

**RESOLUTION AUTHORIZING AMENDMENT OF THE GLOUCESTER COUNTY
LAND DEVELOPMENT RESOLUTION CHAPTER 400, SECTION 415B**

WHEREAS, the County of Gloucester (hereinafter the "County") adopted by and through the County Board of Chosen Freeholders in 1991 "The Gloucester County Land Development Resolution" (hereinafter the "Development Resolution"); and

WHEREAS, the general intent and purpose of the Development Resolution was to provide rules, regulations, procedures and standards for review and approval of land subdivisions and site development plans in the County pursuant to the County and Regional Planning Enabling Act, N.J.S.A. 40:27-1, et seq., as supplemented and amended from time to time; and

WHEREAS, the Board of Chosen Freeholders of the County has determined that it is necessary to amend and revise the Development Resolution in order that the provisions of same coincide and remain current with the state of the existing law in New Jersey; and

WHEREAS, the County's Engineering Division and Planning Division has recommended that Chapter 400, Section 415B of the Development Resolution, which governs cost allocation for off-tract improvements, be amended; and

WHEREAS, the Board of Chosen Freeholders of the County has determined that it is in the best interests of the County, and in the interests of the public good, to amend Chapter 400, Section 415B of the Development Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Gloucester, that Section 415B of the Development Resolution, as well as paragraphs or subparagraphs that appear within Section 415B, be, and the same hereby are, **DELETED** in their entirety; and the said Section 415B, be, and the same hereby is, now amended and revised, and shall be replaced with the new Section 415B, which is set forth, as follows:

"B. Determination of Cost and Applicant's Fair Share.

The County approving authority shall estimate the cost of the required off-tract improvements, and the applicant's proportionate or pro-rata amount of the costs of the improvements, based on the following criteria:

1. Full Allocation

In cases where off-tract improvements are necessitated by the proposed development, and where no other property owner(s) receives a special benefit thereby, the applicant may be required at his sole expense, and as a condition of approval, to provide and install such improvements.

2. Proportionate Allocation

Where it is determined that properties outside the development will also be benefited by the off-tract improvement, the following criteria shall be utilized in determining the proportionate share of the cost of such improvements to the development.

3. Allocation Formula

a. Roadways

The applicant's proportionate share of street improvements, alignments, canalizations, barriers, new or improved traffic signalization, signs, curbs, sidewalks, trees, other improvements uncovered elsewhere, the construction and reconstruction of new or existing streets, and other associated street or traffic improvements, shall be as follows:

- i. The applicant shall provide the County Engineer with a Traffic Study showing the existing and reasonably anticipated future peak hour flows for the off-tract improvements.

- ii. The applicant shall furnish a plan for the proposed off-tract improvement, which shall include the estimated peak hour of traffic generated by the proposed development and the proportion thereof which is to be accommodated by the proposed off-tract improvement. The ratio of peak hour traffic generated by the proposed development which is to be accommodated by the off-tract improvement to the future additional peak hour traffic anticipated to impact the proposed off-tract improvement shall form the basis of the proportionate share. The proportionate share shall be computed as follows:

Fair Share Contribution Calculation

$$\frac{\text{Total \# Site Peak Trips}}{\text{Total \# Peak Trips at (Intersection / Corridor)}} \times (\text{Cost of Improvements to Intersection / Corridor})$$

- iii. The applicant of a proposed development may be required to make a pro-rata contribution toward improvements to off-tract County roads and County intersections after the improvements have been completed, if a period of less than three (3) years has elapsed between the date the improvements were completed, and the date that a formal development application is received.

b. Drainage

The applicant's proportionate share of storm water and drainage improvements including the installation, relocation, or placement of storm drains, culverts, catch basins, manholes, rip rap, improved drainage ditches and appurtenances thereto, and relocation and replacement of other storm drainage facilities or appurtenances associated therewith, shall be determined as follows:

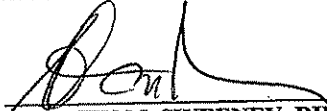
- i. The capacity and the design of the drainage system to accommodate the storm water runoff shall be based on the standards specified in this Resolution and the Gloucester County Specification Manual, computed by the applicant's Engineer, and approved by the County's Engineer.
- ii. The capacity of the enlarged, extended, or improved system required for the proposed development, and areas outside the applicant's tributary to the drainage system shall be determined by the applicant's engineer subject to the approval of the County's Engineer. The plans for the improved system shall be prepared by the applicant's engineer, and the estimated cost of the enlarged system calculated by the County Engineer. The proportionate share for the proposed improvements shall be computed as follows:
 - (a) Capacity of enlargement or improvement (total capacity expressed in cubic feet per second) Development generated peak rate of runoff expressed in cubic feet per second to be accommodated by the enlargement or improvement; and
 - (b) Total cost of enlargement or improvement applicant's cost.

BE IT FURTHER RESOLVED, that the Development Resolution shall continue to remain in full force and effect, and is revised and amended only to the extent provided for in this Resolution.

ADOPTED at a regular meeting of the Board of Chosen Freeholders of the County of Gloucester held on Wednesday, June 24, 2009, at Woodbury, New Jersey.



COUNTY OF GLOUCESTER


STEPHEN M. SWEENEY, DIRECTOR

ATTEST:


ROBERT N. DILELLA, CLERK