

**ORDINANCE 2010-15**

**AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS),  
ARTICLE V (DISTRICTS AND STANDARDS) OF THE CODE OF THE TOWNSHIP  
OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO  
PROVIDE BUFFER REQUIREMENTS FOR DRIVE THROUGH FACILITIES AS  
CONDITIONAL USES IN THE LI AND HS DISTRICTS.**

**BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

**Section 1.** Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 107.1 D(8)(b) to read as follows:

(b) There shall be a minimum sixty (60) foot buffer adjacent to any residential zone boundary or residential lot line, unless otherwise indicated. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing, and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area subject to the approval of the Township Attorney and recorded prior to the issuance of a Certificate of Occupancy.

**Section 2.** Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 113.3 D(2)(d) to read as follows:

(d) There shall be a minimum sixty (60) foot buffer adjacent to any residential zone boundary or residential lot line, unless otherwise indicated. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing, and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the

required buffer area subject to the approval of the Township Attorney and recorded prior to the issuance of a Certificate of Occupancy.

**Section 3.** Severability. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable there from.

**Section 4.** Effective Date. This ordinance shall take effect immediately upon passage and publication according to law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH:

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Kevin P. Davis, RMC  
Township Clerk

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Frank DelCore, Mayor

*Introduced: 04/27/10*

*Published: 05/07/10*

*Public Hearing: 06/07/10*

*Adopted: 06/07/10*

*Published: 06/17/10*