ORDINANCE 2018-15
Borough of Metuchen
County of Middlesex
State of New Jersey

AN ORDINANCE AMENDING CHAPTER 110 - THE LAND DEVELOPMENT ORDINANCES OF THE BOROUGH OF METUCHEN, SPECIFICALLY, CHAPTER 110, ARTICLE 2, ENTITLED “ZONING PERMITS, ARTICLE 5, ENTITLED “APPLICATION AND ESCROW FEES AND ARTICLE 48, ENTITLED “SIGNS REGULATIONS”

BE IT ORDAINED by the Mayor and Council of the Borough of Metuchen that Chapter 110 of the Code of the Borough of Metuchen be amended as follows:

SECTION 1 Chapter 110, Article 2 of the Code of the Borough of Metuchen is hereby amended to add the following to Section 110-7 – Exemption from Site Plan Review:

§ 110-7. Exemption from site plan review.

A. Applications which involve minor alterations to the site, inclusive of the addition or removal of parking areas no greater than two parking spaces or 500 square feet, to one or more of the building elevations, structural changes, inclusive of awnings, canopies, and dormers to buildings without adding additional usable floor area for which parking is required under the provisions of § 110-154, or the construction of an accessory structure consisting of no greater than 100 square feet in floor area may be exempt from obtaining site plan approval at the determination of the Zoning Officer. The Zoning Officer may issue a zoning permit after consultation with the Chairperson of the Planning Board and after the application has been reviewed by the Borough Planner and Borough Engineer to verify and confirm that no variances are required and that the site improvements and/or facade changes conform to applicable Borough design standards.

B. An applicant may request an exemption upon application for a zoning permit by submitting four copies of an application for development and a statement setting forth reasons for the exemption and providing sufficient plan information as determined by the Zoning Officer to verify that an exemption may be granted.

C. Pop-up businesses shall be exempt from obtaining site plan approval.

§110-7.1. Exemption from site plan review for signs.

A. Applications which involve deviation from Article 48, Sign Regulations, limited to the following: one (1) additional sign in addition to the number of signs that are permitted, any sign with a dimension that is no more than 25% greater than the maximum permitted area, height, width, thickness of signboard, height of letters, numbers or other characters or images, any blade sign that projects no more than 25% greater than the maximum projection from building wall, or any internally illuminated blade sign may be exempt from obtaining site plan approval at the determination of the Zoning Officer. The Zoning Officer may issue a zoning permit after consultation with the Chairperson of the Planning Board and the Executive Director of the Metuchen Downtown Alliance and after the application has been reviewed by the Borough Planner to verify and confirm that no variances are required and that the applications generally
conform to applicable Borough design standards. All other deviations from Article 48, Sign Regulations, shall be subject to minor site plan approval.

B. An applicant may request an exemption upon application for a zoning permit by submitting four (4) copies of an application for development and a statement setting forth reasons for the exemption and providing sufficient plan information as determined by the Zoning Officer to verify that an exemption may be granted.

SECTION 2 Chapter 110, Article 5 of the Code of the Borough of Metuchen is hereby amended to revise the following to Section 110-14 – Fee Schedule:

§ 110-14. Fees.

Every application for development and informal request for reviews by the Borough Engineer, Board Planner and Board Attorney as to zone change or other questions regarding the implementation, enforcement or application of this chapter shall not be acted upon unless and until:

A. Accompanied by cash, check or money order made payable to the Borough of Metuchen for the application and escrow fees prescribed below; and

B. The party seeking the application for development or informal request executes an agreement to pay for services to be rendered by the Board professionals or the Borough Attorney.

Fee Schedule

<table>
<thead>
<tr>
<th>Application for Development</th>
<th>Application Fee</th>
<th>Escrow Fee</th>
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<tr>
<td><strong>Subdivisions</strong></td>
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<tr>
<td>Minor subdivision</td>
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<td>$500</td>
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<tr>
<td>Concept plat for review</td>
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<tr>
<td>Minor subdivision</td>
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<td>Major subdivision</td>
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<tr>
<td>Upon approval of minor or major final subdivision for amendment of Borough Tax Map</td>
<td>$500 per new lot created</td>
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<td>Site plans</td>
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<tr>
<td>Minor site plan</td>
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Change of use $50  
$500
Preliminary site plan $300  
$3,000
Final site plan $200  
$2,000
PURD and PUCD $750  
$1,500 per acre or part thereof plus $50 per dwelling unit

Informal presentation (1 appearance only)
Concept plat for review $50  
$500
Minor site plan $100  
$1,000
Major site plan $500  
$1,000

Technical assistance, design review and completeness review at Technical Review Committee
Residential uses $25  
$500
Nonresidential uses $50  
$1,000

Variances
Appeals (N.J.S.A. 40:55D-70a) $100  
$1,000
Interpretation (N.J.S.A. 40:55D-70b) $100  
$1,000
Bulk (N.J.S.A. 40:55D-70c)
First variance for principal structures $150  
$750
First variance for accessory structures $50  
$500
Each additional variance $25  
$250

Use (N.J.S.A. 40:55D-70d)
$200  
$2,000
d(3) variance $150  
$1,500
d(4), d(5) or d(6) variances $100  
$1,000

$750

Miscellaneous requests for reviews, meetings or consultations involving planning, engineer or other professional review, including request for zoning changes Hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in As required by Board and/or professional
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<th>Service Provided</th>
<th>Cost Description</th>
<th>Payment Option</th>
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<tr>
<td>Certified list of property owners</td>
<td>$0.25 per name or $10, whichever is greater</td>
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</tr>
<tr>
<td>Copy of minutes/transcripts of decisions</td>
<td>$1 per page for first copy, plus $0.25 per page for each additional copy or as required by transcription service</td>
<td>As required by transcription service</td>
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<td>Guaranty review</td>
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<tr>
<td>Review of performance guaranty by Borough Attorney</td>
<td>$150 per review</td>
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<tr>
<td>Review of maintenance guaranty by Borough Attorney</td>
<td>$150 per review</td>
<td>None</td>
</tr>
<tr>
<td>Preparation of developer's agreement by Borough Attorney</td>
<td>$400 minimum per agreement, plus $125 per hour after first 3 hours</td>
<td>As required by Borough Attorney</td>
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<tr>
<td>Miscellaneous reviews: master deed, certificate of incorporation, bylaws, unit deeds, etc.</td>
<td>$150 per review</td>
<td>None</td>
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<tr>
<td>Appeal of any determination by Borough official to the applicable Board</td>
<td>$50 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office</td>
<td>As required by applicable Board and/or professional</td>
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<td>Special meeting</td>
<td>$750 per meeting, plus hourly rates as set forth on an annual basis by the approving authority’s retained professional, which are available in the Borough Clerk's office</td>
<td>As required by applicable Board and/or professional</td>
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<td>Continuation of hearing</td>
<td>$250 per appeal, plus hourly rates as set forth on an annual basis by the approving authority’s retained professional, which are available in the Borough Clerk's office</td>
<td>As required by applicable Board and/or professional</td>
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Zoning Permit Applications

<table>
<thead>
<tr>
<th>Principal structures</th>
<th>Application Fee</th>
<th>Escrow Fee</th>
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</thead>
<tbody>
<tr>
<td>New principal structures (inclusive of all other improvements associated with its construction)</td>
<td>$250</td>
<td>$500*</td>
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Additions and alterations

| Greater than 1,000 square feet | $100 |
| Greater than 500, up to 1,000 square feet | $75 |
| 500 square feet or less | $50 |

Porches and decks

| Greater than 250 square feet | $25 |
| 250 square feet or less | $10 |

Stoops, landings and steps

| $10 |

Accessory structures

| Retaining walls 4 feet or greater in height and in-ground swimming pools | $50 | $250* |
| Detached garages, and any other structure deemed to be accessory structures greater than 100 square feet | $50 |
| Retaining walls less than 4 feet in height, parking lots, driveways, sport courts, fences, walls, sheds and patios greater than 100 square feet, above-ground swimming pools, rooftop solar panels, A/C condenser units, generators, tanks and any other structure deemed to be accessory structures 100 square feet or less | $25 |
| Sheds and patios 100 square feet or less, and private walkways | $10 |
| Construction trailers, construction fences and any other structure deemed to be temporary structures | $10 |
Home occupation $25

Change of occupancy or use

Greater than 3,000 square feet $75
Greater than 500, up to 3,000 square feet $50
Greater than 250, up to 500 square feet $25
250 square feet or less $10
Pop-up business $10
Alterations to facade $25

Signage

Primary business sign $25
Primary window sign $10
Outdoor displays of retail merchandise and sidewalk cafes $0
Exemption from site plan review $400
Exemption from site plan review for signs $150
Other zoning permits $25

NOTES:

* Escrow accounts for new single- and two-family dwellings, retaining walls four feet or greater in height and in-ground swimming pools are for engineering plan review and inspections only.

SECTION 3 Chapter 110, Article 48 of the Code of the Borough of Metuchen is hereby amended to revise the following to Section 110-185 – Permitted Signs:

§ 110-185. Permitted signs.

The following signs shall be permitted, pursuant to the following provisions based on type of use, location of use and district such use is located in:

A. Signs for residential uses located in any district:

   (1) Single- and two-family dwellings and three- and four-family apartments shall be permitted one identification sign indicating the name and/or address of the occupants; the maximum size of which shall not exceed 60 square inches in area. In addition, one informational sign indicating the private nature of a driveway, no trespassing or other such similar private property usage shall be permitted; the maximum size of which shall not exceed one square foot in area.
(2) Apartments, townhouses and other multifamily residential uses shall be permitted one identification sign; the maximum size of which shall not exceed two square feet in area. In addition, the following shall be permitted:

(a) Two wall-mounted signs per building identifying the name or number of the same; the maximum size of which shall not exceed one square foot in area per sign.

(b) One wall-mounted directional sign indicating the location of the management office; the maximum size of which shall not exceed one square foot in area.

B. Signs for business uses located in residential districts: one identification sign; the maximum size of which shall not exceed three square feet in area. Such sign shall not exceed five feet in standing height from ground level, including any posts, brackets and other such supporting elements. No such sign shall be illuminated after 10:00 p.m.

C. Additional signs for ground floor business uses located in business districts:

(1) Ground floor business uses having either a wall-mounted or blade sign as a primary sign may display additional signs on awnings, provided that the following standards are met:

(a) Maximum size of such additional sign shall not exceed four square feet in area per use.

(b) Such awning shall be constructed of canvas, cloth or vinyl.

(c) Maximum height of lettering shall not exceed six inches.

(d) The color(s) of the awning shall be compatible with the architectural color scheme of the entire building and consistent with the approved Metuchen Downtown Colors.

(2) Ground floor retail or personal service business uses having either a wall-mounted, blade or awning/canopy sign may display an additional sign painted on the inside of a window, provided that the following standards are complied with:

(a) Maximum size of such additional sign shall not exceed 10% of the total window area, not to exceed four square feet in area per business use.

(b) The color(s) of the window painted sign shall be consistent with the approved Metuchen Downtown Colors.

(c) Maximum height of lettering shall not exceed six inches.
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(3) Ground floor business uses having a side or rear facade fronting on a parking lot shall be permitted to have one (1) additional wall-mounted sign on the facade of the building facing the parking lot, provided that such sign does not exceed 12 square feet in area and/or one (1) additional blade sign projecting from the façade of the building facing the parking lot, provided that such sign meets all of the standards of this article. This provision shall not apply in situations where a parking lot is located between a building and a public street.

(4) Ground floor business uses located on corner lots, therefore having a second facade fronting on a public street, shall be permitted to have one (1) additional wall-mounted sign on the facade of the building facing the side street and/or one (1) additional blade sign projecting from the façade of the building facing the side street, provided that such sign meets all of the standards of this section.

D. Signs for upper story businesses in business districts: one directory sign for each ground floor entrance to a building shall be permitted, whether such entrance fronts on a street or parking lot; the maximum size of which shall not exceed six square feet in area; however, any individual business shall not occupy greater than one square foot in area of such sign.

E. Signs for institutional uses in any district: two signs for each such use shall be permitted; the maximum size of which shall not exceed 16 square feet in total area for both signs.

F. Any use in a LI Light Industrial District: one sign, the maximum size of which shall not exceed 24 square feet in area, shall be permitted.

SECTION 4 Chapter 110, Article 48 of the Code of the Borough of Metuchen is hereby amended to revise the following to Section 110-186 – Dimensional Standards for Primary Business Signs:

§ 110-186. Dimensional standards for primary business signs.

Where any standard contained in this section is more restrictive than another applicable standard found elsewhere in this article, the standard contained herein shall be the final determining standard for such sign.

A. Wall-mounted signs.

(1) Maximum size of signboard shall not exceed 24 square feet in area.

(2) Maximum height of signboard shall not exceed three feet.

(3) Maximum width of signboard shall not exceed 12 feet.

(4) Maximum height of letters, numbers or other characters or images on the signboard shall not exceed two feet.
(5) No portion of such sign shall extend above or beyond the limits of the wall to which it is affixed.

B. Freestanding signs.

(1) Maximum size of signboard shall not exceed 16 square feet in area.

(2) Maximum height from ground level to uppermost portion of sign, including any posts, brackets and other supporting elements, shall not exceed five feet.

(3) Maximum height of signboard shall not exceed four feet.

(4) Maximum width of signboard shall not exceed six feet.

(5) Maximum height of letters, numbers or other characters or images on the signboard shall not exceed 1 1/2 feet.

(6) No portion of such sign shall be located within five feet of any lot line or within any clear sight triangle area.

(7) Such sign shall not project or extend over sidewalks, walkways, driveways or parking lots.

(8) Freestanding signs shall be considered structures requiring minor site plan approval under the provisions of this chapter.

C. Blade signs.

(1) Maximum size of signboard shall not exceed 10 square feet in area, exclusive of supports, brackets, hardware, finials or other decorative features. Only one side of such sign shall be used for the purposes of calculating the permitted sign area.

(2) Minimum distance from another blade sign shall be eight (8) feet.

(3) Minimum height from ground level to lowermost portion of sign shall be eight (8) feet.

(4) Maximum height from ground level to uppermost portion of sign shall not exceed the height of the sill or bottom of any second story windows in the case of multiple-story buildings or the top of wall from which it projects in the case of single-story buildings.

(5) Maximum horizontal projection, inclusive of supports, brackets, hardware, finials or other decorative features, from building wall shall not exceed five (5) feet. Signs located in the B-1, B-2, B-3 and D-1 districts shall be permitted to project or extend
over a public sidewalk within a public right-of-way, provided that such shall be no closer than two (2) feet from the face of curb.

(6) Maximum width of signboard shall not exceed four (4) feet.

(7) Maximum height of signboard shall not exceed four (4) feet.

(8) Maximum thickness of signboard shall not exceed eight (8) inches.

(9) Minimum height of letters, numbers or other characters or images on the signboard shall be three (3) inches.

(10) External illumination shall be from above or beside the signboard and be directly attached to the support, bracket or hardware and no greater than one (1) foot from the signboard. Illumination shall be directed to the signboard, not directly visible and limited as to intensity. Internally illuminated blade signs are not permitted.

D. Awning/canopy signs.

(1) Maximum size of such sign shall not exceed 10 square feet in area per awning/canopy up to a maximum of two awning/canopy signs per business use.

(2) Maximum height of lettering shall not exceed one foot.

Introduction: June 28, 2018
Date of Publication: July 3, 2018

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X – INDICATES VOTE   AB- ABSENT   NV- NOT VOTING

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a special meeting held on June 28, 2018

________________________
Susan D. Jackson, RMC
Borough Clerk
I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on July 16, 2018

Susan D. Jackson, RMC  
Borough Clerk

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NV- NOT VOTING

BOROUGH OF METUCHEN

By: ________________________
Jonathan M. Busch  
Mayor

Susan D. Jackson, RMC  
Borough Clerk