

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 08-2026

**ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LEBANON BY
AMENDING CHAPTER 205, ARTICLE II ENTITLED “FEE SCHEDULE” AND
SPECIFICALLY §205-6 “SCHEDULE OF FEES”**

BE IT ORDAINED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that Chapter 205, Article II “Fee Schedule” §205-6 “Schedule of Fees” of the Code of the Township of Lebanon is hereby amended as follows (additions are bolded and underlined; deletions have strikethrough):

SECTION 1. §205-6 Schedule of fees. §205-6 is hereby amended to insert the following after “List of taxpayers on USB” Cost of medium” in said schedule:

Calculation of amount due to redeem tax lien

§50. a. Pursuant to NJSA 54:97-1, each request for redemption calculation shall specify date to be used for calculation. Neither Township or Tax Collector shall be liable for incorrect calculation. The fee shall not become part of any tax lien and shall not be passed onto any party entitled to redeem pursuant to N.J.S.A. 54:4-54.
b. Pursuant to NJSA 54:5-54, within each calendar year the Tax Collector shall provide any party entitled to redeem a tax sale certificate, two calculations of the amount required for redemption at no cost. For each subsequent calculation requested, the Tax Collector shall charge a fee of \$50.

Duplicate tax sale certificates

\$100

SECTION 2. Repealer.

All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. Severability.

If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. Effective Date.

This Ordinance shall take effect after passage and publication in the manner provided by law.

Introduced: June 10, 2026
Public Hearing: July 8, 2026
Adopted: July 8, 2026

ATTEST

Carolynn Budd, RMC
Township Clerk

Jay Wojcik
Mayor

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance introduced by the Lebanon Township Committee at a meeting held on June 10, 2026, and adopted by the Township Committee on July 8, 2026.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 09-2026

**ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LEBANON BY
AMENDING CHAPTER 400, ARTICLE VII ENTITLED “ADMINISTRATION AND
ENFORCEMENT” AND SPECIFICALLY §400-54 “PERMITS AND CERTIFICATES;
FEES”**

BE IT ORDAINED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that Chapter 400, Article VII “Administration and Enforcement” §400-54 “Permits and certificates; fees” of the Code of the Township of Lebanon is hereby amended as follows (additions are bolded and underlined; deletions have strikethrough):

SECTION 1. §400-54 Permits and certificates; fees.

A. – E. *No changes.*

F. Escrow accounts and technical review fees.

(1) Escrow fees: general provisions.

(a)-(c) *No changes.*

(d) The escrow associated with each application shall be replenished whenever the original escrow is reduced by charges against the account to 35% or less of the original amount. The administrative officer of the Planning Board shall notify the applicant of the requirement to replenish the escrow, and the applicant shall be requested to deposit up to ~~35% of~~ the original escrow amount. **The applicant shall be required to replenish the escrow account to the original required escrow amount within seven (7) business days of written notice from the administrative officer.** No further consideration, review, processing or inspection shall be performed by or on behalf of the Board until the additional escrow has been paid.

(e)-(h) *No changes.*

(2) Initial deposits.

(a) The initial escrow fees for technical review shall be as follows:

[1] Minor subdivision application: ~~\$1,500~~ **\$3,000.00.**

- [2] Major subdivision application: ~~200% of application~~
\$5,000.00.
- [3] Minor site plan: ~~\$1,000~~\$4,000.00.
- [4] Preliminary minor site plan: ~~200% of application~~
~~fee~~\$2,000.00.
- [5] Major site plan or Large tract site plan: ~~200% of application~~
~~fee~~\$8,000.00.
- [6] Application for a certification of a prior nonconforming use or
a certification of a prior nonconforming structure:
~~\$500~~\$3,000.00.
- [7] Application for the direction for issuance of a permit for a
building or structure not related to a street: \$2,000.
- [8] Application for conditional use approval: ~~\$1,500~~\$3,000.00.
- [9] Variance application pursuant to N.J.S.A. 40:55D-70c:
~~\$750~~\$3,000.00.
- [10] Variance application pursuant to N.J.S.A. 40:55D-70d:
~~\$1,500~~\$5,000.00.
- [11] Application for lot line adjustment or merger: ~~\$1,500~~\$4,000.00.
- [12] For a request for an extension of time regarding a minor
subdivision, major subdivision or site plan or an extension of
time in which to obtain building permits or complete work in
connection with a variance under § 45-20: ~~\$750~~\$3,000.00.
- [13] Appeals from a decision of an administrative officer under
N.J.S.A. 40:55D-72: ~~\$400~~\$3,000.00.
- [14] Request for interpretation to the Board of Adjustment:
~~\$400~~\$2,500.00.
- [15] Request for informal discussion: ~~\$700~~\$2,500.00.
- [16] Application for exemption from site plan review:
~~\$500~~\$3,000.00.
- [17] Wireless telecommunications antennas and towers:
 - [a] If no new tower is proposed: ~~\$3,000~~\$5,000.00.
 - [b] If a new tower is proposed: ~~\$6,000~~\$10,000.00.
- [18] Application for amended site plan or amended subdivision
approval: ~~\$1,000~~\$3,500.00.
- [19] For applications declared complete but not yet approved as of
the effective date of this article, escrow fees shall be paid for
all professional services rendered after the effective date.
- [20] Request for special meeting: ~~\$750~~\$1,500.00.

(b) *No changes.*

(3) – (4) *No changes.*

SECTION 2.

At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and can be obtained without cost by any member of the general public who wants a copy of the ordinance. Copies are available for inspection or can be obtained without cost during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available without cost from the Township Clerk.

SECTION 3.

The Township Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hunterdon County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15, including the Clerks of adjoining municipalities. Upon adoption of this Ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the Hunterdon County Planning Board as required by N.J.S.A. 40:55D-16.

SECTION 4.

After introduction, the Township Clerk is hereby directed to submit a copy of the within ordinance to the Planning Board of the Township of Lebanon for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 5.

All ordinances or parts of ordinances contrary to or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 6.

Each section, subsection, paragraph, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, preempted, void, or ineffective for any clause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

SECTION 7.

This Ordinance shall take effect immediately upon final passage and publication according to law.

SECTION 8. This Ordinance may be renumbered for codification purposes.

Introduced: June 10, 2026
Public Hearing: July 8, 2026
Adopted: July 8, 2026

ATTEST

Carolynn Budd, RMC
Township Clerk

Jay Wojcik
Mayor

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance introduced by the Lebanon Township Committee at a meeting held on June 10, 2026, and adopted by the Township Committee on July 8, 2026.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 10-2026

**ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP
LEBANON, CHAPTER 400 ZONING, TO ADD A DEFINITION FOR DATA CENTERS
AND DESIGNATE DATA CENTERS AS A NON-PERMITTED USE IN ALL ZONES
WITHIN THE TOWNSHIP OF LEBANON**

WHEREAS, the Township Committee of the Township of Lebanon is authorized to adopt and amend land use regulations pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et sq. in order to promote public health, safety, and the general welfare; and

WHEREAS, the Township of Lebanon, Master Plan emphasizes protection of the Township character, agricultural lands, scenic landscapes, environmental resources, wildlife habitat, and historic and cultural heritage; and

WHEREAS, the Township of Lebanon encompasses approximately 20,270 acres, of which 20,264 acres are designated within the Highlands Preservation Area pursuant to the New Jersey Highlands Water Protection and Planning Act (“Highlands Act”) (N.J.S.A. 13:20-1 et seq.); and

WHEREAS, data centers, by nature, present an intense and unique form of land use and development, posing significant challenges related to electricity consumption, noise, air quality, water use, community character and long-term planning objectives; and

WHEREAS, preliminary data cited by Members of the New Jersey State Legislature has cautioned that large-scale data centers can use as much as 3 to 5 million gallons of water in a single day between liquid cooling and water consumed to generate the energy that powers them; and

WHEREAS, this extreme volume of water usage impacts homes and businesses both within the host municipality and the surrounding communities; and

WHEREAS, the Highlands Water Protection and Planning Council and the New Jersey Department of Environmental Protection (NJDEP) recognize Lebanon Township’s land within the Highlands Preservation Area as possessing exceptional natural resource value essential for maintaining regional water quality and quantity; and

WHEREAS, the Township of Lebanon is a fully conforming municipality under the Highlands Act, and is bound to protect its Prime Groundwater Recharge Areas and Highlands Open Waters from degradation to prevent irreversible aquifer depletion and public health hazards; and

WHEREAS, groundwater originating from local precipitation serves as the baseline for the Township's ecological health, supplying over 70% of all base flow to crucial surface water systems, streams, wetlands, and the Spruce Run Reservoir watershed; and

WHEREAS, 100% of Lebanon Township residents depend on localized fractured-bedrock aquifers via private or non-community public wells for their safe drinking water; and

WHEREAS, recent hydrogeological data from the Highlands Council's Regional Master Plan (RMP) indicates that multiple subwatersheds (HUC14s) overlaying the Township are explicitly classified as Current Deficit Areas; and

WHEREAS, these local subwatersheds exhibit a chronic state of negative net water availability, meaning that existing consumptive and depletive water uses currently exceed the sustainable capacity of the groundwater supply; and

WHEREAS, this baseline aquifer depletion is severely compounded by regional climatic stressors, including multi-month precipitation shortfalls that have triggered an active, statewide NJDEP Drought Warning affecting groundwater levels and stream flows throughout the northwest crystalline Highlands; and

WHEREAS, the depletion of the Township's underlying fractured-bedrock aquifers directly diminishes the vital upwelling of cool, deep groundwater base flow into these headwater channels, removing the primary natural thermal buffer that keeps local trout streams cold during peak summer months; and

WHEREAS, the Township of Lebanon contains critical, high-gradient headwater streams classified by the NJDEP Bureau of Freshwater Fisheries as Category 1 (C1) Trout Production (FW2-TP) Waters, which support wild, self-sustaining populations of eastern native brook trout (*Salvelinus fontinalis*); and

WHEREAS, native coldwater salmonid populations serve as primary biological indicator species for pristine water ecosystems, requiring cold, highly oxygenated stream environments where water temperatures strictly remain below 68°F (20°C) to ensure survival, spawning, and egg development; and

WHEREAS, long-term environmental tracking by the NJDEP Division of Science and Research identifies rising regional atmospheric temperatures, prolonged summer heatwaves, and local stormwater thermal spikes from unshaded impervious surfaces threaten to push stream temperatures past critical survival thresholds, inducing lethal thermal stress and localized ecological collapse; and

WHEREAS, High-Density Digital Infrastructure facilities, universally known as data centers, present an existential threat to the Township's hydrogeologic stability due to their extraordinary, non-terminating demands for evaporative cooling water, massive electrical substations, extensive backup diesel generator arrays, and vast impervious building footprints; and

WHEREAS, the high-volume water consumption or depletive cooling processes required by data center operations would exponentially accelerate the depletion of the Township's fractured-bedrock aquifers, disrupt local private residential well water pressures, and starve trout production streams of cool base flow; and

WHEREAS, the Mayor and Township Committee are conscious of the hazards, such as depletion of critical groundwater resources, impacts on subterranean aquifers, degradation of the availability and quality of drinking water, and the impact on the environment and critical fish habitats, posed by the scope, depth and pervasiveness of large-scale commercial data center operations; and

WHEREAS, preliminary studies noted by the State Legislature also indicate that some data centers require significant amounts of electricity, which is roughly equivalent to the output of a small modular nuclear reactor; and

WHEREAS, small scale data centers also have negative impacts on local resources, the environment and the health, safety, and welfare of the community; and

WHEREAS, in only the last year the majority of the State has already seen consumer energy costs increase with additional increases expected; and

WHEREAS, the high-tech data centers that are proliferating throughout the state consume a large amount of electrical power at a time when energy costs are increasing for ratepayers; and

WHEREAS, municipal regulations designed for the preservation of the environment and the protection of ecological values are a well-recognized, legitimate and proper exercise of municipality authority; and

WHEREAS, cutting and removal of trees has been found to cause and create increased soil erosion and dust, instability and deterioration in the value of surrounding property and other adverse environmental and geographical conditions; and

WHEREAS, dramatic increases and changes in population, development and the impact of certain data center operations on residents, businesses, the environment, and private and public property have imposed significant burdens on municipal resources and have created increased need to balance the rights and interests of the residents and general public with that of the legitimate rights of property owners to conduct business without unreasonable regulation; and

WHEREAS, in light of these significant changes in confluence with modern advancement in technology, scientific and environmental research that have allowed for a more accurate and comprehensive understanding of the hazards and dangers posed to surrounding property, environmental and natural resources, the general public, and the proliferation and expansion of governmental regulation of the environment, safety and business in general, that have occurred since the enactment of the municipalities zoning and development regulations, the Mayor and Township Committee have determined it necessary and appropriate to amend and update its

ordinances to adequately address data center uses in a manner that best reflects present needs and realities; and

WHEREAS, the Mayor and Township Committee of the Township of Lebanon have determined that it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of its residents and members of the public who visit, travel or conduct business in the Township, to amend the Code of the Township of Lebanon to include all manner of data centers land use and development as a non-permitted use within the geographic boundaries of the Township and to otherwise improve and strengthen the nature, scope, manner and effectiveness of such regulations;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey as follows:

SECTION 1. Definitions.

Zoning Chapter of the Township of Lebanon Section 400-3 “Definitions” is hereby amended and supplemented to add a new definition as follows:

DATA CENTER shall include but not be limited to any facility used primarily for the storage, management, and processing of digital or electronic data, which houses computer and network systems, including associated components such as servers, network equipment and appliances, telecommunications, and data storage systems, systems for monitoring and managing infrastructure performance, Internet-related equipment and services, data communications connections, environmental controls, fire protection systems, and security systems and services. Typical accessory components of a data center may include transformers, electrical substations, environmental controls, fire suppression, generators, redundant power supplies and security facilities.

The term Data Center is intended to be construed broadly and shall include but not be limited to all facilities for the primary purpose of housing active information technology or digital infrastructure, including but not limited to hyperscale facilities, colocation facilities, cloud computing infrastructure, cryptocurrency mining operations, artificial intelligence processing facilities and other high-density digital infrastructure uses, regardless of how such is labeled or described. Such facilities may be characterized by large-scale or small-scale building footprints, substantial supporting infrastructure, continuous or near continuous energy consumption, reliance on backup power generation systems, and associate mechanical and cooling operations necessary to maintain system functionality.

SECTION 2.

Zoning Chapter of the Township of Lebanon Section 400-9. Use Restrictions is hereby amended and supplemented to add the following provision and footnote to the end of the chart of Prohibited

Uses in; subsection A. Residential districts, subsection B. Commercial districts, and subsection C. Industrial districts:

The construction, operation, expansion, or maintenance of any Data Center, server farm, high-density digital infrastructure facility, or associated high-voltage electrical substation and any and all uses related to the same is strictly prohibited within all zoning districts of the Township of Lebanon. *

Footnote * This prohibition applies categorically and unconditionally across the entire municipality. Including that, no Data Center shall be permitted as a principal use, accessory use, conditional use, or via adaptive reuse within any area currently designated, or subsequently designated in the future, as an "Area in Need of Redevelopment" or an "Area in Need of Rehabilitation" under the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.).

SECTION 3.

The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Hunterdon County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities.

SECTION 4.

The Planning Board has reviewed the within Ordinance and provided a Resolution dated June 9, 2026, setting forth it's finding that the within Ordinance is not inconsistent with the Master Plan in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Hunterdon County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 5. Repealer.

All ordinances or parts of ordinances contrary to or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 6. Severability.

Each section, subsection, paragraph, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, preempted, void, or ineffective for any clause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication according to law.

Section 8. Prior Actions.

All actions of the Township of Lebanon taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

Section 9. Codification.

This Ordinance may be renumbered for codification purposes.

Introduced: June 10, 2026
Public Hearing: July 8, 2026
Adopted: July 8, 2026

ATTEST

Carolynn Budd, RMC
Township Clerk

Jay Wojcik
Mayor

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance introduced by the Lebanon Township Committee at a meeting held June 10, 2026 and adopted by the Township Committee on July 8, 2026.

Carolynn Budd, RMC
Township Clerk