

CITY OF ESTELL MANOR
APPLICATION FOR
CONSTRUCTION AND/OR STREET IMPROVEMENT DESIGN

I, _____, hereby make application to the City Clerk of the City of Estell Manor to construct, and/or improve a roadway known as "_____" and AGREE TO ALL REQUIREMENTS as set forth in Ordinance #05-2003 (Copy Attached) and amended by Ordinance #01-2005 (Copy Attached), known as Ordinance Amending Section 8-2 of the Code of The City of Estell Manor, Entitled "Construction and Paving of Public Rights of Way". I agree to construct the road in accordance with the City Engineer's Review and recommendation. I agree to pay the \$_____ filing fee and \$_____ review escrow fee as outlined in Ordinance #01-2005, Chapter VIII. 8-2.2 rules and regulations, as well as payments of all reasonable costs for professional review of the road design and inspection of improvements as required by this Ordinance.

The road construction and/or improvements are located on Plate(s)_____.
Block(s) _____ Lot(s)_____.

Name of Street _____ as shown on the tax map of the City of Estell Manor,
beginning _____ and ending _____.
Total distance _____.

Notary _____ Applicant's Signature_____

Company Name _____

Date _____ Address _____

Check # _____ Amount \$ _____ Approval YES NO

Date _____

City Clerk

City Engineer

City of Estell Manor, NJ
Wednesday, June 15, 2016

Chapter VIII. STREETS AND SOIL REMOVAL

8-2. Construction and Paving of Public Rights-of-Way.

8-2.1. Application Required.

[Amended 5-7-2005 by Ord. No. 05-03]

- a. No person shall construct a new structure or dwelling on a lot fronting on public rights-of-way, unless said public right-of-way complies with Subsection 8.2-2 below.
- b. No person shall construct, reconstruct, pave, repave, repair or improve any portion of a dedicated public right-of-way unless an application is first submitted in duplicate to the City Council and subsequently approved by City Council.
- c. For purposes of this section, the terms "public right-of-way" and "street" may be interchangeable.

8-2.2. Rules and Regulations.

[Amended 5-7-2005 by Ord. No. 05-03]

- a. A permit shall not be issued by the City Council until such person has submitted to the City Council a plan drawn by a licensed professional engineer showing existing grades or contours and proposed grades of streets, proposed typical cross section of street, right-of-way widths and construction widths, drainage scheme and description of all materials to be used in the construction and the proposed method of construction of the street or public right-of-way.
- b. No permit shall be issued by the City Council until the City has received: a filing fee of \$100; a satisfactory performance bond in an amount equal to 120% of the Engineer's estimate of costs; and an inspection fee equal to 5% of the Engineer's estimate of costs to be billed against by municipal professionals for the review of design and inspections of improvements related to the project. The inspection fee escrow is subject to replenishment by the permit holder as necessary to satisfy continuing costs of review and inspection related to the project.
[Amended 5-4-2005 by Ord. No. 01-2005]
- c. The City Engineer reserves the right to set time limits for the proposed construction, reconstruction, paving, repaving, repair or improvement of any street or public right-of-way within the City limits.
- d. The clearing and grading of the proposed street or public right-of-way shall be done to the minimum width required to provide for the required paved width plus a minimum six-foot-wide shoulder on both sides of the road and subject to review by the City Engineer.
- e. The gravel base for all streets or public rights-of-way shall be a minimum of the paved width plus two feet on both sides.
- f. All grading and stormwater management plans are subject to the approval of the City Engineer, which will be reviewed by the City Engineer on a case-by-case basis, and also subject to review and approval by the Cape-Atlantic Soil Conservation District, CAFRA and Pinelands, if applicable.

- g. All new streets constructed in existing rights-of-way are to be constructed of the following materials:
 - 1. Base coarse is to be road gravel of I-5 designation compacted to a depth of six inches and shall be the width of the proposed paved road plus two feet on each side.
 - 2. The top coarse is to be three inches bituminous concrete of an I-4 designation.
 - h. All road plans and profiles are to be submitted to NJDOT for road striping designation by the NJDOT. As a minimum, the road edge is to be delineated with a four-inch-wide white stripe and the road center line to be striped with a dashed yellow line meeting NJDOT standards. However, the yellow dashed line is to be replaced by solid yellow lines as dictated by NJDOT.
 - i. The proposed paved surface is to be a minimum of 24 feet in width.
 - j. Exemptions.
 - 1. For purposes of this section, a "section" of street or public right-of-way shall be the section of street or public right-of-way from a point of one intersecting street or public right-of-way (intersection) to the next intersecting street or public right-of-way (intersection).
 - 2. Once a street or public right-of-way intersects with another street or public right-of-way, at that point the street or public right-of-way shall be deemed a new section and shall comply fully with Subsection 8-2.2a through i.
 - (a) New structures or dwellings to be constructed on a partially improved section of street or public right-of-way shall comply with the following:
 - (1) The above section of street or public right-of-way shall be improved from the end of the existing improvement to the opposite end of the lot on which the new structure or dwelling is to be constructed, with the result that the entire frontage of the lot in question will front on an improved roadway as required in Subsection 10-7.2 of this Code.
 - (2) The road material used for improvements under Subsection 8-2.2j2(a)(1) shall be of equal material or better of the existing street or public right-of-way. In no case shall a new structure or dwelling be constructed on a lot fronting on a dirt or gravel street or public right-of-way.
 - (b) Existing structures on existing streets or public rights-of-way shall be permitted to the following without any further street or public right-of-way improvements, as long as the existing structure was constructed in compliance with all other City codes and other applicable federal, state, county or other Administrative laws or regulations at the time the structure was constructed, unless the following constitutes a "change of use" as set forth in N.J.S.A. 5:23-1 et seq., known as the New Jersey Uniform Construction Code:
 - (1) Structural alterations and/or additions.
 - (2) An increase or enlargement of the square footage.
 - (3) Minor or major repairs.
 - (4) Accessory buildings and/or structures.
 - (5) Municipal road projects funded by municipal tax funds.
- 8-2.3. Inspection. Inspection fees shall be based on 5% of the Engineer's estimate, and the estimate shall be based on the market value of the construction at the time the estimate is made.

CITY OF ESTELL MANOR ORDINANCE #01-2005

**AN ORDINANCE TO AMEND THE ESTELL MANOR CODE SECTION 8-2
REGULATING THE CONSTRUCTION AND PAVING OF PUBLIC RIGHTS OF WAY**

WHEREAS, Section 8-2 of the Estell Manor Municipal Code was amended by Ordinance 005-2003 to clarify the process by which a property owner may improve a municipal right of way; and

WHEREAS, the aforesaid amendment did not provide for inspection fees for municipal professionals to insure that work done on public rights of way conformed to acceptable and required standards;

WHEREAS, it should be incumbent on the private developer, rather than the taxpayers of the City, to incur the cost of the inspection fees for a particular project,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Estell Manor that:

SECTION 1:

The Construction and Paving of Public Rights of Way, Section 8-2.2(b) shall be amended as follows:

- a. No permit shall be issued by the City Council until the City has received:
(1) a Filing Fee of One Hundred (\$100) Dollars; (2) a satisfactory performance bond in an amount equal to One Hundred and Twenty (120%) Percent of the Engineer's estimate of costs; and (3) an Inspection Fee equal to Five (5%) Percent of the Engineer's estimate of costs to be billed against by Municipal Professionals for the review of design and inspections of improvements related to the project. The Inspection Fee Escrow is subject to replenishment by the Permit Holder as necessary to satisfy continuing costs of review and inspection related to the project.

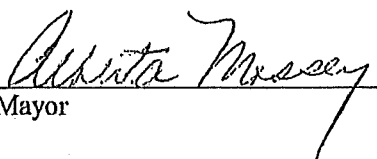
SECTION 2:

All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to remedy the inconsistency.

SECTION 3:

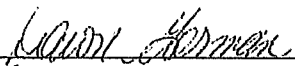
This Ordinance shall become effective upon final passage and publication as provided by law.

Introduced at the meeting held on April 6, 2005
Adopted upon second reading on May 4, 2005



Mayor

Attest:



City Clerk

11)3)A.

ORDINANCE 005-2003

AN ORDINANCE AMENDING SECTION 8-2 OF THE CODE OF THE CITY OF ESTELL MANOR, ENTITLED "CONSTRUCTION AND PAVING OF PUBLIC RIGHTS OF WAY"

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Mayor and Council of the City of Estell Manor, County of Atlantic, State of New Jersey as follows:

SECTION 1: The City Code of the City of Estell Manor is hereby Amended at section 8-2.1 and shall read as follows:

8-2.1 Application Required

- (a.) No person shall construct a new structure or dwelling on a lot fronting on public rights of way, unless the said public right of way complies with section 8.2-2 below.
- (b.) No person shall construct, reconstruct, pave, repave, repair, or improve any portion of a dedicated public right of way unless an application is first submitted in duplicate to the City Council, and subsequently approved by City Council
- (c.) For purposes of this subchapter the terms "public right of way" and "street" may be interchangeable.

SECTION 2: The City Code of the City of Estell Manor is hereby amended at section 8-2.2 and shall read as follows:

8-2.2 Rules and Regulations

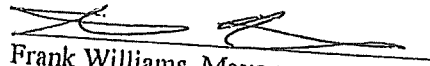
- (a.) A permit shall not be issued by the City Council until such person, has submitted to the City Council, a plan drawn by a licensed professional engineer showing existing grades or contours and proposed grades of streets, proposed typical cross section of street, right of way widths and construction widths, drainage scheme and description of all materials to be used in the construction and the proposed method of construction of the street or public right of way.
- (b.) No permit will be issued by the City Council until a satisfactory performance bond in the amount of 100 percent of the Engineers estimate of costs is posted with the City.
- (c.) The City Engineer reserves the right to set time limits for the proposed construction, reconstruction, paving, repaving, repair or improvement of any street or public right of way within the City limits.
- (d.) The clearing and grading of the proposed street or public right of way shall be done to the minimum width required to provide for the required paved width plus a minimum six foot wide shoulder on both sides of the road and subject to review by the City Engineer.
- (e.) The gravel base for all streets or public rights of way shall be a minimum of the paved width plus two (2) feet on both sides.

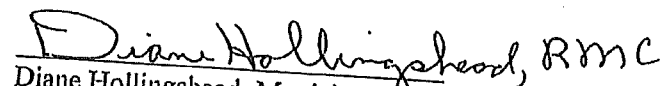
- (f.) All grading and storm water management plans are subject to the approval of the City Engineer, which will be reviewed by the City Engineer on a case by case basis and also subject to review and approval by the Cape-Atlantic Soil Conservation District, CAFRA and Pinelands if applicable.
- (g.) All new streets constructed in existing rights-of-way are to be constructed of the following materials:
- (1) Base coarse is to be road gravel of I-5 designation compacted to a depth of six (6) inches, and shall be the width of the proposed paved road plus two feet on each side.
 - (2) The top coarse is to be three (3) inches bituminous concrete of an I-4 designation.
- (h.) All road plans and profiles are to be submitted to NJDOT for road striping designation by the NJDOT. As a minimum, the road edge is to be delineated with a four (4) inch wide white stripe and the road centerline to be striped with a dashed yellow line meeting NJDOT standards. However, the yellow dashed line is to be replaced by solid yellow lines as dictated by NJDOT.
- (i.) The proposed paved surface is to be a minimum of twenty-four (24) feet in width.
- (j.) Exemptions:
- For purposes of this subchapter a "section" of street or public right of way shall be the section of street or public right of way from a point of one intersecting street or public right of way (intersection) to the next intersecting street or public right of way (intersection).
- Once a street or public right of way intersects with another street or public right of way, at that point the street or public right of way shall be deemed a new section and shall comply fully with 8-2.2(a) thru (i).
- (1) New structures or dwellings to be constructed on a partially improved section of street or public right of way shall comply with the following:
 - (a.) The above section of street or public right of way shall be improved from the end of the existing improvement to the opposite end of the lot on which the new structure or dwelling is to be constructed with the result that the entire frontage of the lot in question will front on an improved roadway as required in section 10-7.2 of this Code.
 - (b.) The road material used for improvements under 8-2.2(j)(1)(a) shall be of equal material or better of the existing street or public right of way. In no case shall a new structure or dwelling be constructed on a lot fronting on a dirt or gravel street or public right of way.
 - (2) Existing structures on existing streets or public rights of way shall be permitted to the following without any further street or

public right of way improvements, as long as the existing structure was constructed in compliance with all other City Codes and other applicable Federal, State, County or other Administrative laws or regulations at the time the structure was constructed, unless the following constitutes a "change of use" as set forth in (N.J.S.A. 5:23-1, et seq.) known as the New Jersey Uniform Construction Code.

- (a) Structural alterations and/or additions
 - (b) An increase or enlargement of the square footage
 - (c) Minor or major repairs
 - (d) Accessory buildings and/or structures
- (3) Municipal road projects funded by Municipal tax funds.

SECTION 3: This Ordinance shall become effective upon final adoption and publication as prescribed by law.


Frank Williams, Mayor


Diane Hollingshead, Municipal Clerk