

7102 SITE SELECTION AND ACQUISITION

~~The District may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.13 and N.J.A.C. 6A:26-7.1 through 7.3.~~

~~A. Voter Approval~~

~~The district may obtain voter approval for funding of the acquisition of land prior to the Division of Facilities and Transportation approval of the purchase of land, but shall not take any action to acquire land prior to obtaining Division approval.~~

~~B. Submission to the Division of Facilities and Transportation~~

~~1. The district, or the authority on behalf of the district, shall submit the following information to the Division to obtain approval for the acquisition:~~

~~a. A written request for approval from the district, which shall include a statement, signed by the Board President and the chief school administrator, indicating the immediate and ultimate proposed uses of the site, in terms of building use, grade organization and potential maximum enrollment, and whether the land is, or will be, part of a school facilities project indicated in the district's LRFP;~~

~~b. Statement from a local or county water/sewerage agency certifying that:~~

~~(1) The land can be adequately provided with the necessary water for the proposed maximum enrollment;~~

~~(2) The land can be adequately provided with the necessary and acceptable sewerage disposal system for the proposed maximum enrollment; and~~

~~(3) Water and sewer infrastructure is, or is not, in place to service the site.~~



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c. Statement from New Jersey Department of Environmental Protection or a licensed architect, engineer or professional planner, indicating whether:

(1) The land is subject to regulation under wetlands, pinelands, or the waterfront development acts, the Greenacres Act, or other statutes, regulations or Executive Orders administered by agencies of state or federal government;

(2) If so subject, the steps necessary to obtain approval from such agencies, and adequate documentation to demonstrate to the Division that such approvals will be obtainable and not affect the adequacy of the site; and

(3) The land is in an area designated for growth under the New Jersey State Development and Redevelopment Plan.

d. A statement from a New Jersey registered architect or licensed engineer indicating that the land to be acquired is suitable for the proposed use;

e. A completed plot plan of the land to be acquired showing topographical and contour lines, all adjacent properties and access roads. The acreage and dimensions of the tract proposed for acquisition shall be included as per the application of the standards for minimum acceptable school site sizes in C. below;

f. A map of the district showing the location of the land and the location of existing schools in the district;

g. A map showing the attendance area to be served by the school and the number of pupils who reside therein;

h. Data regarding the impact of the acquisition on racial balance within the district's public schools;

i. If existing buildings are located on the land to be acquired, the intended use and/or disposition of these buildings. Any building to be acquired and used must comply with the requirements of the Uniform Construction Code for educational occupancy, and the



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requirements of N.J.A.C. 6A:26-5.1 et seq. which apply to the construction of a new building;

j. Recommendations of the local planning board of the municipality in which the site is situated and which has an approved master plan, as required by N.J.S.A. 40:55D-31, 18A:18A-49 and 18A:18A-16;

k. Prior approvals of other agencies, such as the New Jersey Departments of Agriculture and Environmental Protection and the Pinelands Commission, where such approval is reasonably obtainable prior to acquisition;

l. Documentation that available data on soil conditions have been examined by the architect or engineer;

m. Reports by the architect or engineer of actual soil test borings and percolation tests on any site located less than one mile from a landfill;

n. A full, detailed appraisal of the market value of the property prepared by a licensed professional; and

o. The recommendation of the County Superintendent of Schools based on the requirements specified in this subchapter.

C. Size of School Sites

1. School site sizes shall be directly related to the acreage required for the structures and activities to be situated thereon. Except where specifically noted for multiple or shared use, the acreage shall be considered for single use.

2. All school sites require sufficient acreage for the following:

a. The placement of the school facility;

b. Expansion of the building to its maximum potential enrollment;

c. The placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages and any



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other structure, above or below ground, which is to be placed thereon;

d. Multi purpose physical education and recreation field(s) required to support the achievement of the Core Curriculum Content Standards as defined by the educational specifications under N.J.A.C. 6A:26-5.1 et seq.;

e. Disabled accessible pedestrian walkways, roadways and parking areas on which people and vehicles access the building;

f. Public and service access roads onto the site including, where warranted, a one way school bus road of thirty foot width and a two way road of thirty six foot width; a school bus drop off area; and eighteen foot wide posted fire lanes for fire apparatus; and

g. A thirty foot wide access around the entire building.

D. Land owned by the school district which does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented by adjacent municipally owned land if such land is formally leased on a long term basis to the district Board of Education for exclusive use during school hours.

E. The approval of the Division shall remain effective for three years, after which time Division approval shall again be obtained prior to acquiring land.

F. Approval for Acquisition of Existing Facilities

1. If the district has an opportunity to acquire an existing facility through purchase, gift, lease or otherwise the district will comply with all procedures and rules pertaining to the appropriation and use of capital funds as required by N.J.S.A. 18A:20-4 and 18A:20-4.2 as per N.J.A.C. 6A:26-7.3.

2. The district shall also have the facility approved in accordance with N.J.A.C. 6A:26-3 which applies to the acquisition of a school site and for the construction of a new facility.

3. Off-site facilities which are to be procured for temporary, emergency use must comply with N.J.A.C. 6A:26-8, Substandard School Facilities.



G. Districts Eligible for 100% State Support Only

The authority may acquire land on behalf of a district eligible for 100% State support of final eligible costs, for school facilities projects that are consistent with such district's approved LRFP. For such districts, the Department requires submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with these regulations. The authority may submit the required information on behalf of such districts.

N.J.A.C. 6A:26-3.13; 6A:26-7.1; 6A:26-7.2; 6A:26-7.3

The Board of Education may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.12 and N.J.A.C. 6A:26-7.1 through 7.3.

Every acquisition of land, whether by purchase, condemnation, or by gift or grant, to be used as a school site shall comply with the requirements of N.J.A.C. 6A:26-7.1 et seq. The school district, or the New Jersey Schools Development Authority (Development Authority) on behalf of the district, shall submit information to the Division of Administration and Finance (Division) to obtain approval for land in connection with a school facilities project in accordance with the provisions of N.J.A.C. 6A:7.1(b).

In the event the school district intends to acquire land not in connection with a school facilities project, the district shall submit all of the information required under N.J.A.C. 6A:26-7.1(b) except N.J.A.C. 6A:26-7.1(b)1.ii and N.J.A.C. 6A:26-7.1(b)1.iii, and shall further be excepted from the requirements of N.J.A.C. 6A:26-7.1(d) and N.J.A.C. 6A:26-7.1(e). If the school district later intends to change the use of the land and use as a school site, the school district shall be required to submit all of the information required under N.J.A.C. 6A:26-7.1 and the exceptions outlined above shall no longer apply.

In accordance with the provisions of N.J.A.C. 6A:26-7.1(d), school site sizes shall be directly related to the acreage required for the structures and activities to be situated thereon. Except where specifically noted for multiple or shared use, the acreage shall be considered for single use.

All school sites shall have sufficient acreage for the placement of the school facility; expansion of the building to its maximum potential enrollment; the placement of all



other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages, and any other above or below ground structure, which is to be placed thereon; multi-purpose physical education fields and, for preschool through grade five school facilities, a playground required to support the achievement of the New Jersey Student Learning Standards as defined by the number of physical education teaching stations applicable to the school facility pursuant to the facilities efficiency standards and the approved programmatic model; disabled-accessible pedestrian walkways, roadways, and parking areas on which people and vehicles access the building; public and service access roads onto the site including, where warranted, a one-way school bus road of thirty foot width and a two-way road of thirty-six foot width; a school bus drop-off area; and eighteen foot wide posted fire lanes for fire apparatus; and a thirty-foot wide access around the entire building.

Land owned by the Board of Education that does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented pursuant to the requirements of N.J.A.C. 6A:26-7.1(f).

Pursuant to N.J.A.C. 6A:26-7.1(g), the Division's approval shall remain effective for three years, after which time Division approval shall again be required to be obtained prior to acquiring land.

The Development Authority may acquire land on behalf of a school district eligible for one hundred percent State support of final eligible costs for school facilities projects that are consistent with the school district's approved Long Range Facilities Plan (LRFP). For such school districts, the New Jersey Department of Education shall require submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with N.J.A.C. 6A:26-7. The Development Authority may submit the required information on behalf of such school districts.

In accordance with N.J.A.C. 6A:7.3, the Board of Education may acquire an existing facility through purchase, gift, lease, or otherwise provided the Board complies with all procedures and rules pertaining to the appropriation and use of capital funds as required by N.J.S.A. 18A:20-4 and 4.2 and the Board has the facility approved in accordance with N.J.A.C. 6A:26-3, which applies to the acquisition of a school site and for the construction of a new facility. Facilities to be procured for temporary use shall comply with N.J.A.C. 6A:26-8 if subject to educational-adequacy review pursuant to N.J.A.C. 6A:26-5.4(c) because the facilities will house students.

N.J.A.C. 6A:26-3.12; 6A:26-7.1; 6A:26-7.2; 6A:26-7.3



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