

**TOWNSHIP OF GREEN
ORDINANCE 2015-06**

**AN ORDINANCE OF THE TOWNSHIP OF GREEN,
SUSSEX COUNTY, NEW JERSEY AMENDING
CHAPTER 30 OF THE CODE OF THE TOWNSHIP OF
GREEN ENTITLED 'LAND DEVELOPMENT'
BY HAVING THE PLANNING BOARD EXERCISE ALL OF THE
POWERS OF THE BOARD OF ADJUSTMENT AND
ABOLISHING THE BOARD OF ADJUSTMENT**

WHEREAS, the Township of Green pursuant to the Municipal Land Use Law has heretofore by ordinance established a nine (9) member Planning Board and a Zoning Board of Adjustment; and

WHEREAS, the Planning Board and the Board of Adjustment by ordinance have each been endowed with all of the statutory functions pertinent to each Board; and

WHEREAS, the provisions of N.J.S.A. 40:55D-25c(1) provide that in a municipality, having a population of 15,000 or less, a nine member Planning Board, if so provided by ordinance, shall exercise to the same extent and subject to the same restrictions, all of the powers of a Board of Adjustment; but the Class I and Class III numbers shall not participate in the consideration of applications for development, which may involve relief pursuant to subsection D of N.J.S.A. 40A:55D-70; and

WHEREAS, the Township of Green has a population of less than 15,000 as established by the 2010 national census; and

WHEREAS, the Township Committee is of the opinion that it is in the best interests of the Township of Green to have the Planning Board exercise all of the powers of the Board of Adjustment;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Township of Green as follows:

SECTION 1. Section 30-9.7 entitled "Powers of the Planning Board" is hereby amended to add a new subsection "f." to read as follows:

- f. exercise to the same extent and subject to the same restrictions, all the powers of a Board of Adjustment but the Class I and the Class III members shall not participate in the consideration of applications for development, which involve relief pursuant to Subsection d. of N.J.S.A. 40A:55D-70.


SECTION 2. Section 30-10.1 entitled “Establishment; membership” establishing the Zoning Board of Adjustment of the Township of Green is hereby repealed in its entirety and the Zoning Board of Adjustment is hereby abolished.

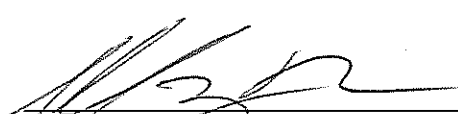
SECTION 3. All Ordinances or parts of ordinances of the Township of Green inconsistent herewith are repealed to the extent of any such inconsistency.

SECTION 4. This Ordinance shall take effect as of January 1, 2016 after passage and publication as required by law.

ATTEST:

TOWNSHIP OF GREEN


 Linda Peralta, RMC
 Township Clerk


 Margaret “Peg” Phillips
 Mayor, Green Township

INTRODUCED: October 26, 2015
 PUBLIC HEARING: December 14, 2015
 ADVERTISED ADOPTION:

ADVERTISED: October 28, 2015
 ADOPTED: December 14, 2015

Vote on Adoption:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Chirip	2nd ✓			
Mr. Conkling	1st ✓			
Mr. Kurzeja				✓
Mr. Reinbold	✓			
Mrs. Phillips	✓			