

Replace the deleted text with

5.6II CONDITIONS TO BE MET

II. Special Exceptions

A special exception as specified in this ordinance may be permitted only if the Board of Adjustment makes the following findings of fact:

1. The use is specifically allowed as a special exception under the terms of the Ordinance.
2. That the use will not be detrimental to the character or enjoyment of the neighborhood.
3. The proposed use will comply with the applicable regulations of the district in which it is to be located.
4. The granting of a special exception must include remedy for any existing zoning violations on the property.
5. The capacity of existing or planned community services or facilities, including streets and utilities will not be adversely affected.
6. Traffic on roads and highways in the vicinity shall not be adversely affected.
7. The use will not be contrary to the public health, safety or welfare by reason of traffic congestion or hazards, undue risk to life or property, unsanitary or unhealthful emissions or waste disposal, or similar adverse conditions.
8. Appropriate and adequate facilities will be provided for the proper operation of the proposed use.
9. No undue municipal expense will be created.

Renumber the section as indicated.

Yes No

Are you in favor of the adoption of the following amendments to the Plainfield Zoning Ordinance proposed by the Planning Board?

Question 1. In order to clarify the criteria for the granting of special exceptions delete section 5.6II a) & b) which read

5.6II CONDITIONS TO BE MET

II. Special Exceptions

In order for the Board to grant a special exception it must find that the special exception being sought by the applicant is in fact permitted and specified in the Zoning Ordinance and that all of the conditions for the special exception are met.

a) A special exception as specified in this ordinance may be permitted only if the Board of Adjustment makes the following findings of fact:

- (1) The use is one that is ordinarily prohibited in the district.
 - (2) The use is specifically allowed as an exception under the terms of the Ordinance.
 - (3) Appropriate and adequate facilities will be provided for the proper operation of the proposed use.
 - (4) The proposed use will comply with the applicable regulations of the district in which it is to be located.
- b) For the purpose of this Ordinance, the following are established as general conditions for the granting of all special exceptions (subject to further conditions as may be defined elsewhere herein as to the uses concerned) namely:

- (1) That the use will not be detrimental to the character or enjoyment of the neighborhood.
- (2) That the use will not be injurious, noxious, or offensive and thus detrimental to the neighborhood;
- (3) That the use will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards, undue risk to life and property, unsanitary or unhealthful emissions or waste disposal, or similar adverse causes or conditions.

(over)