

**AN ORDINANCE AMENDING CHAPTER 101 OF THE TOWNSHIP CODE WITH
RESPECT TO NECESSARY PUBLIC UTILITIES**

WHEREAS, the Township Committee has identified inconsistencies in the Land Use ordinance with respect to necessary public utilities; and

WHEREAS, the Township Committee intends to clarify these inconsistencies by amending various provisions of the Chapter 101 of the Township Code; and,

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Plainsboro Township, County of Middlesex, State of New Jersey, the following:

SECTION I

The Code of the Township of Plainsboro, New Jersey Chapter 101 is amended to read as follows:

§ 101-1. B. Definitions.

NECESSARY PUBLIC UTILITIES AND SERVICES – Necessary public utilities and services include the provision of public utilities and services which are owned and provided by public or private entities, and which include the facilities and improvements related to such public utilities and services. Such public utilities and services include but are not limited to the provision of electricity; gas; water; sanitary sewer collection and treatment; telephone communications; cable television; internet access facilities; public schools; and municipal, county, or State facilities. Such definition does not include facilities regulated pursuant to Article XXII: Wireless Telecommunications Facilities of the Township Code.

§ 101-13.6 Necessary Public Utilities and Services.

Necessary public utilities and services provided that:

- A. There is no storage of materials and trucks and no repair facilities or staging of repair crews, except within a completely enclosed building.
- B. The exterior of any structure shall be in keeping with the other structures in the immediate residential neighborhood.
- C. Utilities may be located in public streets or rights-of-way.
- D. Except for structures associated with this use, including, but not limited to utility poles or towers, and water tanks, the maximum height of buildings associated with such use shall be 35 feet. Such building height may be increased to a maximum of 60 feet subject to the approval of the Planning Board, where it has been determined that adequate testimony has been provided to justify the additional height, and where the overall design of the project, including the design of such buildings and any screening improvements proposed, will substantially mitigate potential adverse visual and other impacts from the use.

E. Public utility activities of an industrial character, such as repair and maintenance yards, storage facilities, classification yards and roundhouses, are prohibited.

§ 101-15. H. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-24.1 H. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-25 I. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-32 D. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-36 G. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-52 S. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-65 G. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-80 H. Accessory uses and accessory buildings on the same lot and within the same zoning district with and customarily incidental to any of the permitted principal uses, which may include but shall not be limited to:

- (1) Restaurants or cafeterias, primarily for supplying meals only to employees and guests of the principal use, and newsstands, post offices, branch banking facilities and similar conveniences serving primarily employees and guests of the principal use, provided that there shall be no external evidence of such use.
- (2) In-service training schools for employees.
- (3) Custodial living quarters.
- (4) Indoor and outdoor recreation facilities provided that all such accessory buildings and uses shall be planned as an integral part of the principal use development.
- (5) Overnight lodgings for visitors to any permitted principal uses on the lot, provided that such facilities are not open to the general public.
- (6) Assembly halls for meetings incidental to the business of the principal use.
- (7) Maintenance and storage facilities incidental to the principal use.
- (8) Sale of products incidental or accessory to the principal use.
- (9) Warehouse facilities and wholesale storage within a completely enclosed building, the latter being incidental and accessory to a permitted or conditional use, subject to site design standards contained in §101-92.

§ 101-80 K. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-95 D. Necessary public utilities and services pursuant to § 101-13.6.

§ 101-121 J. Necessary public utilities and services pursuant to § 101-13.6.

- § 101-137 **Q.** Necessary public utilities and services pursuant to § 101-13.6.
- § 101-145 **D.** Necessary public utilities and services pursuant to § 101-13.6.
- § 101-150 **C.** Necessary public utilities and services pursuant to § 101-13.6.
- § 101-180 **M.** Necessary public utilities and services pursuant to § 101-13.6.
- § 101-196 **U.** Necessary public utilities and services pursuant to § 101-13.6.
- § 101-211 **G.** Necessary public utilities and services pursuant to § 101-13.6.
- § 101-215 **G.** Necessary public utilities and services pursuant to § 101-13.6.
- § 101-235 **H.** Necessary public utilities and services pursuant to § 101-13.6.
- § 101-249 **D.** Necessary public utilities and services pursuant to § 101-13.6.

SECTION II

The following sections of the Code of the Township of Plainsboro, New Jersey Chapter 101 are repealed and replaced by the word “Reserved,” with a footnote indicating each provision was repealed pursuant to this Ordinance (Ordinance ___ of 2018).

- A. § 101-17 E
- B. § 101-24.3 E
- C. § 101-25 E (4)
- D. § 101-37 B
- E. § 101-53A
- F. § 101-181A

SECTION II

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of the Ordinance shall be deemed severable therefrom and shall not be affected.

SECTION III

This Ordinance shall take effect upon final passage and publication in accordance with the law, subject to any necessary State approvals.