

**AN ORDINANCE AMENDING “THE CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968”, REGARDING THE HISTORIC PRESERVATION COMMISSION AND THE PROTECTION OF HISTORIC STRUCTURES FROM DAMAGE FROM TREES AND VEGETATION.**

BE IT ORDAINED by the Township Committee of the Township of Princeton as follows.

1. Section 10B-27.3 of the “Code of the Township of Princeton, New Jersey, 1968” which sets forth the responsibilities of the Historic Preservation Commission is amended by adding thereto the following NEW paragraph (j) which shall read as follows:

(j) Recommend to the township or the township staff the preservation or removal of trees, tree species, vegetation, paths or other landscape elements that threaten historic structures within a historic preservation zoning district, a historic preservation buffer zoning district or for properties on the National or State Historic Registers not within said districts.

2. Article IIIA of Chapter 10B of said Code is amended by including therein the following NEW Section:

**Sec. 10B-27.6. Tree Removal Exemption.**

Any tree removed in connection with the recommendation of the historic preservation commission, in accordance with Section 10B-27.3(j), shall not be subject to the requirements of Section 10B-227A or to the requirement to file for a tree removal permit pursuant to Section 22-9 of the Code. Any tree removal, however, involving trees or vegetation within a historic preservation buffer district, a historic preservation buffer zoning district or for properties on the National or State Historic Registers shall be coordinated between the township’s arborist and the township’s historic preservation officer.

3. Section 10B-226(d) of said Code concerning site plan review is amended to read as follows:

(d) *Scenic, historical, archaeological and landmark sites.* Scenic, historical, archaeological and landmark sites and features that are located on or adjacent to the proposed development shall be preserved and protected insofar as practical. Additionally, any existing tree or vegetation that threatens to damage a historic structure in a historic preservation zoning district, a historic preservation buffer zoning district or a historic site on the National or State Historic Registers shall be considered for removal.

4. Section 10B-272.4(b) of said Code concerning preservation plans for structures is amended by adding thereto a NEW subsection (4) which shall read as follows:

(4) Preservation plans for both higher and lower-impact improvements shall ensure that structures are not damaged by existing trees or vegetation.

5. Section 10B-272.4(c) of said Code is amended by including therein the following NEW subsection:

(3) Ensures that structures are not damaged by trees or vegetation.

6. Section 10B-272.5 of said Code concerning historic preservation buffer zoning districts is amended by adding thereto the following NEW subsection (d):

(d) Any tree or vegetation that threatens to damage an historic structure or site shall be considered for removal.

7. Section 10B-227A.(b)2 of said Code concerning tree preservation, protection and mitigation standards is amended to read as follows:

2. Species of the tree. This factor shall take into account the type of tree and whether it is an invasive species, a rare and/or unusual type of tree, or a native plant. Preference should be given to preserving native and unusual, or rare[,] or historic species within a historic preservation zoning district, a historic preservation buffer zoning district or a historic site on the National or State Historic Registers, or trees over invasive species and trees that have a remaining life of over fifty years.

8. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, section, paragraph, sentence or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be effected thereby.

9. Effective Date. This ordinance shall take effect upon its passage, publication and filing of a copy of same with the Mercer County Planning Board, all of which is required by law.

Additions in text are indicated by underlining, deletions by {brackets} except that underlined catchwords are not necessarily additions.

The foregoing ordinance was introduced at a meeting of Princeton Township Committee held on July 19, 2010 and will be further considered for final passage after a public hearing thereon at a meeting of said Township Committee to be held at the Princeton Township Municipal Complex, 400 Witherspoon Street on September 20, 2010 which begins at 7:00 p.m.



Kathleen Brzezynski, Deputy Clerk