AN ORDINANCE AMENDING §86-6 OF THE CODE OF THE TOWNSHIP OF EDISON, NEW JERSEY

BE IT ORDAINED, by the Municipal Council of the Township of Edison, New Jersey that §86-6 of the Code of the Township of Edison, entitled "Zoning" shall be supplemented and amended to include the following:

I. Definitions.

Unless context otherwise requires, the following definition shall be used in the interpretation and construction of this Chapter:

A. Distribution Line - a pipeline other than a gathering or transmission line;

B. Gathering Line - a pipeline that transports gas from a current production facility to a transmission line or main;

C. Pipeline - any conduit through which natural gas, petroleum, oxygen, or other flammable or combustible products, or any of their products is conveyed or intended to be conveyed. The definition of pipeline shall include compressor plants and other facilities integrated with pipeline operations.

D. Service Line - a distribution line that transports natural gas from a common source of supply to: (1) a customer meter or the connection to a customer's piping, whichever is farther downstream, or (2) the connection to a customer's piping if there is no customer meter. The customer meter is the meter that measures the transfer of gas from an operator to a customer.

E. Transmission Line - a pipeline subject to pressures of one hundred twenty-five (125) or more PSIG, other than a gathering line that: (1) transports gas from a gathering line or storage facility to a distribution line in a storage facility to a distribution center or storage facility; (2) operates at a hoop stress of twenty percent (20%) or more of SMYS (specific minimum yield strength); (3) transports gas within a storage field.

II. No building or land disturbance shall be permitted within seventy-five feet (75') of any distribution, gathering or transmission line as defined in this Ordinance.

III. No building or structure or part thereof, which is used for the manufacturing, processing, generation or storage of corrosive, highly toxic, oxidizing, pyrophoric, water reactive, highly combustible, flammable, or explosive materials that constitute a high fire, explosion, or health hazard, including loose, combustible fibers, dust and unstable material, shall be constructed within one hundred twenty-five feet (125') of any distribution, gathering, or transmission line.
IV. Exceptions and Exemptions.

This Ordinance shall not apply to:

A. Any building, land disturbance, or construction involved in the crossing of a pipeline to provide access to a property, when no other reasonable access is permitted, and the crossing of a pipeline to provide utility service to a parcel of land;

B. Any work done to any building, land disturbance, or construction on a pipeline by or on behalf of the owner or operator of any pipeline.

V. The approving Board may permit the encroachment upon the buffer area provided for in this Ordinance upon a demonstration that the strict application of this Ordinance would result in particular and exceptional practical difficulties or undue hardship caused by reason of exceptional narrowness, shallowness, or shape of the property, or by reason of exceptional topographic conditions or physical features uniquely affecting a property, or by reason of extraordinary and exceptional situations uniquely affecting a property or the structures lawfully existing thereon.

VI. BE IT FURTHER ORDAINED, by the Municipal Council of the Township of Edison, New Jersey that §88-28 of the Code of the Township of Edison, entitled "Requirements for Development Applications" shall be supplemented and amended to read as follows:

A. Unless specifically exempted by the Revised General Ordinances of Edison Township of N.J.S.A. 40:55D-1 et seq., all development applications shall require review and action by the Planning Board and/or Board of Adjustment, as the case may be, prior to development.

B. All development applications in addition to any other requirement provided for in this Ordinance or the Municipal Land Use Law shall provide the following:

1. Location, size, SMYS (specified minimum yield strength), maximum allowable operating pressure, location class as defined by the United States Department of Transportation, in the State of New Jersey and operating hoop stress in percentage of specified minimum yield strength of all pipelines located upon the subject property and as surveyed by a professional land surveyor licensed in the State of New Jersey;

2. The location of all on-site pipeline easements and right-of-ways;

3. The approximate location, based upon approximate field measurements supplied by the respective owner, and the size, operating pressure, location class as defined by the United States Department of Transportation, in the State of New Jersey and operating hoop stress in percentage of specified minimum yield strength of all off-site pipelines within seventy-five feet (75') of the subject property;
4. The approximate location of all off-site pipeline easements and right-of-ways within seventy-five feet (75') of the subject property as depicted on Township Tax Maps or other documents accepted by the approving Board;

5. Cross-sections and profiles of the pipeline in areas of disturbance within seventy-five feet (75') of the pipeline, showing existing and proposed conditions and improvements.

This ordinance shall take effect following publication in a time and manner prescribed by law.

FIRST READING
FIRST PUBLICATION
FINAL READING
FINAL PUBLICATION

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