

**CHESTERFIELD TOWNSHIP**

**ORDINANCE 2021-12**

**AN ORDINANCE TO AMEND CHAPTER 130  
OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD  
TO INCLUDE A NEW SUBSECTION GOVERNING  
AN “ALTERNATE TRACK BULK VARIANCE” AND  
AMENDING THE FEE SCHEDULE UNDER CHAPTER 110**

**WHEREAS**, the Township Committee and Administration of the Township of Chesterfield have determined that it would be in the best interests of the residents and the Township’s zoning and planning goals to create a “Alternate Track Bulk Variance” for certain limited bulk variance applications that are minor or routine in nature; and

**WHEREAS**, it is currently possible that some residents avoid relatively minor applications that they would otherwise pursue due to the costs of obtaining a bulk variance; and

**WHEREAS**, the process set forth by this Amendment allows for the streamlining of these applications, but also allows for the Board Administration and its professionals to remove an application from this Track if it is determined that it presents unique complications or will require more in-depth review than intended by the Alternate Track Bulk Variance; and

**WHEREAS**, the review letters and resolutions associated with such applications will be streamlined in order to reduce the time Board professionals are required to spend on same, and as such a lower fee will be charged with regard to initial escrow costs; and

**WHEREAS**, the Township Committee of the Township of Chesterfield determines that these changes further the intent and purpose of the Township’s zone plan and scheme and that the revisions serve the best interests of the overall health, safety and welfare of the Township residents and the public at large.

**NOW, THEREFORE, BE HEREBY IT ORDAINED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, as follows:

**Section 1.** Chapter 130 is hereby amended to create Chapter 130-109.1, entitled “Alternate Track Bulk Variance”:

**§ 130-109.1.** Alternate Track Bulk Variance.

- A. Purpose. The purpose of this subsection is to create an Alternate Track Bulk Variance for bulk variance applications that are considered minor or routine in nature.

- B. Alternate Track Bulk Variances, as used herein, shall include the following applications:
1. the erection of a fence or shed on a residential property,
  2. the construction of a swimming pool as an accessory use on a residential property;
  3. the expansion or modification of a driveway; and
  4. such other applications, that upon review of the Board Administrator or Zoning Officer are determined to be so minor in nature as to qualify for review under the Alternate Track Bulk Variance, provided the Board Professionals agree with the determination.
- C. Removal from Track. If in the determination of the Board Administrator or Zoning Officer, in consultation with any Board Professional, determines that a variance application relates to an area covered by the Alternate Track Bulk Variance, the Application may be removed from the Simple Track and treated as a regular Bulk Variance Application. It is noted that the initial escrow fee posted, as with any application, is an initial deposit and may not account for all costs associated with professional review, thereby requiring further deposits into escrow.
- D. Notwithstanding anything to the contrary contained herein, the applicant for an alternate track bulk variance must still meet the positive and negative criteria required for variances under NJSA 40:55D-70(c)."

**Section 2.** Chapter 110, governing "Fees" is hereby amended as follows:

**§ 110-130. Land Development.**

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K.	Bulk variance.	
(1)	Alternate Track:	\$ 350
(2)	Residential:	\$ 750
(3)	Business:	\$1,500
(4)	Industrial:	\$2,000

**Section 3.** Inconsistency. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, section, paragraph, or sentence or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 5.** Effective Date. This ordinance shall take effect immediately upon final passage and publication thereof according to law.

**CHESTERFIELD TOWNSHIP COMMITTEE**

Introduced: July 22, 2021

Adopted: August 26, 2021

RECORD OF VOTE 2021-12													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
Dhopte	X					X	Dhopte				X		
Koetas-Dale	X						Koetas-Dale	X					X
Panfili	X				X		Panfili	X					
Russo	X						Russo	X				X	
Liedtka	X						Liedtka	X					
X – Indicates Vote      NV – Not Voting      AB – Absent      ORD – Motion      SEC - Seconded													