-way and the standard established in Appendix G.
- b. When the project has frontage on only one side of a County road, the dedication shall be one half the standard width measured from the centerline of the road.

401.A-4 Waivers/Exceptions to Right-of-Way Dedication

An exception to dedicating additional Right-of-Way may be made in the following circumstances

- a. The applicant may request a waiver of all or part of road dedication by submitting a written request, supported by an Engineer's report and documentation, as to why it would be in the best interest of the public's safety and welfare to waive the dedication.
 - i. The County Engineer will review the request and report his findings to the DRC and to the applicant.
 - ii. The DRC will make the decision whether to require the dedication based on existing road conditions and existing and projected traffic patterns, among other things.

- b. The Development Review Committee may waive road dedication for the following reasons:
 - i. The additional width dedicated to the County will reduce the lot(s) with frontage on the County road to less than 90% of the municipal lot size minimum.
 - ii. The additional width will cause an existing building to be within the minimum setback.
- c. The DRC may grant an exception on its own, absent a formal written request from the applicant, if it feels the circumstances enumerated above warrant it.
- d. In every case in which the requirement to dedicate an interest to the County is waived, the applicant must grant an easement to same for the purposes of precluding the erection of any new structures, above or below ground, within the standard of the County Right-of-Way as shown in Appendix G.
- e. The County right-of-way must be kept clear of buildings, displays, shrubs and trees, parking areas, equipment and may not be used to conduct any business.

401.B Form of Dedication

401.B-1 Plan/Plat Notation

All plans/plats which are required to dedicate land to the County must state “Dedicated to the County of Cumberland” with a clear indication of the land being dedicated.

401.B-2 Deed of Dedication

The County will prepare surveys and deeds for any land to be dedicated as part of an approval.

402 Easements

402.A-1 Plan/Plat Notation

All plans/plats shall show all easement lines which are part of the approval with a clear indication of the easement extent and type shown both graphically and with a specific notation.

402.A-2 Right-of-Way and Right-of-Way Triangles Easements

- a. A right-of-way Easement may be substituted for a Right-of-Way dedication under certain circumstances outlined in Section 401.A-4.
- b. The plan should clearly identify both the existing right-of-way and the extent of the proposed right-of-way easement.

402.A-3 Sight Triangle Easements

- a. For the purpose of safety, sight easements shall be required at all points of access to County roads except controlled intersections.
- b. Plans should clearly delineate the sight easement with the notation that it must be maintained so that there is no visual obstruction from vegetation, permanent or temporary structures. between the height of two (2) feet and ten (10) feet above the center line grade of either street in such a manner as to

limit or obstruct the sight distance of motorists entering or leaving the intersection.

402.A-4 Drainage Easements

- a. The County requires adequate stormwater facilities in order to protect infrastructure and development.
- b. When a watercourse, surface or underground stormwater drainage, channel or stream crosses a development and affects a County road or drainage facility, the DRC may require a drainage easement.
- c. When an application requires a drainage easement to serve County purposes according to N.J.S.A. 40:27-1 et seq, the drainage easement shall include a minimum of 10 feet on each side from the actual system or facility as shown on the plan.

402.A-5 Cross-Access Easements

- a. Easements are required for internal circulation through several properties.
- b. The extent of the easement and all property owners' agreements to cross-access rights must be established prior to approval.

402.A-6 Bridge/Culvert Easements

- a. Bridge easements shall be provided on all new bridges constructed as part of a development.
- b. Any application on which property an existing bridge fronts must provide a bridge easement.
- c. Bridge easement size and configuration shall allow for County maintenance of bridge and underside and shall be decided at the time of the application upon the advice of the County Engineer based on the road width, bridge type and channel.

402.A-7 Off-Tract Property Rights

- a. The applicant must make a reasonable attempt to acquire or obtain an easement for the County for easements which involve property not owned or controlled by the applicant.
 - i. The applicant shall demonstrate to the DRC that he made a bona fide attempt in writing.
 - ii. The County will only act after all attempts by the applicant to negotiate an easement are unsuccessful.

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CHAPTER 500: IMPROVEMENT INSTALLATION AND GUARANTEES

501. Pre-Construction and Construction Procedures

501.A-1 Pre- Construction Requirements

- a. All conditions of the approval must be approved and on file at the County Planning Office prior to issuance of any work permits affecting County facilities.
- b. All permits must be obtained from the County Engineering Department before any work begins in or along any County facility, including, but not limited to any road, signalized intersection, bridge or culvert.
- c. If the County Engineer requests, the developer shall arrange for a pre-construction meeting at which the following should be submitted:
 - i. A schedule of work showing milestones for County inspection of work and expected dates for County inspection of work;
A schedule for removal/relocation of all utility installations with accord of utility companies provided;
A plan for any detours/road closings with length of expected closings;
Emergency numbers for contractors performing work affecting County facilities.
- d. Prior to any construction, the developer/contractor shall submit to the County Planning Office:
 - i. Written notification of the date on which construction will commence;
All insurance certificates required;
Performance guarantee or equivalent acceptable to the County.

501.A-2 Relocation of Public Utility Structures

- a. The applicant/developer is responsible for coordination regarding relocation of all existing utility poles, light standards, fire hydrants, storm drainage, traffic control devices and signals or other utilities within the County right-of-way.

501.A-3 Construction Requirements

- a. All work must be in compliance with all applicable State, federal and County safety standards.
- b. The contractor is responsible for traffic safety on County roads and must comply with applicable provisions of the US Department of Transportation "*Manual on Uniform Traffic Control Devices for Streets and Highways.*"
- c. The contractor is responsible for informing owners whose property may be affected during construction.
- d. No street closings/detours shall occur without notification to, and permission from, the County Public Works Department.
- e. When required as part of the stormwater management plan, or approval or when there is a deviation from final plans due to construction conditions, the developer shall submit "as-built drawings" of construction work conducted on or along County facilities.

502 Inspection

502A Purpose

The County Engineer, when so stated in an approval, will inspect construction projects to ensure all phases of the work are being constructed in strict accord with the approved plans in order to ensure the long term safety and welfare of the public.

502.B Procedures

502.B-1 Inspections

- a. The County Engineer or his designee shall inspect all construction work for which the certified construction estimate value is \$10,000 or more.
- b. The County Engineer may inspect projects of lesser value if, in the opinion of the DRC, it is in the best interest of the safety and welfare of County citizens.
- c. The contractor shall inform the County Engineer at the Pre-Construction meeting and/or at least 72 hours prior to any work requiring County inspection.
- d. No work requiring inspection shall be allowed on weekends or holidays.

502.B-2 Inspection Fee

- a. The inspection fee shall be 2% of the approved construction cost estimate or \$200.00, whichever is greater.
- b. The inspection fee should be in the form of a check or money order made out to the County of Cumberland.
- c. Inspection fees will be deposited with the County Treasurer as escrow accounts to be drawn on by the County Engineering Department based on work performed either by the County Engineering Department or by its consultants.
- d. Any unused funds will be returned to the applicant with the release of the Maintenance Bond.

503 Performance Guarantees

503.A Requirement for Guarantees

Unless the applicant has installed the required improvements prior to approval, he must post adequate guarantees to ensure the installation of all improvements required as part of the DRC approval.

503.A-1 Amount of Performance Guarantee

The Performance Guarantee shall be based on 110% of the cost of improvements to County facilities as estimated by the County Engineer's and approved by the DRC.

503.A-2 Form of Guarantee

- a.** The Guarantee shall consist of:
 - i.** An itemized list of the improvements required
 - ii.** A surety bond, letter of credit or other form acceptable to the Planning Board and County Counsel.
 - iii.** The Cumberland County Board of Chosen Freeholders shall be the named beneficiary of all surety submitted.
 - iv.** If the Guarantee is in cash, the check shall be made out to the Cumberland County Treasurer for deposit in a separate, named account.
- b.** The Surety Bond may be in the standard form in Appendix H.
- c.** Letters of Credit may be in the standard form in Appendix I.
- d.** If a different form is utilized, the alternate form must meet these standards:
 - i.** An identifying number
The name and address of the developer and, if a corporation, the home state of the incorporation must be included.
 - ii.** The name and address of the surety company and a statement that the company is licensed to issue bonds in the state of New Jersey and has offices for same in the state of New Jersey.
The amount of the bond, which must meet the County Engineer's approval.
A clear explanation of the work to be bonded
 - iii.** The lot and block numbers, street address of the project
 - iv.** The County Planning Board application number
 - v.** Any expiration date shall require notification to the County Planning Board 60 days in advance of expiration.
 - vi.** The method for calling the bond in the event of non-performance of the developer should be explicitly stated on the bond.
 - vii.** The bond should be signed, attested to and notarized by the persons named.

503.A-3 Procedure for Release of Guarantee

- a.** The contractor/developer shall request release of the Performance Guarantee via written request for final inspection to the County Engineer with a copy to the County Planning Office.
- b.** The County Engineer or his designee will inspect the improvements within 30 days and, if satisfied with the improvements, certify that all or a portion of the improvements have been satisfactorily constructed to these Standards and to the conditions of the approval.
- c.** The County Engineer will report his findings to a regularly scheduled meeting of the Planning Board which will forward a recommendation to the Board of Freeholders for release of part or all of the Performance Guarantee.
- d.** The Planning Board may, at this time and upon the recommendation of Staff, impose a Maintenance Bond requirement.

- e. The entire Performance Guarantee shall not be released until any required “as built drawings” are on file at the Planning Office.
- i. As-built construction plans shall consist of 2 paper prints and 1 Mylar signed and sealed by a NJ licensed Professional Engineer and Professional Land Surveyor.

504 Maintenance Bond

504.A Purpose

A maintenance bond may be necessary in order to ensure that the installed improvements are adequate and can be properly maintained for the safety and welfare of the County.

504.B Parameters

504.B-1 Maintenance Bond

- a. The form of the maintenance bond shall comply with all the standards of the template in Appendix J.
- b. The maintenance bond amount shall be set by the Planning Board upon the recommendation of the County Engineer and shall not exceed the amount of the performance guarantee.
- c. The maintenance bond shall be posted in favor of the County of Cumberland and shall be for a period of two (2) years dating from the release of the Performance Guarantee or the end of all construction, whichever is later.

504.B-2 Release of Maintenance Bond

- a. The County Engineer shall inspect the improvements for which the maintenance bond is posted 60 days prior its expiration.
- b. The County Engineer shall send written notice by certified mail to the developer, with a copy to the Planning Office, if there are any improvements which are deficient and shall advise remediation consisting of repair or reconstruction.
 - i. If there is no reply within seven days of the notice, the County shall begin proceedings to call the maintenance bond in order to perform the repairs/reconstruction itself.
- c. If the County Engineer finds all improvements to be satisfactory, he shall issue a report to the Planning Board certifying the improvements’ condition and recommending release of the maintenance bond.
- d. The County Planning Board, at its next regularly scheduled meeting, shall send a request to the County Freeholders to release the maintenance bond.
- e. The County Planning Board shall request that the County Treasurer release to the developer any excess inspection fee at the same meeting.

505 Payments in Lieu of Improvements

505.A-1 Necessity for Cash Contributions

There may arise instances in which immediate construction of improvements are not the most effective way to ensure County facilities are best maintained for the safety and welfare of the public. In those instances, Planning Board may require a cash contribution in lieu of the developer's improvements. Since many of these circumstances cannot be foreseen, the Board will, with the advice of the County Engineer, follow the guidelines below to decide when to require a cash contribution in place of improvements by the developer.

- a.** There is a plan for a larger capital improvement to the impacted County facility within five years and the subject development's improvements would be more efficiently managed as part of the larger project.
- b.** The development's required improvement, because of the limited frontage of the project, would result in unsafe conditions as identified by the County Engineer.
- c.** A traffic study indicates that the proposed development will contribute to the need for traffic control devices and/or road improvements away from the site.
 - i.** The developer may choose to make the required improvements as part of a contract with the County which shall be subject to all the provisions of these Standards.
- d.** The applicant establishes that he is incapable of performing the work to the satisfaction of the DRC.

505.A-2 Amount of Contribution

- a.** The amount of in-lieu payment shall be determined by a certified Engineer's estimate of construction which has been accepted by the County Engineer and the DRC.
- b.** Any proportionate cash contribution shall be based on whichever is pertinent of the following:
 - i.** an analysis of the impact of the subject development's traffic in relation to total anticipated traffic increase, and/or
 - ii.** through a percentage of frontage compared with the total project and/or
 - iii.** the percentage of stormwater generated by the proposed development in relation to total stormwater necessary for the drainage improvements.
- c.** Payments in lieu shall be in the form of a certified check payable to the Cumberland County Treasurer.
- d.** The funds shall be deposited in an account specific to the improvements and shall be utilized only for said improvements.

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CHAPTER 600: DESIGN STANDARDS

601 Acceptable Design Sources

601.A-1 Resources

It is not practical to show all possible design standards in this Section. Therefore, standards from the current editions of the following publications will be considered acceptable when specific requirements are not found in this Document.

- a. United States Department of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices For Streets and Highways, United States Government Printing Office, Washington, D.C.
- b. Institute of Transportation Engineers Trip Generation, Institute of Transportation Engineers, Washington, D.C.
- c. Institute of Transportation Engineers Parking Generation, Institute of Transportation Engineers, Washington, D.C.
- d. Stover, Vergil, G., and Koepke, Frank, J., Transportation and Land Development, Prentice Hall, Englewood Cliffs, New Jersey.
- e. New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction.
- f. New Jersey Department of Transportation Roadway Design Manual.
- g. American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets (5th edition or latest).
- h. Leisch, Jack E. and Associates For Transportation Design Techniques, Incorporated, Turning Vehicle Templates.
- i. New Jersey Department of Transportation, Bicycle Compatible Roadway and Bikeway Planning and Design and Design Guidelines.

601.A-2 Other Resources

- a. All submittals shall be designed and all work constructed in accordance with good engineering practice and recognized design standards.
- b. Applicants' Engineers may utilize other standard resources for plans and reports, but they must provide documentation showing detailed design calculations and construction specifications in each instance of alternative standard.

602 Storm Water Management Design Criteria

602.A Purpose

These drainage design criteria are intended to provide for the management of stormwater run-off after construction of a development. All stormwater management facilities shall be designed in conformance with the applicable municipal ordinances and any Stormwater Management Plan as well as the New Jersey Stormwater Best Management Practices

602.B Basis and Applicability

602.B-1 New Jersey Stormwater Management Rules

- a. N.J.A.C. 7:8, known as the New Jersey Stormwater Management Rules, sets mandatory standards for all new major development.
- b. The *New Jersey Stormwater Best Management Practices Manual* (BMP manual) provides guidance to achieving the standards set by the rules. The BMP Manual can be found on the NJ DEP website at http://www.njstormwater.org/bmp_manual2.htm.

602.B-2 Applicability

- a. All developments requiring DRC approval shall provide a storm water management plan as part of their application if they are:
 - i. Proposing a connection to a County drainage facility or
 - Proposing on-site stormwater discharge which will eventually be conveyed into a County road or drainage facility.
- b. All applications fronting County roads shall show drainage capacity is adequate on the road or improve the road drainage through enlargement, modification or reconstruction if drainage from the development requires.
- c. Any proposed stormwater management system must minimally meet the standards of this chapter unless municipal standards require a higher threshold of performance, which then must be met.

602.B-3 Procedures

- a. An applicant requesting a waiver from Section 602.B2 must submit a written request with the application.
 - i. Requests must establish that there is no impact on County drainage.
- b. Every approved Stormwater Management Plan must submit “As-built” construction drawings, either full sized reproducible or digital to the standards set out in Sections 703.B-2 or 704.A-3 prior to release of the Maintenance Bond.

602.C Drainage Standards

602.C-1 Plan Requirements

All applications proposing connection to a built County stormwater system shall show all information contained in the Drainage Analysis Report graphically on the plans including existing and proposed:

- a. All structures,
- b. Grates and inverts,
- c. Pipes, showing size, type, flow direction and outfall.

602.C-2 Drainage Analysis Report

All applications subject to Stormwater Management shall submit a Stormwater Drainage Analysis Report, with information correlated to that shown on the Plan, as follows:

- a. Table of Contents
- b. Name of project and applicant
- c. Type of land use and size
- d. Description of site
- e. Calculations for volume, flow, recharge, peak flows and water quality
- f. Separate sections for impacts to each County structure affected
- g. Drainage area map showing existing drainage patterns
- h. Separate drainage area maps for pre and post conditions showing:
 - i. Sub-watershed boundaries
 - ii. Soil types
 - iii. Land cover
 - iv. Time of concentration paths
 - v. Proposed and existing topography
 - vi. A proposed and existing topology demonstration of drainage
- i. Roughness coefficients for pipes, streams and swales
- j. Method of determining runoff coefficient and time of concentrations
- k. Separate runoff coefficient for each individual drainage area
- l. Maintenance procedures and responsibilities in a Stormwater Maintenance Schedule
- m. Signature of Professional Engineer responsible for Analysis.

602.C-3 Design Requirements

The design of storm water runoff systems, structures and facilities shall be based on the requirements of the NJDEP. These standards do not preclude higher design standards being used.

602.C-4 Stormwater Runoff Calculations Methodology

- a. Runoff shall be calculated using either of the following methods:
 - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4 – Hydrology and Technical Release 55 – Urban Hydrology for Small Watersheds; or
 - ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.
- b. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology and the Rational and Modified Rational Methods. A runoff coefficient or a groundwater

recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

- c. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
- d. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds and other methods may be employed.
- e. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measure.

602.C-5

Standards for Structural Stormwater Management Structures

- a. Structural stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning.
- b. Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, environmentally critical areas, wetlands, flood-prone areas, slopes, depth to seasonal high water table, soil type, permeability and texture, drainage area and drainage patterns.
- c. Structural stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall meet this requirement.
- d. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by the NJ DEP.

602.C-6 Water Quality

- a. The goals for stormwater discharge are to reduce sediments to the maximum extent practicable, to minimize oil and grease impacts, and to trap buoyant debris.
- b. Water quality devices shall be incorporated into the design of stormwater collections systems for all sites in accordance with the current edition of the New Jersey Best Management Practices Design Manual.
- c. All connections to a county stormwater collection system shall incorporate upstream stormwater management techniques designed to reduce post-construction load of total suspended solids by 80 percent of the anticipated load from the developed site.
- d. Design parameters shall be in compliance with NJDEP N.J.A.C. 7:8 except there is no minimum amount of impervious cover or disturbed area needed to trigger the regulation.

602.D Specific Requirements for County Facilities

602.D-1 Drainage Systems on County Roads

- a. All developments which have the potential to adversely affect drainage along any County road or in any County Right-of-Way must show adequate facilities for drainage.
- b. The standard for demonstrating adequate mitigation is:
 - i. Provide a pre and post developed conditions analysis according to the Section 602.C-4.
 - ii. Identify capacity of existing system with an analysis of its ability to accommodate additional stormwater runoff from the proposed development.
 - iii. Propose design, either non-structural or structural, for proper stormwater management to mitigate any adverse impact.
 - iv. All designs, whether upgrades or new system, in the County system must utilize underground piped collection if structural.

602.D-2 Impacts of Development on Bridges and Culverts

- a. All developments, regardless of size, upstream of an existing County bridge or culvert will be considered to directly increase the hydraulic requirements of that structure.
 - i. Residential subdivisions of three (3) lots or less, not involving any other subdivision action within the prior 3 years, and not involving addition of pavement, are exempted from this requirement.
- b. The Applicant shall provide the County with hydraulic calculations evaluating impacts of the downstream structure by the submitted proposal.
- c. The Applicant's engineer shall perform all calculations of stormwater runoff based on consideration of the physical features of the drainage basin and the future development of the area based on the existing local zoning ordinances.
 - i. All designs shall utilize the impacted bridge or culvert as the design point.
- d. The County Engineer shall, on behalf of the DRC, review calculations.

- e. The County Engineer shall investigate and as necessary require the Applicant to provide Traffic Impact Reports for any structure potentially impacted by the proposal.
 - i. Potential impacts could include, but are not limited to either vehicular or pedestrian.
 - ii. The County Engineer shall determine the extent or impact to any structure affected by the Applicants proposal.
- f. An Applicant shall be required to fund or complete any design and construction required to correct any adverse impact to any structure as may be identified as creating an immediate or potential effect on a County bridge or culvert.

602.E Special Drainage Improvements

In the event that an adverse drainage condition cannot be adverted utilizing the standards in this Section, the DRC may require special drainage improvements. The developer shall be required to contribute the percentage of the cost proportional to his contribution of flow to the site of the improvement. The cost of the project is to be computed by the County Engineer and approved by the DRC.

603. Traffic Impact Analysis

603.A Report

603.A-1 Threshold

Any development located along or affecting a County road will be required to submit a comprehensive Traffic Impact Report as part of the application if the development will generate in excess of 50 vehicle trips during any weekday, morning, evening or weekend peak hour traffic.

- g. Trip generation rates used shall be taken from the most recent edition of "Trip Generation Manual" published by the Institute of Transportation Engineers.
- h. Trip generation rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.
- i. The County Engineer and/or the DRC may require a traffic study even though the development does not meet the criteria stated above if:
 - i. Current traffic problems exist in the vicinity of the site;
 - ii. Proposed site access points are located within 100 feet of a County intersection or other existing driveways;
 - iii. Potential public safety problems for vehicular or pedestrian traffic.

603.A-2 Report Contents

The following items will be included in the written Traffic Impact Report:

- a. Key map with internal and egress points layout
- b. Existing traffic volumes for adjacent and surrounding roadways and intersections, including ADT and peak hour weekday and weekend traffic.
- a. Existing level of service calculations based upon the latest edition of the "Highway Capacity Manual" published by the Transportation Research Board

- b.** Morning & afternoon peak hour trips generated by the proposed development and any other significant peak. Supporting information must be provided for the estimations.
- c.** Schematic drawing(s) showing development generated trip distribution on surrounding roadway system. A description of the distribution rational must be provided.
- d.** Developed traffic volumes including level of service projections. Levels of service below “C” shall be mitigated.
- e.** Improvements proposed to mitigate traffic impacts. Impacts shall be designed to meet or exceed a Level of service “C”.
- f.** Assessment of existing or anticipated traffic safety impacts.
- g.** Intersection analysis with projected volume
- h.** All data work sheets showing sources and calculations.

603.A-3 Waiver

The applicant may request relief from this standard by submitting a written request with documentation demonstrating that there will be no significant impact on County roads due to the development.

604 Survey Data Standards

604.A Purpose

604.A-1 The purpose of this section is to:

- a.** Establish survey standards for all Planning Board applications.
- b.** Alleviate delays in review and approval process.
- c.** Move toward uniformity in County wide surveying.
- d.** Improve accuracy in information for pubic right-of-way dedications and easements.

604.B Survey

604.B-1 Surveys Substance

The survey should be the basis and foundation for all land development applications to the County.

604.B-2 Surveyor Responsibilities

All surveys must be prepared by a New Jersey Licensed Land Surveyor who is responsible for:

- a.** Obtaining all records, measurements and evidence for the survey.
- b.** Providing the final survey plat with both a paper and reproducible copy, signed and sealed.
- c.** Preparing the description of the property with signature and title.

604.B-3 Survey Requirements

- a.** All maps and documents shall conform to the New Jersey Map Filing Law and all its rules and regulations.

- b.** All boundaries must be defined by mathematical survey expressions.
- c.** Accuracy of the survey shall exceed Third Order, Class 1.
- d.** Basis of bearings for all surveys shall be the NJ Plane Coordinate System NAD 1983. NAD 1927 Datum must be converted to NAD 1983 using acceptable software conversion.
- e.** Plans must provide a note explaining the bearing system for the area and identify state or federal control stations utilized.
- f.** Right-of-way monumentation is required on all new property subdivisions and in accordance with the NJ Map Filing Law. Monuments must be installed or itemized as part of performance guarantee bonds prior to Major Subdivision plat filing.
- g.** All property surveys must form closed polygons defined by mathematical survey expressions.
- h.** Area labeling:
 - i.** Areas should be stated in acres, except less than one acre which shall be in square feet and rounded to the nearest square foot;
 - ii.** Round to the nearest one-thousandth acre;
 - iii.** Label areas for: total surveyed area, area within right-of-ways, areas of easements and areas of each lot within the surveyed tract.
- i.** Documentation:
 - i.** Indicate all recording information, maps, deed book number and page numbers.
 - ii.** Indicate all information obtained on public and private easements.
 - iii.** Provide copies of source documents if requested, including existing road right-of-ways.
 - iv.** Note all existing monuments on plats and in descriptions.

605 General Design Standards

605.A Internal Roads

605.A-1 Internal Road Required

- a.** When a major subdivision abuts a County road classified as arterial or collector, all lots shall be designed to front on an internal road with no direct lot access to the County road.
 - i.** When provision of an internal road presents a hardship due to unusual or peculiar circumstances of the tract, the development shall provide common driveways onto the County road to the greatest extent possible.
 - ii.** The DRC shall have sole discretion as to what constitutes a hardship.
 - iii.** Lots allowed with direct access to a County road classified as arterial or higher shall provide sufficient turn around internally for passenger vehicles.
- b.** The County may refuse or limit curbcuts for any development which has access to municipal roads if the DRC finds there is a public safety issue or in the interest of reducing traffic volume on a County road.

605.A-2 County Road Provisions when Internal Road Provided

- a. When an internal road, either a marginal access road or reverse frontage lot design, is provided and there are speed change lanes at all access points, County road improvements shall be limited as follows:
 - i. Drainage meeting the requirements of Section 602.
 - ii. Uniform grading, followed by topsoil distribution and seeding, of any required additional County right-of-way dedication or easement.
 - iii. Curbing on each side of any new road connecting to a County road for a distance of 250 feet on the new road as measured from the centerline of the intersection with the County road (see Appendix H for County ROW widths upon which offsets should be based) or as further indicated with specific reasons by the County Engineer.
 - iv. Clear sight triangles as required in Section 605.G-3.

605.B Off Street Parking and Loading

All developments are subject to the off-street parking and loading requirements of the subject municipality's land development ordinance and/or RSIS standards (where applicable). In addition, the following standards are to be met for any development subject to County Planning Board approval.

605.B-1 Customer Service Areas

- a. Customer Service Areas shall be designed so that any vehicle stopping or maneuvering area is a minimum of 10 feet from the existing or proposed (as shown in Appendix G) County right-of-way.
- b. Customer Service Areas must demonstrate that there is sufficient room on site to prevent vehicle queues which will back up onto the County road.

605.B-2 Clearance for County right-of-way

- a. No parking facility/loading area shall allow storage/parking of any vehicle within 20 feet of any existing or proposed (as shown in Appendix G) County right-of-way.
- b. Off street parking and loading spaces must be designed so that there is no encroachment on the County right-of-way, existing or proposed, when vehicles are entering/exiting each space.
- c. All parking/loading facilities shall provide sufficient turn around space so that no maneuvering vehicle is required to back onto County right-of-way.
- d. Applicant must demonstrate that entrance driveways from County right-of-ways are sufficient to prevent back-ups onto County road when vehicles queue for spaces.

605.B-3 Signage

- a. All entrance and exit lanes for parking, loading and customer service areas shall be demarcated with signage to the satisfaction of the DRC.

605.C Driveways

605.C-1 General

- a. In order to promote traffic safety on County roads, the County seeks to minimize driveway entrances by combining access wherever feasible.
- b. No driveway which intersects the County right-of-way (either existing or proposed as shown in Appendix G) may be constructed without a Road Opening Permit and approval of the County Engineer.
- c. If a development abuts two County roads, driveway access shall be from the County road with the lower functional classification unless a rationale for otherwise is acceptable to the County Engineer and the DRC.

605.C-2 Number of Driveways accessing County Roads

- a. Single family residential lots shall be limited to one driveway accessing a County road.
- b. Other developments shall meet the following standard:

TABLE 1: Number of Driveways by Road Frontage

Property Frontage	Maximum # Driveway Openings
100 feet or less	1
Over 100 – 800 feet	2
Over 800’	DRC determination

- c. Multiple driveways accessing a single site must maintain a clear distance of 50feet between the driveways as measured along right-of-way line to closest edge of each driveway.

605.C-3 Driveway Location

- a. No driveway access shall be located closer than 20 feet from a property line.
- b. No driveway access to a County road shall be located on any of the following:
 - i. Traffic circle
 - ii. Interchange ramp
 - iii. Within 50’ of any portion of a ‘no access jurisdiction’ portion of an interchange
 - iv. Within any grade change created for an interchange
- c. Driveway access shall be located at least 150 feet from the end of curb radius, whenever possible.
- d. When a site is on two roads, driveway entrance shall be on the lower classified road unless there is a condition established to the satisfaction of the DRC warranting otherwise.

605.C-4 Driveway Stopping Sight Distances

- a. The “stopping sight distance” is the length of the roadway ahead of the driver, as defined by AASHTO manual.

- b. Any access point from a site to a County road is subject to AASHTO's stopping sight distance formula from the *AASHTO Policy on Geometric Design of Highways and Streets*, latest Edition.
- c. Sight distance shall be measured from 3.5' high at 19' off the County pavement edge.
- d. For other conditions, the applicant must consult with the County Engineer and the *AASHTO Policy on Geometric Design of Highways and Streets*, latest Edition.

605.C-5 Driveway Dimensions

- a. Driveways used for two way traffic and driveways requiring an egress left turn shall intersect the County road at an angle of 90 degrees or as close to 90 degrees as site conditions permit and, in no case, less than 60 degrees.
- b. One way driveways for right turns only shall not be at an angle less than 45 degrees unless turning lanes are provided.
- c. Driveways shall be designed to accommodate the intended traffic character and load of the development.
- d. All driveway dimensions must meet *AASHTO Policy on Geometric Design of Highways and Streets*, latest Edition.

605.C-6 Construction

- a. All driveway profiles shall be shallow enough to avoid undercarriage drag.
- b. Where sidewalks interfere with ramp gradient from the County road apron to the driveway, the sidewalk shall be modified to accommodate vehicles without dragging.
 - i. All sidewalk modifications shall meet ADA requirements.
- c. Driveways must be designed to allow normal roadway drainage.
- d. All driveway aprons shall be paved extending from the proposed edge of pavement to the County right-of-way line.
- e. The County Engineer may require additional paving when necessary to avoid adverse drainage on a County facility.
- f. Pavement shall meet the specifications of Figure C unless the County Engineer feels the expected vehicular traffic will require reinforced concrete to avoid adverse drainage conditions.

605.C-7 Maintenance

All driveway entrances accessing a County road are to be maintained by property owners served by the driveway.

605.D Curbing

605.D-1 General

- a. Curb or curb with gutter may be required in a development in order to:
 - ii. Restrain traffic on County roads,
 - iii. For drainage control,
 - iv. Maintain continuity of curbing from adjacent property for safety reasons,
 - v. Protect pedestrians.

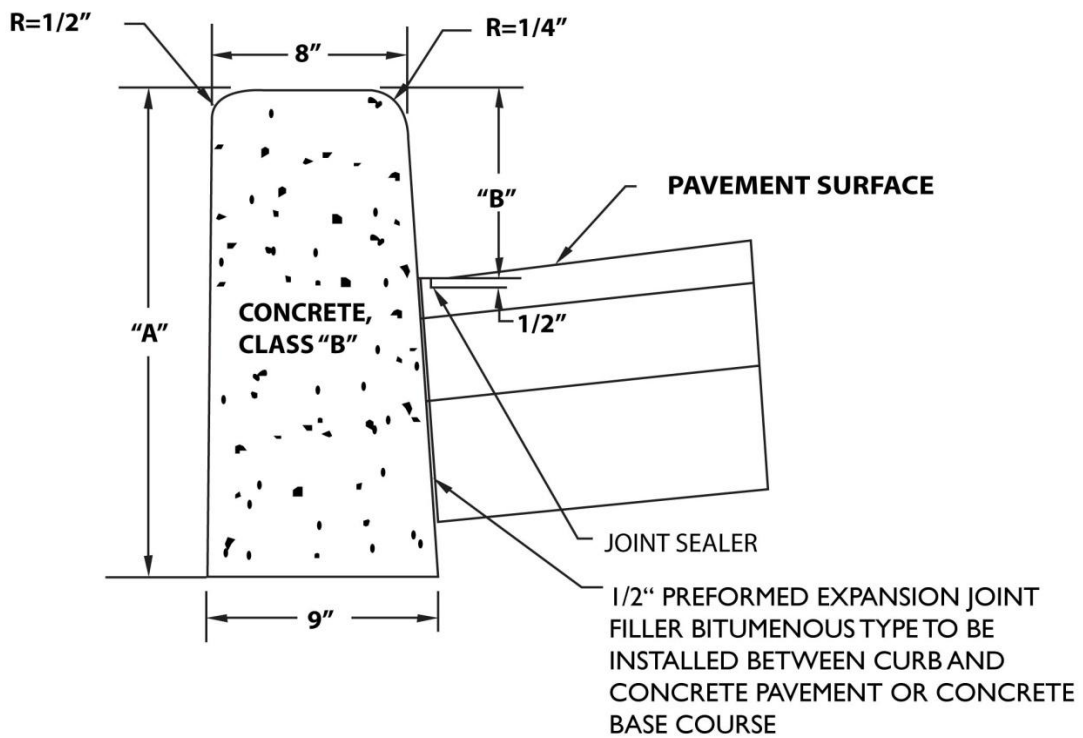
605.D-2 Requirements

- a.** All new commercial, public or industrial projects on a County road shall install full frontage curbing for the entire development.
- b.** Residential developments will require curbing along a County road if the new development creates:
 - i.** A new lot in a minor subdivision at the intersection of any County road with another road will require:
 - The curbed radius plus 25 linear feet of curbing in both directions
 - ii.** A new road connecting with a County road or is at the intersection of two roads, one of which is a County road.
 - The County road shall be curbed 250' in both directions from the center line of the new intersection and
 - Non-County roads shall require 10' curbing on both sides beyond the County right-of-way.
 - iii.** An adverse drainage condition which can be resolved only with curbing.
 - iv.** Or exacerbates an existing unsafe traffic condition.
- c.** The County Engineer, in specific instances and for identified reasons, may reduce the amount of curbing with the approval of the DRC.
- d.** The County Engineer may recommend off site curbing to the DRC to provide for traffic safety and/or to manage drainage flow exacerbated by the new development.
- e.** Any existing curb openings which are not required shall be reconstructed as new curbing.
- f.** Where curbing is required, paving in accordance with Figure C shall be installed from the existing pavement to the new curb.

605.D-3 Specifications for Curbing and Gutter

- a.** The alignment and grade of new curbing shall conform to any existing adjacent curbing unless specified otherwise by County Engineer.
- b.** Curbing shall be constructed to the standard of Figure A,
- c.** All improvements to County roads shall have a positive flow at the new curbline toward drainage openings.
 - v.** Monolithic curb and gutter shall be installed wherever the slope is less than .3%
 - vi.** The minimum allowable slope for drainage swales is 2%.

CURB SIZE	DIM A	DIM B
9 x 18"	18"	6"



NOTE: WHITE CONCRETE CURBING SHALL BE CONSTRUCTED WHERE SPECIFIED BY COUNTY ENGINEER

CONCRETE VERTICAL CURB

FIG# **A**

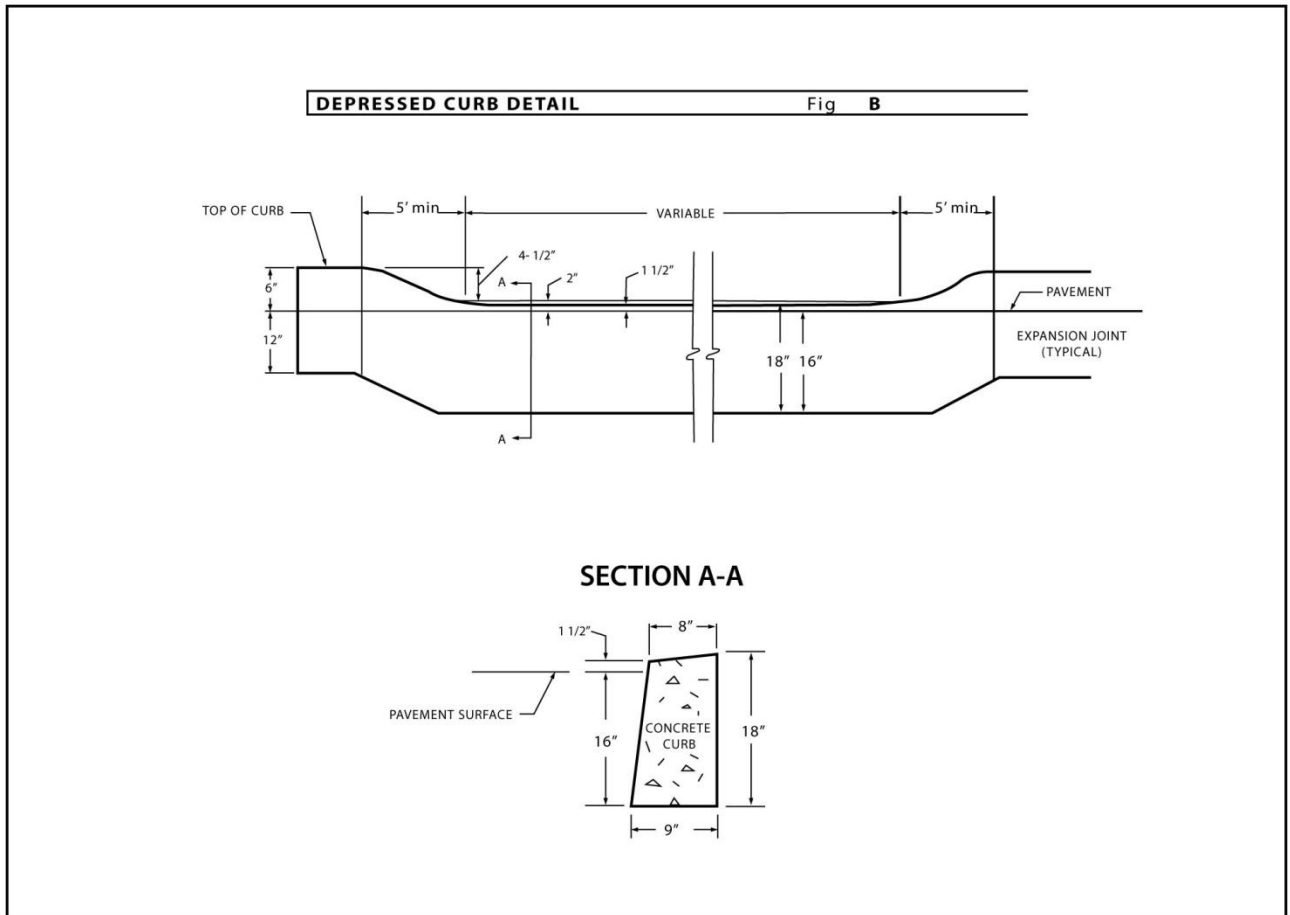
605.D-4

Specifications for Depressed Curbing

- a. Depressed curb shall be provided where curb is required, proposed or exists along a county road at a proposed driveway.

- b. The depressed curb shall extend to a distance of at least 10' further than the width of the driveway unless corner radius curb is required or provided.
- c. The depressed curb shall extend to the points on either side of the driveway where the corner radius curb meets the curb along the county road.
- d. Depressed curb is to consist of be class "B" air entrained gray concrete (Portland cement) and measure 8" at the top, 9" at the base, 18" in height and have a 1 1/2" reveal (see Figure B).

Figure B: Depressed Curbing



605.E Paving and Roadway

605.E-1 Paving Requirement

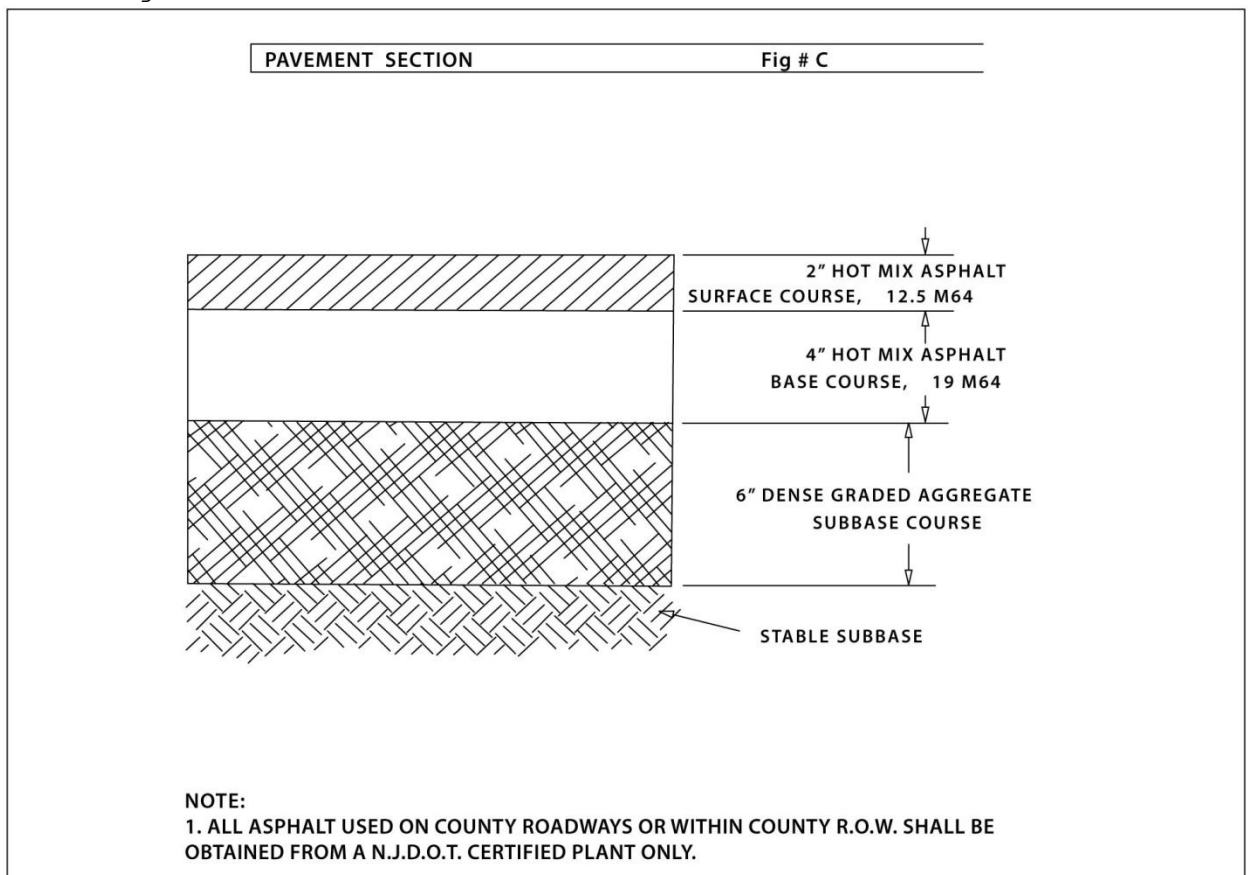
- a. All developments requiring County Planning Board approval must install paving for the entire frontage when there is curbing and/or road widening on a County road:
 - i. Between the edge of existing pavement and proposed curbing or
 - ii. Between the edge of existing pavement and new proposed cartway width.
- b. The offset line and extent of curbing and paving shall be set as part of DRC approval.

- i. The County Engineer may allow field changes due to site conditions in the extent of approved paving.
- ii. Field changes must be recorded on as-built drawings and submitted to the Planning Office prior to request for release of Performance Bond.

605.E-2 Pavement Specifications

- a. Figure C demonstrates the minimum pavement section acceptable for County roads.
- b. County roads must maintain a uniform 2% cross slope from centerline to gutterline.
 - i. If entire right-of-way, as shown in Appendix H, is not to be paved, the remainder shall be graded to a 6:1 slope, topsoiled and seeded according to NJDOT *Standard Specifications for Road and Bridge Construction, 2007*.
- c. Guide rails shall be installed where required, and in conformance, with the New Jersey Department of Transportation *Roadway Design Manual* or AASHTO Manual.

Figure C: Pavement Section



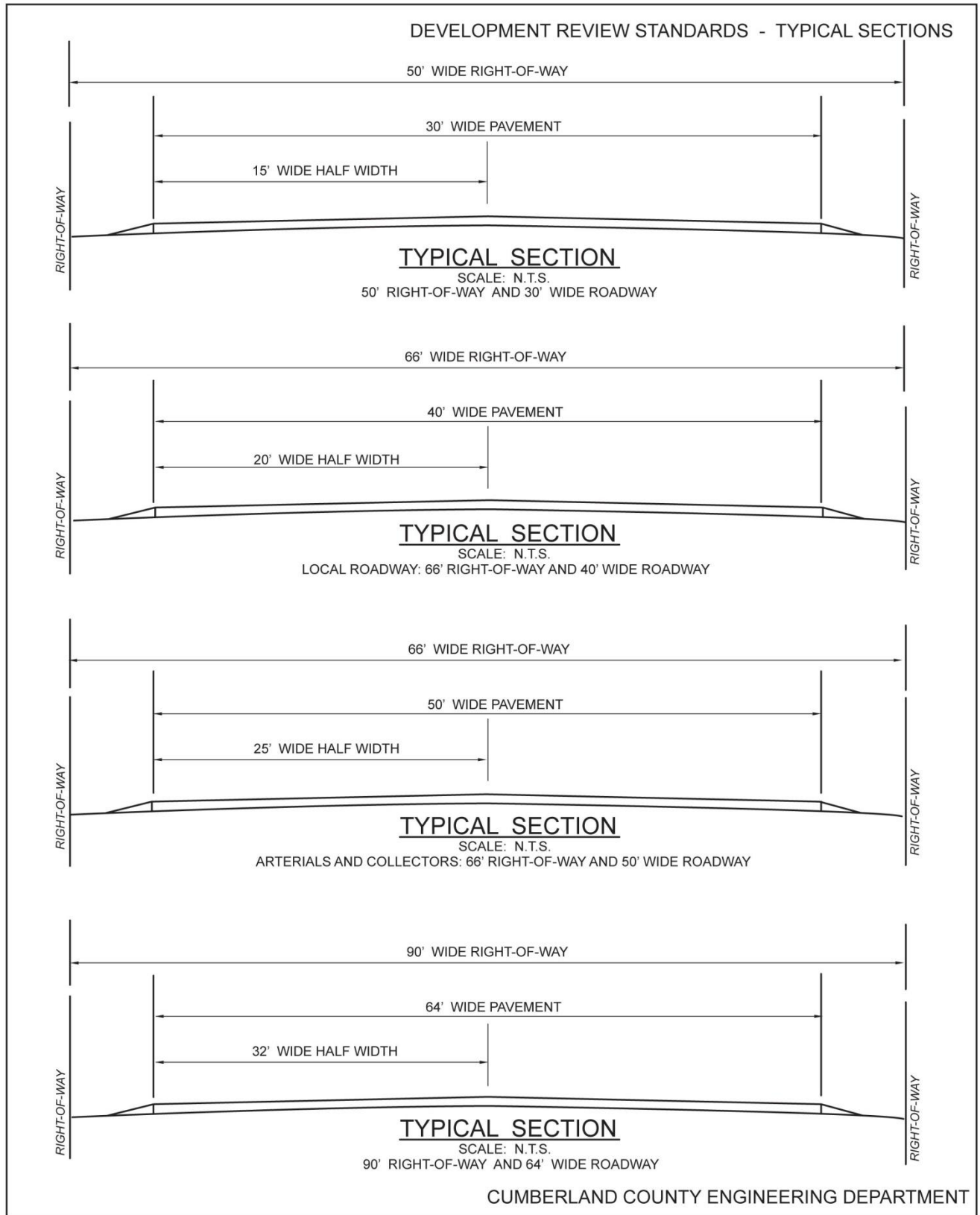
605.E-3

Roadway Widening

- d.** Road right-of-ways, both existing and proposed for accommodation of future County development, are listed in Appendix G.
- e.** The applicant is responsible for coordination of relocation of public utilities involved in any required road widening (see Section 501.A.2)
- f.** Where turning lanes or speed change lanes are needed for safety, additional right-of-way width may be required to accommodate them.
- g.** Typical right-of-way design as illustrated in Figure D is to be followed
 - ii.** Right-of-ways and sections may be altered upon recommendation of the County Transportation Element of the Master Plan as it is revised.
 - iii.** Bicycle accommodation may be required depending on the density, location and type of development proposed.

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

Figure D: Typical Right-of-Way Designs



605.F Special Lanes

605.F-1 Speed Change Lanes

- a. Speed change lanes may be required by the DRC dependent on several factors of consideration, including:
 - i. Classification and design speed of County road,
 - ii. Volume and type of expected traffic at the proposed development,
 - iii. Current and anticipated road volume on the County road.
- b. The DRC may require acceleration and/or deceleration lanes upon the advice of the County Engineer.
- c. Acceleration and deceleration lanes dimensions should comply AASHTO *Policy on Geometric Design of Highways and Streets*, latest Edition.
- d. The taper shall be uncurbed and paved, measuring from the centerline of the County road access point for the speed change lane.
 - iv. The DRC may require curbing of the taper at the recommendation of the County Engineer.
 - v. If not curbed, the area beyond the taper shall be cleared of obstructions to a distance of the width of the pavement to prevent hazard to vehicles running off the edge of the taper.

605.F-2 Left Turn Lanes, Jughandles and Overpasses

- a. Under certain circumstances, the DRC may require that additional land be conveyed to the County and traffic control construction take place for public safety and traffic management.
- b. Under any of the following circumstances, but not limited to them, if Traffic Impact Analysis so indicates, the DRC may require left turn lanes, jughandles and/or overpasses:
 - i. The Transportation Element of the County Master Plan dictates.
 - ii. The proposed development will create a peak hour traffic flow in excess of 150 vehicle trip.
 - iii. Where the existing level of service is Level “C” or lower during the time period when the County road would be most utilized by the development.
- c. As called for in the AASHTO *Policy on Geometric Design of Highways and Streets*, latest Edition.

605.G Intersections

605.G-1 Intersection Location

All intersections shall be located to present the maximum safety to the pedestrians, bicyclists and vehicles.

- a. No new intersection will be located within 200 feet of a rotary, interchange ramp or bridge.
- b. Opposing roads along a County road shall be located opposite each other whenever feasible and, if not possible, offset a minimum of 150 feet.

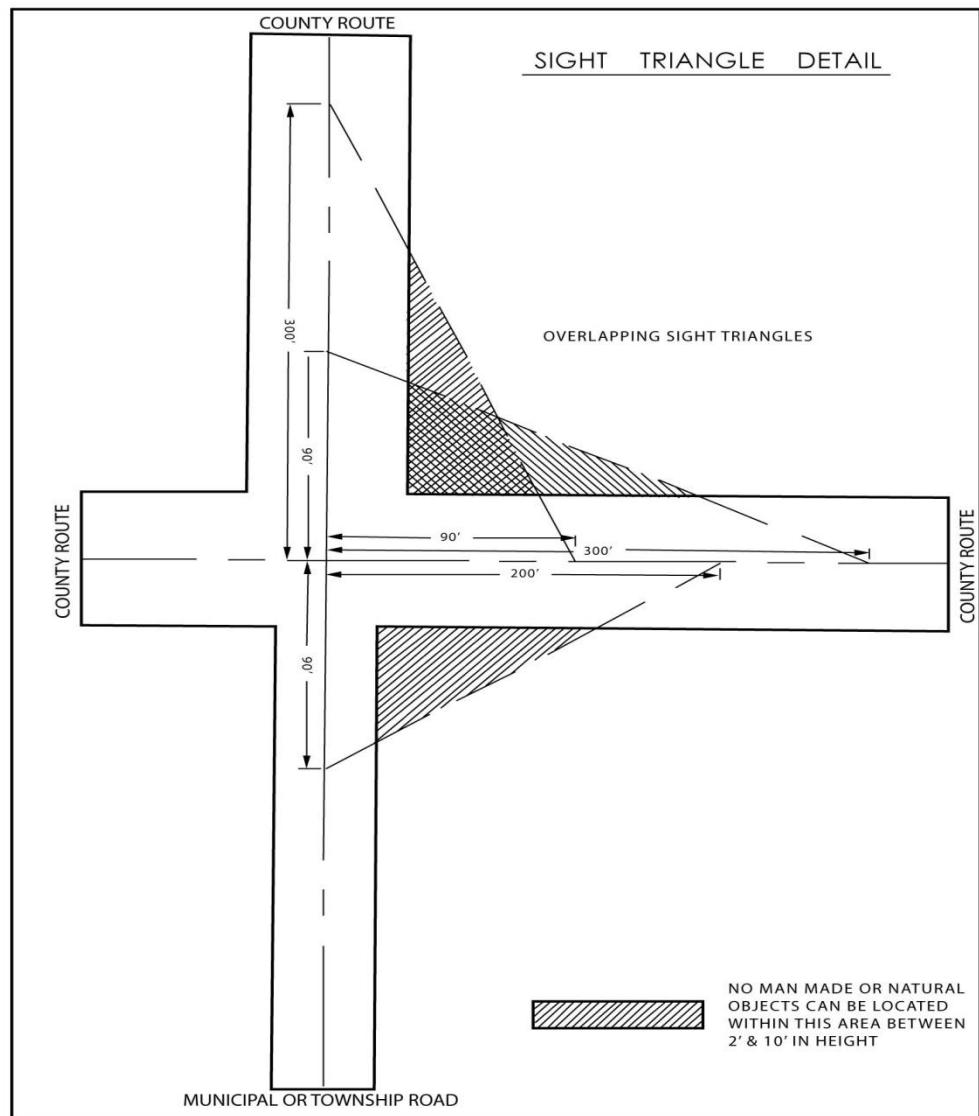
605.G-2 Intersection Standards

- a. New roads shall be located to create a perpendicular centerline to the centerline of the County road whenever possible.
 - i. No intersection with an angle less than 75 degrees shall be allowed
- b. At any intersections with any road classified as arterial or collector in the County Transportation Element, the right-of-way shall be increased by 20 feet on both sides of both roads for 250' from the centerline intersection of the roads.

605.G-3 Sight Triangles

- a. In order to provide maximum safety, clear sight areas shall be established above and beyond any obligatory additional lane or right-of-way width.
 - i. Figure E illustrates the typical required Site Triangle.

Figure E: Sight Triangle Detail



- b.** Site Triangles for non-signalized intersections shall be in accordance with Figure E or, with a written request, comply with AASHTO standards for site triangles.
- c.** Where an existing structure cannot feasibly be demolished or relocated, the site triangle shall establish the largest area possible under “b” above.
- d.** No obstructions which interfere with the sight of vehicles, bicycles or pedestrians may be placed in the clear sight area.
- e.** The owner, and all successors in title, shall maintain the sight area to the standards of this section.
 - i.** The Sight Triangle easement shall state that the County may, with notice to the Owner, enter and clear obstructions within the defined clear site area.

605.H Traffic Control Devices

605.H-1 Requirements

- a.** The DRC may require the installation of traffic control devices when necessary on the development site or within the County right-of-way if so indicated in the Manual on Uniform Traffic Control Devices For Streets and Highways.
- b.** Traffic control devices consist of, but are not limited to:
 - i.** Directional, regulatory and/or advisory signs
 - ii.** Traffic signals
 - iii.** Lane striping
 - iv.** Raised pavement
 - v.** Lane markings
- c.** Specifications for all traffic control devices are found and must meet the standard of NJDOT’s *Standard Specifications for Road and Bridge Construction*.

CHAPTER 700: APPLICATION AND PLAT DETAILS

701 Administrative Completeness

All items listed in Section 302.B-1 must be submitted to the satisfaction of the Development Review Coordinator prior to notification that the application is complete for review. The 30 day review period will commence on the day the Coordinator faxes/emails notification of administrative completeness.

702 Application Details

702.A All applications

All land development applications shall contain the following information along with any information required by **Sections 703 and 704**. The County may request additional information from an applicant if it feels it is necessary to evaluate a project's safety and impact with regard to County facilities.

702.A-1 General Information

- a. Notarized affidavit of consent of property owner if owner is not applicant.
- b. Date of submission to municipality and status
 - i. Municipal application if different from County

702.A-2 Outside Agencies

Any submissions for the application required by government agencies other than Cumberland County Planning Board, including Pinelands, municipalities, state and federal jurisdictions shall be supplied as follows:

- a. Name of each government agency with jurisdiction
- b. Type of application and its status with each agency

702.A-2 Survey

A land survey in accordance with the minimum survey detail requirements as promulgated by the State Board of Professional Engineers and Land Surveyors showing, at a minimum:

- a. Existing conditions and exact locations of physical features including:
 - i. Metes and bounds,
 - ii. Monumentation found and to be set,
 - iii. Drainage,
 - iv. Waterways,
 - v. Specific utility locations,
 - vi. All existing easements.
- b. Other information such as:
 - i. Vegetation,
 - ii. Structures,
 - iii. Wetlands boundaries.

702.A-3 Plat/plan details for all applications

- a. Title block on each sheet, consisting of:
 - i. Title of application,

- ii. Sheet name,
 - iii. Municipality with block and lot numbers,
 - iv. Name, address, license number, signature and seal of professional(s) responsible for plan,
 - v. Date of original plan and box for revision numbers and dates.
- b. One 4" x 5" blank block for County approval signatures along right margin.
- c. Key map at a readable scale, showing the entire subdivision or land development and its relation to the surrounding 1000' of area.
- d. USGS topography map or similar plan view of project and topography for a surrounding distance of 200'.
 - i. All contour lines shall be referenced to the U.S. Coast and Geodetic datum or approved local datum.
 - ii. Sufficient contours to show drainage flow of site.
- e. Graphic and written scale.
- f. North arrow with reference meridian.
- g. Tax map sheet, block and lot numbers of all parcels showing:
 - i. Owner of record,
 - ii. All adjoining property owners within 200' of project boundary as disclosed by the most recent municipal tax list.
- h. Acreage of entire tract to the nearest hundredth acre.
- i. Dimensions and areas of all lots.
 - i. Location of all property lines, existing and proposed,
 - ii. Distances from property lines to any structures, existing and proposed.
- j. Location of existing (and, where applicable, proposed) property lines with all applicable dimensions to existing structures.
- k. Wetlands
 - i. Tidal and freshwater
 - ii. Buffer areas
- l. Land Use Information
 - i. Number and type of residential units, if any
 - ii. Square footage of non-residential improvements and type, if any
 - iii. Total square footage of all improvements, existing and proposed.
- m. Natural and artificial watercourses (existing and proposed) on property and within 200' of property, showing:
 - i. Location,
 - ii. Size,
 - iii. Direction of flow utilizing sufficient elevation markings,
 - iv. Freshwater wetlands (if any) determination confirmed by DEP.
- n. Existing and proposed sewerage facility and mains.
- o. Location, name and width of all existing and proposed streets.
- p. Location, name and width of all existing and proposed:
 - i. Street right-of-ways,
 - ii. Drainage easements,
 - iii. Utility easements,
 - iv. Clear sight easements at all points of ingress and egress from County roads.

- q. Any required new easements or dedications must be notated on the plan per Sections 401.B-1 and 402.A-1.

703 Subdivisions

703.A Review Only Subdivisions

In addition to the information in Sections 702, subdivision applications which do not affect County roads or drainage facilities must include the following information on plans:

- a. The location and clear indication of that portion which is to be subdivided in relation to the entire tract.
- b. The number of new lots to be created.
- c. Any lots to be eliminated.
- d. All proposed and existing lot lines as well as lot lines to be eliminated shall be clearly distinguished or indicated by a legend.
- e. All existing and proposed structures within the lot(s) to be subdivided and on adjoining parcels within 200 feet, and their final disposition.
- f. Any County maintained drainage facilities located within 200 feet of the subject property should be shown and identified.

703.B Subdivisions Requiring Review and Approval

703.B-1 Preliminary Plats

In addition to the information in Sections 702 and 703.A, preliminary plats for major subdivisions shall provide the following information:

- a. Location and type of soils on site.
- b. Topography showing contours at 2'
- c. Location and extent of wooded areas, showing any woods to be removed.
- d. Location of existing and proposed structures and indication of their disposition per the project.
 - i. Grade elevations at structures corners
 - ii. Square footage of all improvements
- e. Location, type of and extent of existing and proposed utilities, above and below ground.
- f. Location, type of construction and layout of parking areas, including:
 - i. Aisle and roadway widths,
 - ii. Striping and traffic markings,
 - iii. Traffic controls,
 - iv. Total number of spaces.
- g. All existing and proposed driveways within 200' of site intersecting a County road.
- h. All existing and proposed sidewalks within 200' of the site.
- i. Profiles and cross-sections of proposed streets within the subdivision and existing streets and highways abutting the subdivision. Cross-sections shall clearly indicate:
 - i. The type and width of pavement,

- i. Location of curb,
- ii. Location of sidewalks and shade tree planting strips,
- iii. At intersections, any existing or proposed sight triangles and the radius of curblines shall be clearly indicated.
- j. All existing and proposed water bodies shall be shown and accompanied by the following information or data, if required by the County Engineer:
 - i. Location, extent and water level elevation,
 - ii. When water bodies are to be altered, improved or relocated the method of stabilizing slopes and measures to control erosion and siltation, as well as typical ditch sections and profiles, shall be shown on the plan or accompany it;
 - iii. The boundaries of the flood plain of all water bodies within or adjacent to the subdivision, as defined by the current flood plain information report on file in the offices of the Municipal Clerk, County Planning Board or the County Engineer;
 - iv. The location and extent of drainage easements and stream encroachment lines as defined by the Department of Environmental Protection.
- k. The plan should show all information from or include a sheet for the Drainage Analysis Report (Sections 602.D-1 and 602.D-2) ,
- l. All existing and proposed sanitary sewerage facilities, including:
 - i. Location, size and slope of all sanitary sewer lines, pumping stations, and connections to existing facilities,
 - ii. Location of any proposed sanitary sewage treatment plants,
- m. Identification of lands to be dedicated or reserved for public use.
- n. The location of all traffic control devices within three hundred (300) feet of the subdivision to include "Stop" and "Yield" signs, traffic signals, speed limit signs, and distance to nearest intersection.
- o. Cross sections every 50 feet in the area of any County road widening.
- p. Other information as deemed necessary by the DRC to ensure project will not adversely affect County facilities.

703.B-2

Final Subdivision Plat

- a. A preliminary plat which meets all the following requirements for a final plat may be approved without resubmission.
- b. Plats must be drawn in conformance with the provisions of the Map Filing Act (N.J.S.A. 46:23-9 et seq.) and conform to the conditions of the approved Preliminary Plan.
- c. The Final Plat shall show all requirements for:
 - i. Drainage easements,
 - ii. Encroachment lines,
 - iii. Clear sight areas at intersections and new right-of-ways, dedications, or easements,
- d. Plans and specifications for all proposed culverts and bridges which are to become under County jurisdiction must be reviewed and approved by the County Engineer and DRC.
 - i. Any State or federal permits required for any facilities must be submitted with the final plat.

- e. If so required at the time of approval by the DRC, a CADD drawing, prepared by a New Jersey Licensed Land Surveyor, on a standard 3.5” floppy disk or standard compact disc in .dwg format shall accompany the required hard submission, meeting the following requirements:
 - i. All required information appearing on the final plat shall appear on separate layers of the drawing.
 - ii. Text shall also appear on a separate layer of the drawing.
 - iii. The file must be drawn at its real New Jersey Plane Coordinates NAD83 (or the most current State Plane coordinate system) position and the view must be unrotated so that the NJPCS North points orthographically up (vertical) in the screen.
 - iv. The drawing shall identify, at a minimum, three (3) monument markers distributed around the corners of the tract. These monument markers shall be identified in US Survey Feet.
 - v. The location of all existing and proposed signage and catch basins shall be shown as a layer in the CADD drawing.
 - vi. The location of all existing and proposed culverts shall be show as the center of the structure at the centerline of the roadway, to be given as a layer in the CADD drawing.

704. Site Plans

704.A-1 General

- a. All site plan applications shall meet the requirements of Section 701 prior to review.
- b. All site plan applications shall be reviewed to the standards of Section 702 in addition to the standards for Site Plan details below.

704.A-2 Site Plan Details

- a. Location and type of soils on site.
- b. Topography showing contours at 2’
- c. Location and extent of wooded areas.
- d. Location of existing and proposed structures and indication of their disposition per the project.
 - i. Grade elevations at all structures corners
 - ii. Square footage of all existing improvements
- e. Location, type of and extent of existing and proposed utilities, above and below ground.
- f. Location, type of construction and layout of parking areas, including:
 - i. Aisle and roadway widths,
 - ii. Striping and traffic markings,
 - iii. Traffic controls,
 - iv. Total number of spaces.
- g. All existing and proposed driveways within 200’ of site intersecting a County road.
- h. All existing and proposed sidewalks within 200’ of the site.

- i.** Profiles and cross-sections of proposed streets intersecting with County roads. Cross-sections shall clearly indicate:
 - i.** The type and width of pavement,
Location of curb,
 - ii.** Location of sidewalks and shade tree planting strips,
 - iii.** At intersections, any existing or proposed sight triangles and the radius of curblines shall be clearly indicated.
- j.** All existing and proposed water bodies shall be shown and accompanied by the following information or data, if required by the County Engineer:
 - i.** Location, extent and water level elevation,
 - ii.** When water bodies are to be altered, improved or relocated the method of stabilizing slopes and measures to control erosion and siltation, as well as typical ditch sections and profiles, shall be shown on the plan or accompany it;
 - iii.** The boundaries of the flood plain of all water bodies within or adjacent to the subdivision, as defined by the current flood plain information report on file in the offices of the Municipal Clerk, County Planning Board or the County Engineer;
 - iv.** The location and extent of drainage easements and stream encroachment lines as defined by the Department of Environmental Protection.
- k.** The plan should show all information from or include a sheet for the Drainage Analysis Report (Sections 602.D-1 and 602.D-2) ,
- l.** All existing and proposed sanitary sewerage facilities, including:
 - i.** Location, size and slope of all sanitary sewer lines, pumping stations, and connections to existing facilities,
 - ii.** Location of any proposed sanitary sewage treatment plants,
- m.** Identification of lands to be dedicated or reserved for public use.
- n.** The location of all traffic control devices within three hundred (300) feet of the site to include "Stop" and "Yield" signs, traffic signals, speed limit signs, and distance to nearest intersection.
- o.** Cross sections every 50 feet in the area of any County road widening.
- p.** Other information as deemed necessary by the DRC to ensure project will not adversely affect County facilities.

704.A-3

Final Submission

- a.** A preliminary plan which meets all the following requirements for a final submission may be approved without resubmission.
- b.** Final plans must be drawn to conform to the all conditions of the approved Preliminary Plan.
- c.** If so required at the time of approval by the DRC, a CADD drawing on a standard 3.5" floppy disk or standard compact disc in .dwg format shall accompany the required hard submission, meeting the following requirements:
 - i.** All required information appearing on the final plat shall appear on separate layers of the drawing.
 - ii.** Text shall also appear on a separate layer of the drawing.

- iii.** The file must be drawn at its real New Jersey Plane Coordinates NAD83 (or the most current State Plane coordinate system) position and the view must be unrotated so that the NJPCS North points orthographically up (vertical) in the screen.

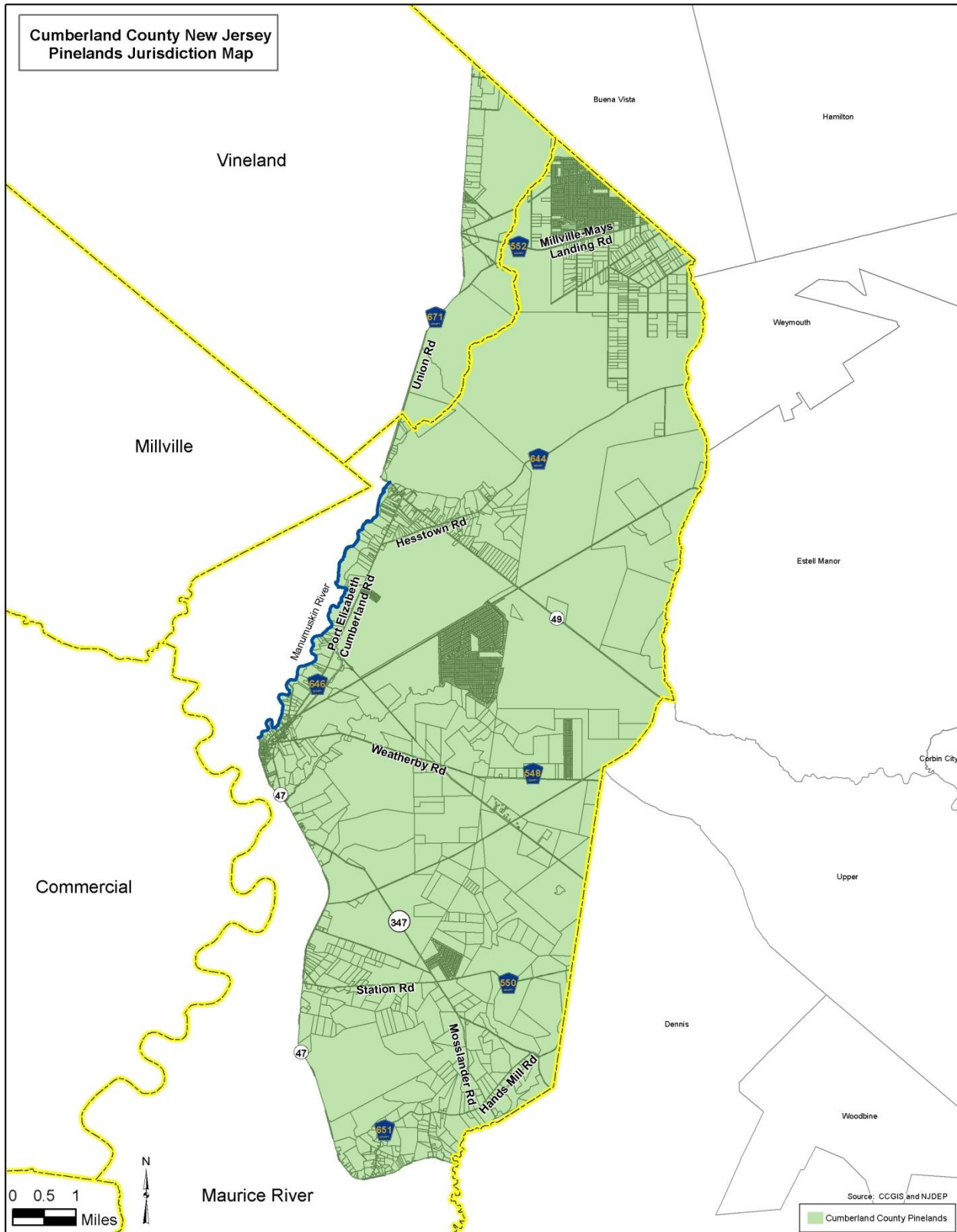
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CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

APPENDIX A

PINELANDS AREA MAP FOR CUMBERLAND COUNTY

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS



CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

APPENDIX B

PINELANDS PROCEDURES

Pinelands Procedures

Applicability

1. All development regulated by these Standards that lies within the Pinelands Area of Cumberland County (as shown in Appendix A) shall obtain approval from the Pinelands Commission in addition to any required County approvals.
2. If there is a conflict between the County regulations of these Standards and the Pinelands design standards, the applicant shall follow the Pinelands standard and inform the DRC of the conflict in writing.
3. Applicants who are subject to the Pinelands Comprehensive Plan should follow the procedures for development review in Chapter 4 of N.J.A.C. 7:50 which can be found at: <http://www.nj.gov/pinelands/cmp/>
4. The Pinelands Commission may participate in County Planning Board and DRC hearings involving development in the Cumberland County Pinelands Area per N.J.A.C. 7:50-4.36.
5. All development proposed by the County or any County agency shall comply with the requirements for public development found at N.J.A.C. 7:50-3.20.

Definitions

1. **Application for Development**– Any application, filed with any permitting or approval agency or authority, for any approval, authorization or permit which is a prerequisite to initiating development in the Pinelands Area, except for an application for approval, authorization or permit as specified in the Pinelands Protection Act N.J.A.C.7:50-4.1a, as amended from time to time.
2. **Approval Agency or Authority** – Any board, body or person within the County with the authority to approve, disapprove or authorize subdivisions, site plans or other applications for development.
3. **Certificate of Completeness** - A certificate issued by the Executive Director of the Pinelands Commission which is a prerequisite to County review of any development within the jurisdiction of a municipality with an uncertified master plan or land use ordinance (see N.J.A.C. 7: 50-4.15-17). This document states whether an application may be approved, approved with conditions or disapproved.
4. **Certificate of Filing** - The certificate issued by the Pinelands Commission which is a prerequisite to the filing of a complete application with any local permitting agency in a Certified Municipality. (See N.J.A.C. 7:50-4.34.)
5. **Certified Municipal Master Plan or Land Use Ordinance** - Any municipal master plan or land use ordinance certified by the Pinelands Commission pursuant to N.J.A.C. 7:50-3, Part IV as being in conformance with the minimum standards of the Comprehensive Management Plan.
6. **Commission** - The Pinelands Commission created pursuant to Section 5 of the Pinelands Protection Act, as amended.
7. **Comprehensive Management Plan** - The plan adopted by the Commission pursuant to Section 7 of the Pinelands Protection Act, as amended.

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

8. **Cumberland Pinelands Area** - That area designated as such by Section 10(a) of the Pinelands Protection Act and as shown in Appendix A.
9. **Development** – Development shall mean the change or enlargement of any use or disturbance of any land, the performance of any building or mining operation, the division of land into two or more parcels, and the creation or termination of rights of access or riparian rights including, but not limited to:
 - a. A change in type of use of a structure or land;
 - b. A reconstruction, alteration of the size, or material change in the external appearance of a structure or land;
 - c. A material increase in the intensity of use of land, such as an increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land;
 - d. Commencement of resource extraction or drilling or excavation on a parcel of land;
 - e. Demolition of a structure or removal of trees;
 - f. Commencement of forestry activities;
 - g. Deposit of refuse, solid or liquid water or fill on a parcel of land;
 - h. In connection with the use of land, the making of any material change in noise levels, thermal conditions, or emissions of waste material; and
 - i. Alteration, either physically or chemically, of a shore, bank, or flood plain, seacoast, river, stream, lake, pond, wetlands, or artificial body of water.
10. **Pinelands** - The Pinelands National Reserve and the Pinelands Area.
11. **Public Development** - Any development, including subdivision, by any county or public agency.

Procedures for Applications within Pinelands Area

1. Before an application for any development in the Pinelands Area can be considered complete by the DRC, one of the following items must be received:
 - a. A Certificate of Filing from the Pinelands Commission issued pursuant to N.J.A.C 7:50-4.34 for development proposed in areas with certified plans; or
 - b. A Certificate of Completeness as issued by the Pinelands Commission pursuant to N.J.A.C. 7:50-4.15 for development proposed in areas without certified local plans
2. Notice of Application
When Planning Staff determines that an application is complete, or that an application which was previously filed has been modified, written notice shall be provided to the Pinelands Commission within seven days, and shall contain the information specified in N.J.A.C. 7:50-4.35(b).
3. Notice of Hearing, Meeting or Proceeding
The County Planning Board, or other County approving agency, shall notify, according to N.J.A.C. 7:50-4.35(c) the Pinelands Commission of any hearing, public meeting or other formal proceeding at which an application for subdivision or site plan review is to be considered.
4. Notice of Approvals and Disapprovals
The Development Review Coordinator shall notify the Pinelands Commission, per N.J.A.C. 7:50 -4.35 (d) of all approvals and disapprovals of development in the Pinelands Area,

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

whether the approval occurs by action or inaction of the DRC or by an appeal of any County decision.

Pinelands Commission Review of County Decisions

1. Decision whether to Review by Pinelands Commission
 - a. The Pinelands Commission will review all decisions received, per Section C.4 above, in accordance with the provisions of N.J.A.C. 7:50-4.40(a) to determine whether the proposed development raises substantial issues with regard to the minimum standards of the Comprehensive Pinelands Plan.
 - b. The approval by the DRC shall not be effective and development shall not be carried out prior to the determination of whether the development approval will be reviewed by the Commission.
 - c. If the applicant is notified that the Commission will review the application, development shall not be carried out until such review has been completed and the Commission has approved, or approved with conditions, the proposed development and the provisions of N.J.A.C. 7:50 -4.38 (d) have been fulfilled.
 - d. The Pinelands Commission shall not review applications which were denied by the County although notification of denials is required.
2. Effect of Pinelands Decision on County Approval.
 - a. If the Pinelands Commission disapproves an application approved by the DRC, such an approval shall be revoked by the DRC and the DRC shall thereafter deny approval of the application.
3. If the Commission approves the decision of the DRC subject to conditions, the DRC shall, within thirty days, modify its approval to include all conditions imposed by the Pinelands Commission.
 - a. If approval of the application is required, the DRC shall grant approval only if the application for approval demonstrates that the conditions specified by the Commission have been met by the applicant.

APPENDIX C

APPLICATION FORM

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CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

INSTRUCTIONS FOR FILLING IN APPLICATION

- Complete application with ink
- Submit to County Department of Planning & Economic Development along with:
 - Fee
 - 4 signed and sealed copies of plans (as required under N.J.A.C. 13:41-4.1 et seq.)
- Applicant is responsible for filing with municipality and any other agencies
 - Check whether municipality requires a different form
- Use the following lists to fill in the appropriate boxes on application:

Types of Municipal Application:

1. Sketch
2. Lot line adjustment
3. Minor Subdivision
4. Preliminary Major Subdivision
5. Final Major Subdivision
6. Minor Site Plan
7. Preliminary Major Site Plan
8. Final Site Plan
9. Conditional Use
10. Other

NOTE: If variance required go to next box

Variance types:

1. Bulk or area (C-1 or C-2)
2. D-1 Use Variance
3. D-2 Expansion of a non-conforming use
4. D-3 Conditional use not meeting Ordinance standards
5. D-4 Increase in permitted floor area ratio
6. D-5 Increase in permitted density
7. D-6 Height exceeding 10% or 10' of standard

Existing and Proposed use:

1. Residential
2. Commercial
3. Industrial
4. Agricultural (not preserved)
5. Preserved agricultural

NOTE: Impervious coverage means all building footprints and all paving materials.

Site abuts/contains:

1. County road
2. County property
3. County drainage facility
4. County bridge/culvert
5. Municipal road

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

County Planning Board Application # _____ Municipal Application # _____

DEVELOPMENT APPLICATION FORM		
APPLICANT Information		
Name of Development:		
Name of Applicant:		Corporation?: <input type="checkbox"/>
Current address:		
City:	State:	ZIP Code:
Phone:	E-mail:	Fax:
Land Owner (if different than applicant):		
Current address:		
City:	State:	ZIP Code:
Attorney (if represented)		
Current address:		
City:	State:	ZIP Code:
MUNICIPAL Information		
Type of Municipal Application:		Variance type:
Signature of Tax Collector affirming no taxes/assessments are due:		Date:
SITE Information		
Project location (i.e., east of Main, near Oak):		
Block:	Lot:	Tax Map Sheet:
Municipal Zoning District:		
Was a prior application of any kind submitted for this, or any portion of this, tract? <input type="checkbox"/> If so, Date:		
Total Acreage of tract:	Number of acres to be subdivided/developed =	# of new lots =
Existing use:	Total existing impervious coverage: Sq. Ft.	
Proposed use:	Total new impervious coverage: Sq. Ft.	
Site abuts/contains:	Name of abutting road:	
Signatures		
Signature of applicant:		Date:
Signature of person completing application (if different)		Date:
MUNICIPAL USE ONLY		
Minor <input type="checkbox"/>	Minor requiring public notice <input type="checkbox"/>	Major <input type="checkbox"/>
Copy of application and drawings to County <input type="checkbox"/>		By: Date:
Referred to Engineer <input type="checkbox"/>	Lawyer <input type="checkbox"/>	Other <input type="checkbox"/>
Complete Date :		

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

APPENDIX D

SUBDIVISION CHECKLIST

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

SUBDIVISION CHECKLIST

TO SUBDIVISION APPLICANTS:

The attached checklist is to assist you in the submission to the County Planning Board of minor and major subdivisions for review.

This checklist is for the convenience of applicants. It remains the applicant's responsibility to include all the necessary information according to the Cumberland County Development Standards.

Please note that, at the time of review, the Development Review Committee and/or the County Engineer may request additional information to ensure the project will not adversely affect County facilities

CLASSIFICATION:

- All Subdivisions must be submitted to the County Planning Board for review.
- Subdivisions which affect either a County road or County drainage must receive County approval.

I. Administrative Completeness

In order to be placed on the DRC agenda, the following items must be submitted 10 days before the scheduled Development Review Committee meeting:

- A County application form completed with all information pertinent to the type of plan submitted.
 - Electronic applications are available on the Planning Board website
 - Paper forms are available from the Development Review Coordinator and in Appendix C of this Document.
- Four (4) - Complete sets of full size plans, including outbound survey.
- Proof of required submission(s) to outside agencies per §301.B-2f
- Any supporting documentation required for review according to the Design Standards of Chapter 600, including:
 - Waiver request meeting the standard of 301.B-3, if applicable
 - Drainage report if required for technical review of the application according to Section 602
 - Traffic Impact Statement if application meets the threshold of Section 603
- Application Fee per Appendix F for type of submission in the form of check or money order.

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

II. Plat/Plan Completeness

The following checklist pertains to Plat/Plan elements as specified in Chapter 700 of the Standards. The plat shall be clearly drawn and provide the information below:

↓ ALL SUBDIVISION APPLICATIONS

NOTE	ITEM	REMARK
	SURVEY with date	Meeting Title 46:23-9.11 minimum requirements
	TITLE BLOCK, including:	
	Title of application	
	Sheet name	
	Municipality with block and lot numbers	
	Name, address, license number, signature and seal of professional(s) responsible for plan	
	Date of plan with space for dates of revisions	
	KEY MAP	
	TOPO MAP w/ contours at sufficient intervals to show drainage flow of entire site plus 200'	At County Engineer's discretion
	SCALE	Graphic and written
	NORTH ARROW	
	BLOCK AND LOT NUMBERS	Of subject parcel and all adjoining properties within 200'
	CERTIFIED OWNER LIST	Of all adjoining properties within 200'
	DIMENSIONS	
	Acreage of entire tract and individual lots	
	All lot lines with clear indication of part to be subdivided	Metes and bounds description
	Number of new lots and indication of lots to be eliminated	
	STRUCTURES on site and within 200' of site	Existing and proposed
	DRAINAGE FACILITIES maintained by County	Within 200 feet of site
	WATER BODIES, natural and created within 200' of site, showing:	Existing and proposed
	Flood plain boundaries	
	Direction and flow	
	EASEMENTS/DEDICATIONS with all dimensions	Existing and proposed

NOTE: N/A Not applicable
 X Completed
 W Waiver requested (must be accompanied by written request per **§301.B-3**)

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

↓ FOR SUBDIVISION APPLICATIONS AFFECTING COUNTY ROADS OR DRAINAGE

NOTE	ITEM	REMARK
	STRUCTURES on tract to be subdivided and within 200'	Existing and proposed
	Setbacks from all roads	
	Location and eventual disposition	
	Grade elevations at all corners	
	IMPROVEMENTS	
	Number and type of structures on site	By existing and proposed
	Residential units and type	
	Commercial/industrial by type	
	Total square footage of all improvements	By existing and proposed
	STREETS	
	Locations, names and widths of all within and any abutting subdivision	Existing and proposed
	Sight triangles at all intersections with County roads	Existing and proposed
	Radii of curblines at intersections	Existing and proposed
	Profiles and cross sections where intersect with County road, showing:	Proposed only
	Type & width of pavement	
	Curb location	
	Sidewalk and planting strips	
	Cross sections every 50' of any County road widening	
	PARKING AREAS	
	Aisle and roadway width	Existing and proposed
	Striping and traffic control markings	Existing and proposed
	Traffic control devices	Existing and proposed
	Total number of spaces	Existing and proposed
	TRAFFIC CONTROL DEVICES, including all signs and signals	Within 300' of site
	DRIVEWAYS within 100' of any County road access	Existing and proposed
	SIDEWALKS within 200' of site	Existing and proposed
	SOILS MAP showing location and type	
	WATER BODIES, natural and created within 200' of site	Existing and proposed
	Location and extent and water level elevation	

NOTE: N/A Not applicable
 X Completed
 W Waiver requested (must be accompanied by written request per **§301.B-3**)

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

NOTE	ITEM	REMARK
	Flood plain boundaries within or adjacent to subdivision	As shown on latest floodplain maps
	Streams within 100' of site	
	Stream encroachment lines	As defined by the NJ DEP
	Cross sections, showing extent of floodplain, top of bank, bottom elevations and normal water level where:	
	Water course crosses site boundary	
	Every 300' for length of water course within site	
	Juncture of two water courses	
	Method of slope stabilization and soil erosion protection with typical ditch profiles	Where any change proposed
	Total acreage of water courses	
	WETLANDS, tidal and freshwater with buffers	LOI from NJDEP if wetlands are delineated
	RESERVED LANDS to be dedicated for public use	
	WOODED AREAS	location and extent
	DRAINAGE REPORT information graphically	Per Section 602
	UTILITIES, above and below ground	
	SANITARY SEWERAGE FACILITIES	Existing and proposed
	Location, size and slope of:	
	Sanitary sewer lines,	
	Pumping stations,	
	Connections to existing facilities,	
	Location of any proposed sanitary sewage treatment plants	

NOTE: N/A Not applicable
 X Completed
 W Waiver requested (must be accompanied by written request per **§301.B-3**)

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

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APPENDIX E
SITE PLAN CHECKLIST

NOTE: **N/A** Not applicable
 X Completed
 W Waiver requested (must be accompanied by written request per **§301.B-3**)

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

SITE PLAN CHECKLIST

TO SITE PLAN APPLICANTS:

The attached checklist is to assist you in the submission of site plans for review to the County Planning Board.

This checklist is for the convenience of applicants. It remains the applicant's responsibility to include all the necessary information according to the Cumberland County Development Standards.

Please note that, at the time of review, the Development Review Committee and/or the County Engineer may request additional information to ensure the project will not adversely affect County facilities

All Site Plans must be submitted to the County Planning Board for review and/or approval EXCEPT:

All single family residences and their permitted accessory uses, or
Development which is not on a County road AND includes less than 43,560 square feet of impervious surface
in total

III. Administrative Completeness

In order to be placed on the DRC agenda, the following items must be submitted 10 days before the scheduled Development Review Committee meeting:

- A County application form completed with all information pertinent to the type of plan submitted.
 - Electronic applications are available on the Planning Board website
 - Paper forms are available from the Development Review Coordinator and in Appendix C of this Document.
- Four (4) - Complete sets of full size plans, including outbound survey
- Proof of required submission(s) to outside agencies per §301.B-2f
- Any supporting documentation required for review according to the Design Standards of Chapter 600, including:
 - Waiver request meeting the standard of 301.B-3, if applicable.
 - Drainage report if required for technical review of the application according to Section 602
 - Traffic Impact Statement if application meets the threshold of Section 603
- Application Fee per Appendix F for type of submission in the form of check or money order.

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

IV. Plat/Plan Completeness

The following checklist pertains to Plat/Plan elements as specified in Chapter 700 of these Standards. The site plan shall be clearly drawn and provide the information below:

NOTE	ITEM	REMARK
	SURVEY with date	Meeting Title 46:23-9.11 requirements
	TITLE BLOCK, including:	
	Title of application	
	Sheet name	
	Municipality with block and lot numbers	
	Name, address, license number, signature and seal of professional(s) responsible for plan	
	Date of plan with space for dates of revisions	
	KEY MAP	
	TOPO MAP w/ contours at sufficient intervals to show drainage flow of entire site plus 200'	At County Engineer's discretion
	SCALE	Graphic and written
	NORTH ARROW	
	BLOCK AND LOT NUMBERS	Of subject parcel and all adjoining properties within 200'
	CERTIFIED OWNER LIST	Of all adjoining properties within 200'
	DIMENSIONS	
	Acreage of entire tract and individual lots	
	All lot lines with clear indication of part to be subdivided	Metes and bounds description
	Number of new lots	
	Lots to be eliminated	
	STRUCTURES	
	Setbacks from all roads	Existing and proposed
	Location and eventual disposition	Existing and proposed
	Distances from property lines to structures	Existing and proposed
	Grade elevations at all corners	Existing and proposed
	UTILITIES, above and below ground	
	EASEMENT/DEDICATIONS with all dimensions	Existing and proposed
	Location	Existing and proposed
	Type	Existing and proposed

NOTE: N/A Not applicable
 X Completed
 W Waiver requested (must be accompanied by written request per **§301.B-3**)

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

NOTE	ITEM	REMARK
	STREETS	
	Locations, names and widths of all	Existing and proposed
	Sight triangles at all intersections with County roads	Existing and proposed
	Radii of curblines at intersections	Existing and proposed
	Profiles and cross sections where intersect with County road, showing:	Proposed only
	Type & width of pavement	
	Curb location	
	Sidewalk and planting strips	
	Cross sections every 50' of any County road widening	
	PARKING AREAS	
	Aisle and roadway width	Existing and proposed
	Striping and traffic control markings	Existing and proposed
	Traffic control devices	Existing and proposed
	Total number of spaces	Existing and proposed
	TRAFFIC CONTROL DEVICES , including all signs and signals	Within 300' of site
	DRIVEWAYS within 100' of any County road access	Existing and proposed
	SIDEWALKS within 200' of site	
	RESERVED LANDS to be dedicated for public use	
	WOODED AREAS	
	WETLANDS , tidal and freshwater with buffers	LOI from NJDEP if wetlands are delineated
	WATER BODIES , natural and created within 200' of site	Existing and proposed
	Location and extent and water level elevation	
	Flood plain boundaries within or adjacent to subdivision	As shown on latest floodplain maps
	Streams within 100' of site	
	Stream encroachment lines	As defined by the NJ DEP
	Cross sections, showing extent of floodplain, top of bank, bottom elevations and normal water level where:	
	Water course crosses site boundary	

NOTE: N/A Not applicable
 X Completed
 W Waiver requested (must be accompanied by written request per **§301.B-3**)

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

NOTE	ITEM	REMARK
	Every 300' for length of water course within site	
	Juncture of two water courses	
	Method of slope stabilization and soil erosion protection with typical ditch profiles	Where any change proposed
	Total acreage of water courses	
	DRAINAGE REPORT information graphically	Per Section 602
	SANITARY SEWERAGE FACILITIES	Existing and proposed
	Location, size and slope of:	
	Sanitary sewer lines,	
	Pumping stations,	
	Connections to existing facilities,	
	Location of any proposed sanitary sewage treatment plants	

NOTE: N/A Not applicable
 X Completed
 W Waiver requested (must be accompanied by written request per **§301.B-3**)

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

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APPENDIX F
FEE SCHEDULE

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

FEE SCHEDULE

<i>CLASSIFICATION</i>	<i>FEE</i>
Minor subdivisions not on a county road and/or not affecting drainage	\$50.00
Minor subdivisions on a county road and/or affecting county drainage	\$200.00
Major subdivisions	\$200.00 plus \$25 per lot
Site plans NOT on a county road and NOT affecting drainage	\$200.00
Site plans affecting County road or drainage	\$200 plus \$10 per 1,000 square feet★ of impervious coverage, including building footprint, parking and all paving materials.
All other site plans	\$50

- ★ 0 to 999 SF = \$10.00
- 1,000 to 1,999 SF = \$20.00
- 2,000 to 2,999 SF = \$30.00 and so on with \$10/each additional 1,000sf

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

APPENDIX G

COUNTY RIGHT OF WAY ROAD CLASSIFICATION

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

COUNTY ROAD RIGHT OF WAY WIDTHS		
Road #	Road Name(s)	Limits
90' WIDE		
CR 552	Irving Avenue / Sherman Avenue / Mays Landing Road	from CR 638 (Burlington Road) to Atlantic County
CR 552 Spur	Broad Street / Mays Landing Road	from CR 678 (Wade Boulevard) to CR 552 (Sherman Avenue)
CR 555	Dividing Creek Road / Silver Run Road	from Buckshutem Creek to CR 610 (Cedar Street)
CR 555	Wheaton Avenue / Main Road	from 'G' Street to Gloucester County
CR 627	Silver Run Road	from CR 670 (Buckshutem Road) to CR 555 (Dividing Creek Road)
CR 628	College Avenue / Orchard Road	from NJSH 47 (Delsea Drive) to Garrison Road
CR 655	Lincoln Avenue	from CR 555 (Main Road) to Atlantic County
CR 670	Buckshutem Road	from CR 638 (Burlington Road) to CR 627 (Silver Run Road)
CR 678	Wade Boulevard	from CR 552 Spur (Broad Street) to CR 555 (Wheaton Avenue)
50' WIDE		
CR 555	Wheaton Avenue	Third Street to 'G' Street
CR 610	Jones Island Road / Maple Avenue	southern end to CR 653 (Bowers Creek Road)
CR 630	Foster Road / Parsonage Road	from CR 617 (Finley Road) to CR 606 (Old Deerfield Pike)
CR 641	Market Lane	from CR 741 (Pier Road) to CR 623 (Ye Greate Street)
CR 642	Wheaton Island Road	from CR 703 (Old Mill Road) to CR 639 (Gum Treet Corner Road)
CR 648	Sayres Neck Road	from southern end to CR 553 (Main Street)
CR 651	Hands Mill Road	from NJSH 47 (Delsea Drive) to CR 550 (Mosslander Road)
CR 652	Sheppard Davis Road	from CR 648 (Sayres Neck Road) to CR 553 (Main Street)
CR 653	Bowers Creek Road	from CR 648 (Sayres Neck Road) to CR 610 (Maple Avenue)
CR 657	Rockville Road / Husted Bateman Road	from CR 648 (Sayres Neck Road) to CR 553 (Main Street)
CR 664	Turkey Point Road / Hickman Avenue	from CR 553 (Main Street) to CR 553 (Main Street)
CR 700	Old Beaver Dam Road	from western end to CR 553 (Main Street)
CR 702	Old Beaver Dam Road	from CR 553 (Main Street) to eastern end
CR 707	Hance Bridge Road	from CR 552 Spur (Broad Street) to CR 678 (Wade Boulevard)
CR 715	Pindale Drive	from CR 553 (Centerton Road) to Salem County
CR 724	Cake Road	from CR 612 (Seeley Road) to CR 689 (Harmony Road)
CR 726	John Dare Road	from CR 603 (Harmony Road) to CR 617 (Columbia Highway)
CR 729	Weber Road	from CR 711 (Northville Road) to CR 687 (Woodruff-Husted Station Road)
CR 730	Tice's Lane	from Salem County to NJSH 77
CR 734	Schoolhouse Lane	from CR 643 (Newport Neck Road) to CR 637 (Fortescue Road)
CR 736	Matt's Landing Road	from western end to CR 616 (Main Street)
CR 739	Prison Farm Road	from CR 616 (Main Street) to NJSH 47 (Delsea Drive)
CR 740	Heislerville Road	from CR 616 (Main Street) to NJSH 47 (Delsea Drive)
CR 741	Pier Road	from CR 641 (Market Lane) to CR 642 (Bacons Neck Road)
CR 743	Parsonage Road	from CR 606 (Old Deerfield Pike) to NJSH 77
CR 754	Tuska Avenue	from CR 654 (Lebanon Road) to Salem County

NOTE: All Other County Road Right-of-Way Widths = 66'

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

APPENDIX H

SURETY BOND TEMPLATE

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

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CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

PERFORMANCE SURETY BOND

We, _____, having offices at _____, _____, as principal, and _____, having offices at _____, _____, a corporation duly licensed to transact a surety business in the State of New Jersey, as surety, are indebted to the municipality of _____, in the county of _____, obligee, in the sum of \$ _____ for which payment we bind ourselves and our respective heirs, legal representatives, successors, and assigns, jointly and severally.

On _____ (date), principal was granted approval by the _____ (approving authority) of the _____ of _____ for _____ (include reference to specific job and resolution of approval). The estimate by the county engineer of the cost of this work and the resolution of approval are attached hereto and made a part hereof.

Pursuant to county standards, adopted under authority of N.J.S.A. 40:27-1 et seq., the principal hereby furnishes a performance surety bond in the amount of \$ (not to exceed 110 percent of the cost of the improvements, as certified by the county engineer), written by _____, a surety licensed in the State of New Jersey, guarantying full and faithful completion of improvements approved by the approving authority, in lieu of completing the required improvements prior to the granting of approval. This bond shall remain in full force and effect until such time as all improvements covered by the bond have been approved or accepted by resolution of the county planning board, except that in those instances where some of the improvements are approved or accepted by resolution of the Board upon certification by the county engineer, partial release from the bond shall be granted. The amount of the bond remaining shall be sufficient to secure provision of the improvements not yet approved; provided, however, that the county may require that 30 percent of the amount of the bond be retained to ensure completion of all improvements.

This bond shall remain in full force and effect until released by resolution of the county governing body.

This bond is issued subject to the following expressed conditions:

1. This bond shall not be subject to cancellation either by the principal or by the surety for any reason until such time as all improvements subject to the bond have been accepted by the county.
2. This bond shall be deemed to be continuous in form and shall remain in full force and effect until the improvements are accepted by the county and the bond is released, or until default is declared, or until the bond is replaced by another bond meeting applicable legal requirements. Upon approval or acceptance of all improvements by the county, or upon replacement of this bond by another bond, liability under this bond shall cease. Upon approval or acceptance of some, but not all, of the required improvements by the county, partial release from the bond shall be granted; provided, however, that the portion of the bond amount sufficient to secure completion of the improvements shall continue in effect and the county may retain 30 percent of the bond amount posted in order to ensure such completion .
3. The aggregate liability of the surety shall not exceed the sum set forth above.
4. In the event that the improvements subject to this bond are not completed within the time allowed under the conditions of the approval issued, including such extensions as may be allowed by the approving

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

authority, the county governing body may, at its option, and upon at least 30 days prior written notice to the principal and to the surety by personal delivery or by certified or registered mail or courier, declare the principal to be in default and, in the event that the surety fails or refuses to complete the work in accordance with the terms and conditions of the original approval, claim payment under this bond for the cost of completion of the work. In the event that any action is brought against the principal under this bond, written notice of such action shall be given to the surety by the county by personal delivery or by registered or certified mail or courier at the same time.

5. The surety shall have the right to complete with work in accordance with the terms and conditions of the original approval, either with its own employees or in conjunction with the principal or another contractor; provided, however, that the surety, in its sole discretion, may make a monetary settlement with the county as an alternative to completing the work.

6. In the event that the principal and the approving authority agree to changes in the scope of work, the obligations of the surety under this bond shall not be affected so long as the cost of the work does not exceed 110 percent of the county engineer's certified estimate, attached hereto and made a part hereof, which 110 percent of the estimate shall be the limit of the surety's obligation under this bond in any case. If the cost of the work exceeds 110 percent of the certified estimate, the principal shall secure a rider from a surety for the additional amount; provided, however, that this provision shall not be construed as requiring a surety to provide additional coverage.

7. This bond shall inure to the benefit of the county only and no other party shall acquire any rights hereunder.

8. In the event that this bond shall for any reason cease to be effective prior to the approval or acceptance of all improvements, a cease and desist order may be issued by the governing body, in which case all work shall stop until such time as a replacement guarantee acceptable to the approving authority becomes effective.

Date: _____

Witness/Attest

Principal

Surety

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

STATE OF NEW JERSEY:

:ss

CORPORATE ACKNOWLEDGEMENT

COUNTY OF CUMBERLAND:

On this _____ day of _____, 200__ before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared _____, who, being by me duly sworn on his oath, deposes and makes proof to my satisfaction, that he is the Secretary of _____, the Corporation named in the within Instrument; that _____ is the President of said Corporation; that the execution, as well as the making of this Instrument, has been duly authorized by a proper Resolution of the Board of Directors of said Corporation; that deponent well knows the corporate seal of said Corporation; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation, in the presence of deponent, who thereupon subscribed his name thereto as attesting witness.

Sworn and Subscribed to

before me the date aforesaid

NOTARY PUBLIC OF NEW JERSEY

Secretary

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

STATE OF NEW JERSEY:

:ss LIMITED LIABILITY COMPANY

COUNTY OF CUMBERLAND: ACKNOWLEDGEMENT

I CERTIFY THAT on _____, 20__, _____,
personally came before me and acknowledged under oath, to my satisfaction, that:

- (a) This person is a Member of _____, L.L.C., the Limited Liability Company named in this document; and
- (b) This person is authorized, pursuant to the Operating Agreement, to execute papers on behalf of the Company; and
- (c) This document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of the Members authorized by the Operating Agreement to authorize such acts; and

Sworn and Subscribed to

before me this day
of ,2000__.

NOTARY PUBLIC OF NEW JERSEY

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

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CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

APPENDIX I

LETTER OF CREDIT TEMPLATE

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

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CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

(FINANCIAL INSTITUTION LETTERHEAD)

Irrevocable Letter of Credit No. _____
Re: ____ (Project Name & County File No.) ____
Amount: _____
Date: _____

Treasurer, Cumberland County

Attention: Cumberland County Department of Planning and Economic
Development
790 E. Commerce Street
Bridgeton, New Jersey 08302

Gentleman:

We hereby establish our irrevocable credit in the amount of \$ _____ in favor of the Treasurer, County of Cumberland New Jersey, on behalf of _____ (Name of Owner/Developer). We understand that this irrevocable credit is to be used to insure the construction of roads, drainage facilities and other improvements as shown in the approved plans and specifications for _____ (Project Name & County File No), located in the municipality of _____ in the County of Cumberland and the State of New Jersey in conformity with the rules and procedures set forth in the Land Development Standards of Cumberland County, New Jersey adopted by the County Board of Chosen Freeholders on _____, and all subsequent amendments.

This irrevocable credit established by _____ (name of Financial Institution) shall be in force for a period of one (1) year and shall remain in effect without regard to any default in payment of sums owed by the owner and/or developer and without regard to other claims which we may have against the owner and/or developer. It is a condition of this Letter of Credit that it shall be deemed automatically extended annually without amendment for one (1) year from the expiration date provided hereinafter unless thirty (30) days prior to such expiration date we shall notify you in writing by certified mail that we elect not to consider this Letter of Credit renewed for any such additional period. Upon receipt by you of such notice, or within thirty (30) days prior to the extended expiration date, you may draw hereunder, without having incurred liability by reason of the failure of

_____ (owner/developer) to construct and install the improvements as required by the above identified plans, profiles, and specifications, by means of your drafts on us, at sight, accompanied by your written certification by the County Engineer that certain installation and construction work remains to be completed and that proceeds of your drafts will be retained and used by you to make any payments which you might thereafter be required to make by reason of the failure of said _____ (owner/developer) to complete the construction and installation of improvements, and further, that you will refund to us the amount paid, less any amounts which may have been paid by you for the construction and installation of said improvements.

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

This Letter of Credit may be drawn upon by the Treasurer, County of Cumberland, in the event that the above described improvements are not completed within the specified time.

The Letter of Credit may also be drawn upon by the County of Cumberland as a maintenance guarantee, as required by the County, is not deposited with the County, prior to the expiration date of this Letter of Credit.

We specifically agree that your drafts will be honored regardless of any objection made by _____ (owner/developer) or any third party, even if said objections indicate that all the required improvements have been completed. It shall be the responsibility of _____ (Owner/Developer) to resolve any disputes with the County of Cumberland and payments on drafts will not be withheld as a result of any such disputes.

All drafts hereunder must be marked "Drawn on _____
_____(Financial Institution) Letter of Credit No. _____." All drafts must be drawn on or before the expiration date of _____.

Attest:

Very truly yours,

Secretary

President
Financial institution

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

APPENDIX J

MAINTENANCE BOND TEMPLATE

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

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CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

MAINTENANCE SURETY BOND

We, _____, having offices at _____, _____, as principal, and _____, having offices at _____, _____, a corporation duly licensed to transact a surety business in the State of New Jersey, as surety, are indebted to the county of _____, in the state of _____, obligee, in the sum of \$_____, for which payment we bind ourselves and our respective heirs, legal representatives, successors, and assigns, jointly and severally.

On _____ (date), principal was granted approval by the _____ (approving authority) of the _____ of _____ for _____ (include reference to specific job and resolution of approval).

This bond shall become effective upon approval or acceptance of the improvements by the Planning Board, as certified by the resolution of the governing body, which is or shall be, attached hereto and made a part hereof. The improvements subject to this bond are as follows: _____

The certification of the cost of such improvements by the county engineer is attached hereto and made a part hereof.

Pursuant to county standards, the principal, as a condition of approval or acceptance of improvements, hereby furnishes this maintenance bond in the amount of \$ _____ (not to exceed the cost of the improvements plus 10% as certified by the county engineer), written by _____, a surety licensed in the State of New Jersey, guarantying full and faithful compliance with all terms and conditions of the approval. The bond shall continue in effect for a period of ___ (not to exceed two years) from the date of approval or acceptance of the said improvements.

This bond is issued subject to the following expressed conditions:

1. This bond shall not be subject to cancellation either by the principal or by the surety for any reason until the end of the period for which it is required to be maintained.
2. The aggregate liability of the surety under this bond shall not exceed the sum set forth above.
3. In the event that the improvements subject to this bond exhibit any defects in functioning, materials or quality of work, the county governing body may, at its option, and upon at least 30 days prior written notice to the principal and to the surety by personal delivery or by certified or registered mail or courier, declare the principal to be in default and, in the event that the surety fails or refuses to perform the necessary corrective work, claim payment under this bond for the cost of any work required for the proper correction of any such defects in the said improvements. In the event that any action is brought against the principal under this bond, written notice of such action shall be given to the surety by the county by personal delivery or by registered or certified mail or courier at the same time.
4. The surety shall have the right to repair any defects in functioning, materials or quality of work and, to that end, to do such corrective work as may be necessary in accordance with the terms and conditions of the

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

original approval, either with its own employees or in conjunction with the principal or another contractor; provided, however, that as an alternative to performing such maintenance or corrective work it may, in its sole discretion, make a monetary settlement with the municipality.

5. This bond shall inure to the benefit of the county only and no other party shall acquire any rights hereunder.

Date: _____

Witness/Attest

_____ Principal

_____ Surety

STATE OF NEW JERSEY:

:ss

SURETY ACKNOWLEDGEMENT

COUNTY OF CUMBERLAND:

On this _____ day of _____, 200__ before me personally came _____, to me known, who, being sworn, deposes and says that he/she is the Attorney-in-Fact of _____, the corporation described in and which executed the foregoing Bond; that he/she knows the seal of the said corporation, that the seal affixed to the said Bond is such corporate seal, that it was so affixed by order of the Board of Directors of such corporation, and that he/she signed his/her name thereto by like order.

NOTARY PUBLIC OF NEW JERSEY

CUMBERLAND COUNTY DEVELOPMENT REVIEW STANDARDS

STATE OF NEW JERSEY:

:ss INDIVIDUAL ACKNOWLEDGEMENT

COUNTY OF CUMBERLAND:

I CERTIFY THAT on _____, 20__, _____,
personally came before me and acknowledged under oath, to my satisfaction, that he:

- (a) Is named in and personally signed the attached document; and
- (b) Signed, sealed and delivered this document as his act and deed.

Sworn and Subscribed to

before me this day

of ,20__.

NOTARY PUBLIC OF NEW JERSEY

