

NOVEMBER 9, 2017

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, November 9, 2017, at 8:30 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

PRESENT: Mayor Francioli, Members Ferramosca, Gallagher and Brueno

ABSENT: Coppola

STATEMENT BY PRESIDING OFFICER:

Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by posting written notices and agenda of the meeting on the bulletin board in the Municipal Building, 1000 Route 10, Township of Hanover and by hand delivering, mailing or faxing such notice and agenda to the following newspapers:

**HANOVER EAGLE
MORRIS COUNTY'S DAILY RECORD
THE STAR LEDGER**

and by filing same with the Township Clerk.

(Signed) Ronald F. Francioli, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

OPENING PRAYER

Almighty God, we ask that you bless this governing body with an abundance of wisdom and understanding so that every deliberation will result in actions which will promote the common good and the general welfare for all of the people of Hanover Township...AMEN

PROCLAMATION

A PROCLAMATION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY COMMEMORATING THE EIGHTY-FIFTH (85th) ANNIVERSARY OF THE UKRAINIAN GENOCIDE OF 1932-1933

WHEREAS, Eighty-Five (85) years ago, Soviet leader Joseph Stalin and his totalitarian regime committed an act of genocide through the implementation of an engineered famine, confiscating land, grain and animals from the Ukrainian people resulting in deaths of up to 10 million innocent men, women and children; and

WHEREAS, this genocide, *Holodomor*, meaning "Murder by Starvation", was specifically designed by the Soviet regime to punish independent-minded Ukrainians for their resistance to its economic, political, and social oppression; and

WHEREAS, at the height of the Holodomor in 1933, Ukrainians died at the rate of 25,000 a day with nearly a third of its victims being children less than 10 years old; and

WHEREAS, even as the Soviets continued to export Ukraine's grain to the rest of the world, Ukrainian farmers, who tended to the farms in the "bread basket of the U.S.S.R", were tragically starved to a slow and painful death; and

WHEREAS, hundreds of archival KGB documents created during this genocide detailed and described the Soviet regime's actions and intention to destroy Ukraine's national identity by deporting and executing Ukraine's religious, intellectual and cultural leaders, prosecuting or executing any others who dared to speak of the famine or to speak against the Soviet authorities publicly, further destabilizing Ukraine's political structure; and

WHEREAS, under the global theme "*Ukraine Remembers, the World Acknowledges,*" it is necessary that the Ukrainian Genocide, *Holodomor* 1932-1933, be officially recognized by the global community as a tragic and heinous crime against humanity in order to prevent similar tragedies from occurring in the future;

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NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follow:

1. On behalf of its citizens, the governing body hereby proclaims the month of November, 2017 as "Ukrainian Genocide Remembrance Month" in the Township of Hanover and urge all individuals, groups, organizations and institutions to remember the Holodomor with appropriate activities designed to honor its victims and educate the world about this tragic episode in the world's history. Throughout this Eighty-Fifth (85th) anniversary year, let us recommit ourselves to reflect upon the historical truth of the heinous crimes of totalitarian regimes, so that we may one day eliminate tyranny from our world.

OPEN TO THE PUBLIC:

Motion made by Member Ferramosca to Open to the Public and seconded by Member Francioli and unanimously passed.

Mayor: It is my understanding that we might have some folks here tonight that might want to discuss the application before the Planning Board which is the Barclay's Bank application, so for the purposes of this meeting we want to hear everyone and we want to hear you but I would like to save that portion of the meeting when we open again but if we get through the business portion of the meeting I would like to give you an opportunity for all to be heard and to discuss it openly. So having said that, if anyone would like to address the Township Committee at this time just not on the Barclay's Bank please address us.

Gary Keyser, 16 Lynn Terrace, Whippany: I hear rumors throughout the Town that the Township Committee is going to be co-signing for a loan for the Whippany Fire Company and I would just like to know if that is true?

Mayor: I think the subject of the finance of the Whippany Fire Company along with the County involving the Township Committee is a point of discussion at this point, I don't think any conclusion has been made, I think the Township Committee is taking all the facts into consideration and working with the Fire Company to try and accomplish what the goal is and the goal is to come up with an amicable reasonable finance program for them to complete the fire house.

Mr. Keyser: So, It's in the talking stage?

Mr. Gallagher: Gary when is the official Christmas tree lighting at the Cedar Knolls Fire House? Great opportunity to say it on TV right now for all of our residents.

Mr. Keyser: November 25, Saturday at 5:00pm.

Terry Baird, 180 Parsippany Road, Whippany: I just wanted to officially address the fact of the post office difficulties that are happening and have been happening for quite a number of years now. I was hoping that if I brought it up here at the meeting that it would somehow grease the wheel so that something would happen. It was brought to my attention on Facebook in reference to someone's recycling can getting caught underneath the postal truck and taken down the street, and there has been other things that people have seen postal trucks backing up four houses. There aren't even supposed to be putting their vehicles in reverse; nor are they supposed to be in people's driveways. Also their lack of ability to deliver certified mail, which I realize that the Barclay's when people that raised their hand that said they didn't get notice, I realize that everything was done correctly according to how it's supposed to be, but when people aren't notified I would think that would leave either the Town or Barclay's open for some sort of legal type of situation possibly. I know myself that I have sent certified mail and either they don't have people sign for it, they never come to your door even if you are home; they leave a little slip of paper and sign for it and you don't even get it. I have sent certified mail in reference to legal action that I have had myself and months later and 8 months now they still can't find it. So if there is anything that you can possibly do in reference to the post office situation a lot of people would appreciate it.

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Mayor: The postal system over the last few years in our Town and in other towns have really gone down in service in all ways, it's just not the registered mail situation where we have to be reassured that a recipient got the mail. I think what the Administrator and I can do is once again, we do have some contacts with the general post office and we can reach out to them on certain issues. I have been following some of the issues and the individual postal carriers that are doing certain things and what they should not be doing. Backing up postal trucks two or three addresses in order to get to somebody else and I think we can bring this to the attention of the General Post Master once again and see what we can possibly do. I think what we also would like to do is along with our counsel and addressing it with the general post office is ask this question of the legalities are in the delivery of registered mail. This is a system that we use in the Planning Board to notify an individual effective by an application and if they haven't gotten it properly and of course the Planning Board's position is well we did our job, well that's fine but let's see. I'll have the Administrator set up another meeting with the General Post Master.

Ms. Baird: I have been there to complain at the Post Office and after waiting 45 minutes they still would not send a supervisor out nor would they even tell me the Supervisor's name so that I can write to them.

Mayor: That doesn't surprise me. Let me give you some good news. We just heard from the Morris County Open Space Preservation Trust and we were awarded a grant from them, a grant that we made to acquire the Whippany Post Office. So that portion of the grant is complete and I think we move forward with Green Acres on that and of course Hanover Township will be putting up a certain amount of money from our Open Space Fund and with that having been said, we are going to acquire that piece of land and it is our intention to take that post office down and make it into a pocket park, so I think that will be great.

Ms. Baird: Will you be putting a mailbox there?

Michael Halibej, Cedar Knolls: I wanted to sincerely thank you for that Proclamation that the Township read and we thank you for the flag. Majority of American's have no idea of how horrible this tragedy or this murder that Aston promoted on our people. Just picture any farmer in Sussex County New York down South and New Jersey one day family was out there grazing their fields having their livestock picking up the eggs from their chickens and one day the Russians come in and tell the family that they no longer own this and you have to leave tomorrow. There were people that were dying, like you said 2,500 a day, they tried to destroy the Ukrainian Nation and God Bless our ancestors the courage and strength that they had to fight to promote our religion cause on top of trying to take our families farms and destroy us they tried to erase Jesus Christ from our country. It would never happen and thank God my family taught us the freedom and the greatness of this County and everything it stands for and I can't thank you enough for recognizing this and showing we are a free county and I thank all of you, Mayor, John, Bob and George you were there at our opening of our Cultural Center and now our Church and we thank you for your support and thank you for everything that you do for our Community. God Bless You.

Mayor: The fight of the Ukrainian Community continues as we know as the Russians imposing their will on the Eastern Section of Ukraine. I hope to be sitting here when we can once again that the entire Ukraine is once again free. So we pray for that as well.

Mr. Halibej: I also wanted to mention that there is a writer for the New York Times, Walter Derante that covered up for Stallen, he denied that there was a famine. Times changed but history repeats itself, look what the New York Times is today, they are apologists and they won't tell the truth of what is happening in Ukraine today and what the reality is on the ground. Thank you.

Motion to close made by Member Francioli.

APPROVAL OF TOWNSHIP COMMITTEE MINUTES:

The Minutes of the Regular Meeting of October 26, 2017 have been presented to the members of the Committee prior to this meeting by the Township Clerk.

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Member Brueno moved that the Minutes of the Regular Meeting of October 26, 2017 have been accepted and approved as presented by the Township Clerk. The motion was seconded by Member Gallagher and was unanimously passed.

DEPARTMENTAL REPORTS

The following reports were presented and ordered filed as received:

Police Department	M. Roddy	Reports of October
Public Works	B. Foran	Reports of October
Township Engineer	G. Maceira	Reports as of November 9th

All reports are on file in the Business Administrator's Office.

INTRODUCTION OF ORDINANCE

ORDINANCE NO. 24-2017

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING
CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED,
LAND USE AND DEVELOPMENT LEGISLATION, BY AMENDING THE
REGULATIONS FOR THE WC – WHIPPANY CENTER ZONE DISTRICT**

WHEREAS, the current zoning regulations of the Township of Hanover include a WC – Whippany Center zone district: and

WHEREAS, the WC zone district was originally created in order to encourage the redevelopment of the properties in the district for a mixed-use center; and

WHEREAS, the WC zone district has been partially redeveloped under the current WC zone standards; and

WHEREAS, the Planning Board of the Township has reexamined the WC district regulations and has recommended that the regulations be amended in order to further promote the completion of the redevelopment envisioned for the district and to adjust the regulations to reflect current conditions in the district.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey that Chapter 166 of the Code of the Township of Hanover, Land Use and Development Legislation, is hereby amended as follows:

Section 1. Subsection K. of Section 166-186.13., *Permitted principal uses*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- K. Food and beverage manufacturing establishments that engage in selling to the general public products made on the same premises from which they are sold, limited to chocolate and confectionery manufacturing, ice cream and frozen dessert manufacturing, bread and bakery product manufacturing, perishable prepared food manufacturing, breweries, distilleries and wineries, provided that they comply with all of the following requirements:
 - (1) The gross floor area of the manufacturing and other non-retail operations shall not exceed 10,000 square feet.
 - (2) The gross floor area of the retail operations shall not be less than 1,000 square feet.
 - (3) The manufacturing operation shall comply with the performance standards in §166-193.

Section 2. Section 166-186.15., *Conditional uses*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

§ 166-186.15. Conditional uses.

Conditional uses as set forth and regulated in §166-150. are permitted in the WC District.

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Section 3. Subsection A. of Section 166-186.17., *Development standards for conventional development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

A. Minimum lot area: 20,000 square feet.

Section 4. Subsection D. of Section 166-186.17., *Development standards for conventional development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

D. Maximum floor area ratio. The maximum floor area ratio shall be based upon the net lot area, which shall exclude all floodways, wetlands and required transition areas for wetlands. The maximum floor area ratio shall vary by net lot area, as follows:

- (1) For lots with a net lot area under 25,000 square feet: 25% of the net lot area.
- (2) For lots with a net lot area of at least 25,000 square feet 35% of the net lot area.

Section 5. Subsection F. of Section 166-186.17., *Development standards for conventional development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

F. Maximum floor area, office uses. No office building, or portion of a building devoted to office use in a mixed-use building, shall exceed a gross floor area of 9,000 square feet.

Section 6. Subsection G. of Section 166-186.17., *Development standards for conventional development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

G. Maximum building coverage. The maximum building coverage shall be based upon the net lot area, which shall exclude all floodways, wetlands and required transition areas for wetlands. The maximum building coverage shall vary by net lot area, as follows:

- (1) For lots with a net lot area under 25,000 square feet: 25% of the net lot area.
- (2) For lots with a net lot area of at least 25,000 square feet: 35% of the net lot area.

Section 7. Subsection H. of Section 166-186.17., *Development standards for conventional development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

H. Maximum improvement coverage. The maximum improvement coverage shall be based upon the net lot area, which shall exclude all floodways, wetlands and required transition areas for wetlands. The maximum improvement coverage shall vary by net lot area, as follows:

- (1) For lots with a net lot area under 25,000 square feet: 65% of the net lot area.
- (2) For lots with a net lot area of at least 25,000 square feet: 70% of the net lot area.

Section 8. Paragraph (1) in Subsection J. of Section 166-186.17., *Development standards for conventional development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (1) Minimum front yard depth: 50 feet, except for front yards which abut School Street. A minimum front yard depth of 5 feet shall apply to yards which abut the easterly and westerly side lines of School Street. No front yard requirement shall apply to the northerly dead end line of School Street.

Section 9. Paragraph (1) in Subsection M. of Section 166-186.17., *Development standards for conventional development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (1) Off-street parking areas and drives in the WC Zone District shall be located at least 25 feet from any street right-of-way line, except in those locations where driveways

provide direct access to the street, and except for the School Street right-of-way. Off-street parking areas and drives shall be located at least 5 feet from the School Street right-of-way. In addition, no more than one half of the area within 50 feet of any street right-of-way abutting the tract shall be covered by paved surfaces of any type; provided, however, that this requirement shall not apply to the area within 50 feet of the School Street right-of-way.

Section 10. Paragraph (1) in Subsection N. of Section 166-186.17., *Development standards for conventional development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (1) No more than one driveway opening to any one street shall be permitted for each lot; provided, however, that this requirement shall not apply to School Street.

Section 11. Subsection A. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- A. Minimum tract area: eight contiguous acres.

Section 12. Paragraph (5) in Subsection C. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (5) Maximum floor area ratio: 35% of the net tract area of the planned commercial development.

Section 13. Paragraph (10)(a) in Subsection C. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (a) Minimum front yard depth: 50 feet, except for front yards which abut School Street. A minimum front yard depth of 5 feet shall apply to yards which abut the easterly and westerly side lines of School Street. No front yard requirement shall apply to the northerly dead end line of School Street.

Section 14. Paragraph (11) in Subsection C. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (11) Maximum number of principal buildings: unlimited.

Section 15. Paragraphs (1) and (2) in Subsection D. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (1) Minimum gross floor area devoted to retail sales, banks, personal services, rental and leasing services, and food and drinking establishments, all as permitted by §166-186.13: 40% of the gross floor area, excluding basements, within the planned commercial development.
- (2) Maximum gross floor area devoted to nonresidential buildings other than retail sales, banks, personal services, rental and leasing services, and food and drinking establishments, all as permitted by §166-186.13.: 20% of the gross floor area, excluding basements, within the planned commercial development.

Section 16. Paragraph (3) in Subsection D. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (3) Maximum gross floor area devoted to residential uses: 60% of the gross floor area, excluding basements, within the planned commercial development.

Section 17. Paragraph (4) in Subsection D. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

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- (4) Maximum residential density: 5.25 dwelling units per gross acre of the planned commercial development, but not to exceed 46 dwelling units.

Section 18. Paragraph (1)(a) in Subsection E. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (a) At least one affordable unit for every four market-rate dwelling units in the project, but not less than nine affordable units. In the event that a fractional unit is required, the developer shall have the options of: 1) converting a market-rate unit to an affordable unit in the development or at an off-site location, 2) creating a new affordable unit at an off-site location, or 3) making a payment in lieu of creating the fractional unit. If the developer chooses the payment in lieu option, the payment amount shall be the equivalent fraction of the difference between the land and construction costs to create a new residential unit and the initial affordable price for the same unit, assuming the unit were constructed in the same manner as an additional affordable unit in the same development conforming with all applicable requirements for affordable units in the development.

Section 19. Paragraph (1) in Subsection F. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (1) The total number of driveways to and from public streets shall be limited only to those necessary to provide safe and convenient access, without undue impacts to the safety and mobility of traffic on abutting public streets, as determined by the Planning Board. The intent of this requirement is to encourage shared access and fewer driveway openings onto public streets than would otherwise be necessary for conventional development on individual lots.
- (a) When located on a state highway, the number and location of driveways shall be not be greater than permitted by the State Highway Access Management Code.
- (b) On Troy Hills Road, not more than two driveways shall be permitted for the planned development.
- (c) On other public streets, driveway locations shall be as determined by the reviewing Board at the time of site plan approval.

Section 20. Paragraph (4)(c) in Subsection F. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (c) Off-street parking areas and drives in the WC Zone District shall be located at least 25 feet from the street right-of-way lines for Route 10 and Troy Hills Road. In addition, no more than one half of the area within 50 feet of the street right-of-way for Route 10 and Troy Hills Road shall be covered by paved surfaces of any type. Notwithstanding the foregoing, in order to provide design flexibility, the Board may reduce the required setback from the Troy Hills Road right-of-way without the need for a variance, provided that:
- [1] The area of parking area pavement within 25 feet of the Troy Hills Road right-of-way shall not be permitted to cover more than 5% of the tract area within 25 feet of the Troy Hills Road right-of-way; and
- [2] The parking setback from the Troy Hills Road right-of-way shall not be reduced to less than 15 feet in any location.

Section 21. Paragraph (4) in Subsection F. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended by adding a Paragraph (d), to read as follows:

- (d) Off street parking areas in the WC Zone District shall be located at least 5 feet from the westerly and easterly sides of the right-of-way of School Street.

Section 22. Paragraph (8) in Subsection F. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

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- (8) Planned commercial development shall be designed to encourage pedestrian travel into the development from areas outside the development and to encourage pedestrian travel between different areas in the development. A paver walkway or walkways shall be provided with historic-style lighting along the Route 10 and Troy Hills Road frontages of the tract.

Section 23. Paragraph (1) in Subsection I. of Section 166-186.18., *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (1) The area, dimension and layout of such areas shall be designed to be sufficient for the number of persons anticipated to be using the area at one time. Each common area shall contain a contiguous area not less than 1,000 square feet and at least one common area, centrally located within the development, shall contain a contiguous area not less than 4,000 square feet and which shall have a horizontal dimension not less than 40 feet in any direction.

Section 24. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 25. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

Section 26. This ordinance shall take effect in accordance with the law.

The Ordinance will be further considered for Public Hearing on December 14th at 8:30 pm and at that time any person wishing to be heard concerning the Ordinance will be given the opportunity to be heard. The Ordinance and Notice of Introduction will be published in full in the Daily Record in accordance with the law.

Motion on introduction made by Member Francioli and seconded by Member Brueno and unanimously approved.

So Introduced

ORDINANCE NO. 25-2017

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE AND INSTALLATION OF AN UNINTERRUPTIBLE POWER SUPPLY SYSTEM (UPS) BATTERIES AND OTHER RELATED IMPROVEMENTS FOR THE POLICE DEPARTMENT'S 9-1-1 SYSTEM AND FURTHER APPROPRIATING THE SUM OF \$40,000.00 FROM THE UNALLOCATED PORTION OF THE TOWNSHIP'S 2017 CAPITAL IMPROVEMENT FUND AND ALL PRIOR YEARS FOR THE FINANCING OF THE IMPROVEMENTS DESCRIBED HEREIN

WHEREAS, the existing uninterruptible power supply (UPS) system for the Police Department's communications console and 9-1-1 system recently underwent a major repair and replacement of computer boards; and

WHEREAS, in spite of this, the end-of-life expectancy for the existing UPS system which includes batteries and other related appurtenances will occur sometime in 2018; and

WHEREAS, with the eventual demise of the current UPS system, batteries and all related parts, it is necessary, in the interest of public safety, for the Township to purchase and have installed a new UPS system that will prevent the failure of the Township's communication console and 9-1-1 system at any time.

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

Section 1. The governing body hereby authorizes the Township's Engineering Department to purchase and have installed at Police Headquarters, a new

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uninterruptible power supply (UPS) system, batteries and all related appurtenances for the Police Department's communications console and 9-1-1 system

Section 2. The Engineering Department is further authorized and directed to retain the services of a professional engineer, licensed by the State of New Jersey, if needed, to prepare the necessary plans and specifications for the new UPS system and then to advertise for the receipt of sealed competitive bids in accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq., or to acquire and have installed the new UPS system through a current and valid New Jersey State Contract or through a Cooperative Pricing Council of which the Township is a member.

Section 3. There is hereby appropriated the sum of \$40,000.00 from the unallocated portion of the Township's 2017 Capital Improvement Fund and all prior years for the purchase and installation of the UPS system, batteries and all related appurtenances described in **Section 1.** above.

Section 4. This ordinance shall take effect in accordance with law.

The Ordinance will be further considered for Public Hearing on December 14th at 8:30 pm and at that time any person wishing to be heard concerning the Ordinance will be given the opportunity to be heard. The Ordinance and Notice of Introduction will be published in full in the Daily Record in accordance with the law.

Motion on introduction made by Member Gallagher and seconded by Member Brueno and unanimously approved.

So Introduced

ORDINANCE NO. 26-2017

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP, ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, BY ADDING A NEW B-10 ZONE DISTRICT AND REGULATIONS; ADDING A NEW B-10 ZONE OVERLAY IN THE I – INDUSTRIAL DISTRICT; ELIMINATING THE B-1, B-P AND I-B ZONE DISTRICTS; CHANGING THE ZONE CLASSIFICATION OF VARIOUS PROPERTIES IN THE B, B-1, B-P, D-S, I, I-B, I-P, R-25, AND RM-2 ZONES TO THE NEW B-10 ZONE DISTRICT; REVISING THE ZONE BOUNDARIES OF THE D-S, I, I-P, OB-DS, RM-2 ZONE DISTRICTS; AMENDING THE REGULATIONS PERTAINING TO HOTELS AND MOTELS; AMENDING THE REGULATIONS FOR GASOLINE STATIONS; AMENDING THE REGULATIONS FOR THE B, I, I-B2, I-P, RM-2 AND TC ZONE DISTRICTS; AMENDING THE SIGN REGULATIONS; ADDING VARIOUS USE DEFINITIONS; AND AMENDING VARIOUS OTHER PROVISIONS OF CHAPTER 166 IN ORDER TO ACCOMMODATE THE FOREGOING REVISIONS

ORDINANCE NO. 26-2017

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP, ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, BY ADDING A NEW B-10 ZONE DISTRICT AND REGULATIONS; ADDING A NEW B-10 ZONE OVERLAY IN THE I – INDUSTRIAL DISTRICT; ELIMINATING THE B-1, B-P AND I-B ZONE DISTRICTS; CHANGING THE ZONE CLASSIFICATION OF VARIOUS PROPERTIES IN THE B, B-1, B-P, D-S, I, I-B, I-P, R-25, AND RM-2 ZONES TO THE NEW B-10 ZONE DISTRICT; REVISING THE ZONE BOUNDARIES OF THE D-S, I, I-P, OB-DS, RM-2 ZONE DISTRICTS; AMENDING THE REGULATIONS PERTAINING TO HOTELS AND MOTELS; AMENDING THE REGULATIONS FOR GASOLINE STATIONS; AMENDING THE REGULATIONS FOR THE B, I, I-B2, I-P, RM-2 AND TC ZONE DISTRICTS; AMENDING THE SIGN REGULATIONS; ADDING VARIOUS USE DEFINITIONS; AND AMENDING VARIOUS OTHER PROVISIONS OF CHAPTER 166 IN ORDER TO ACCOMMODATE THE FOREGOING REVISIONS

WHEREAS, the Planning Board has conducted a study of the Route 10 corridor in the Township; and

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WHEREAS, upon concluding the corridor study, the Planning Board subsequently amended the Township master plan; and

WHEREAS, the master plan amendment made certain recommendations for amended zoning districts and boundaries in the corridor; and

WHEREAS, subsequent to adoption of the master plan amendment, the Planning Board has conducted additional studies which resulted in the Board recommending the adoption of various zoning amendments.

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

Section 1. Subsection A. of Section 166-4., *Definitions and word usage*, in Article II, *Definitions*, is amended by adding and inserting definitions of “industrial use,” “office,” “retail sales establishments,” and “retail service establishment,” to read as follows:

INDUSTRIAL USE – A business establishment the primarily engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products. The materials, substances, or components transformed by industrial uses are raw materials that are products of agriculture, forestry, fishing, mining, or quarrying as well as products of other industrial establishments. The materials used may be purchased directly from producers, obtained through customary trade channels, or secured without recourse to the market by transferring the product from one establishment to another under the same ownership. Industrial uses may process materials or may contract with other establishments to process their materials for them. Industrial uses are often described as plants, factories, or mills and characteristically use power-driven machines and material handling equipment. The assembling of component parts of manufactured products is considered an industrial use, except as specifically excluded below. The new product of an industrial use may be finished in the sense that it is ready for utilization or consumption, or it may be semi-finished to become an input for an establishment engaged in further transformation. Notwithstanding the foregoing, the following activities, when conducted as a principal use, shall not be considered industrial uses:

- tree harvesting or processing;
- mining and related activities;
- construction of structures and fabrication at the construction site by contractors;
- wholesale sales of finished products;
- warehousing operations;
- sorting scrap;
- mixing paints to customer order.

OFFICE – A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government and predominantly characterized as being furnished with and highly dependent upon desks, chairs, tables, file cabinets and file drawers, telephones and other communication equipment, computers, printers and similar equipment used in the operation.

RETAIL SALES ESTABLISHMENT – A business establishment primarily engaged in selling or rental of merchandise, generally without transformation, to the general public for personal use or household consumption. Retail sales establishments typically obtain merchandise from producers or other sellers for resale, and operate from a business location to which they attract the general public to buy and/or rent such merchandise. Some producers may be considered retail sale establishments, such as a retail bakery or retail candy store, if most or all of the merchandise produced is sold on the same premises. Retail sales establishments may provide services to the general public, but such services are accessory and incidental to the sale or rental of merchandise on the premises.

RETAIL SERVICE ESTABLISHMENT – A business establishment primarily engaged in providing services, as opposed to merchandise, to the general public for personal or household use. Retail service establishments include but not limited to eating and drinking places, hotels, banks, barbers and beauticians, tailors, amusement

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and recreation services, health services, educational services and social services, museums and galleries. Some retail service establishments may also sell merchandise, such as a restaurant or beauty salon, but such sales are part of the overall service or are accessory and incidental to the services being provided.

Section 2. Section 166-107., *Enumeration of districts*, in Article XVIII, *Districts; Map and Schedule*, is amended to read as follows:

§ 166-107. Enumeration of districts.

For the purposes of this Chapter, the Township of Hanover is divided into various zone districts, known as:

R-40 Residence District
R-25 Residence District
R-15 Residence District
R-10 Residence District
R-10A Residence District
R-M Residence District
RM-2 Residence District
RM-3 Residence District
RM-4 Residence District
AH-1 Affordable Housing Overlay District
B Business District
B-P2 Business and Professional District
B-10 Highway Commercial District
WC Whippany Center District
D-S Designed Shopping Center District
OB-RL Office Building and Research Laboratory District
OB-DS Office Building - Designed Shopping Center District
OB-RL3 Office Building and Research Laboratory District
I Industrial District
I-2 Industrial District
TC Town Center District
I-4 Industrial District
I-5 Industrial District
I-P Industrial Park District
I-P2 Industrial Park District
I-B2 Industrial-Business District
I-B3 Industrial-Business District
I-R Industrial - Recreation District
A Airport District
PU Public Use District

Section 3. Subsection A. of Section 166-108., *Map, schedule and appendices*, in Article XVIII, *Districts; Map and Schedule*, is amended to read as follows:

- A. The Zone Map delineating the zone districts within the Township, entitled "Zoning Map, Township of Hanover," dated December 2017; the Summary Zoning Schedule set forth on said map; the three sheets entitled, "Appendix A, Yard Definition and Building Envelopes," the one sheet entitled "Appendix B" and the one sheet entitled "Appendix C, Minimum Parking Space and Aisle Width Dimension," are hereby declared to be a part of this chapter. In the event of any discrepancy between the summary zoning schedule on the Zoning Map and the

text of Chapter 166, the text of Chapter 166 shall supersede the table on the Zoning Map.

Section 4. Paragraph (3) in Subsection B of Section 166-110, *Building permits and plans*, in Article XIX, *General Provisions*, is amended to read as follows:

- (3) When required by the Planning Board or Board of Adjustment, or by any other officer or agency having the responsibility to review and approve development activity, the applicant for any nonresidential use shall submit, in duplicate, all plans of the proposed construction and development, including a description of the proposed machinery, operation and products, to the extent known at that time, as well as an affidavit by the applicant acknowledging his understanding of the applicable performance standards and agreement to conform to same at all times. If there is any reasonable doubt as to the likelihood of the intended use conforming to the performance standards, the Board shall refer the application for investigation and report to one or more expert consultants selected by the Board as qualified to advise on conformance with the required performance standards. A copy of the consultant's report shall be promptly furnished to the applicant. Any permit authorized and issued shall be conditioned, among other things, upon the applicant's completed buildings and installations, in operation, conforming to the applicable performance standards. The cost of said expert consultant's service shall be charged against the escrow deposit accounts as set forth in Article VII of this chapter.

Section 5. Subsections B., C., D. and E. of Section 166-115., *Multiple principal buildings on the same lot; multiple principal uses within the same building*, in Article XIX, *General Provisions*, are amended to read as follows:

- B. In all R-40, R-25, R-15, R-10 and B Zones, no lot may contain more than one principal building, except as may be specifically provided otherwise by this chapter.
- C. More than one principal building is permitted on a lot in each of the zones as follows, except as may be specifically provided otherwise by this chapter:
 - (1) In the R-M Zone as set forth in § 166-180.
 - (2) In the R-10A Zone as set forth in Article XXVIII A.
 - (3) In the D-S Zone as set forth in § 166-188.D.
 - (4) In the OB-RL Zone as set forth in § 166-192.L.
 - (5) In the OB-DS Zone as set forth in § 166-193.3J.
 - (6) In the I Zone as set forth in § 166-196.J.
 - (7) In the I-2 Zone as set forth in § 166-199.
 - (8) In the I-P Zone as set forth in § 166-206.K.
 - (9) In the TC Town Center District as set forth in Article XXXVIII A.
 - (10) In the RM-2 Zone for multifamily and townhouse development only, as set forth in Article XXIX B.
 - (11) In the RM-3 Zone for townhouse development only, as set forth in Article XXIX C.
 - (12) In the RM-4 Zone as set forth in Article XXIX D.
 - (13) In the B-P2 Zone for multifamily and single-family attached dwellings only, as regulated by § 166-186.11B.
 - (14) In the WC Zone for planned commercial development only.
 - (15) In the I-B3 Zone as set forth in Article XXXVI B.
 - (16) In the AH-1 Overlay Zone District as set forth in Article XXIX E.
 - (17) In the PU Zone District as set forth in §§ 166-211.1. through 166-211.4.
 - (18) In the OB-RL3 Zone as set forth in §§ 166-193.7.O. and 166-193.8.A.
 - (19) In the B-10 Zone as set forth in Article XXX A.
- D. The principal building on a lot in any B, B-10, B-P2, WC, D-S, OB-RL, OB-DS, OB-RL3, I, I-2, I-P, I-B3, I-4 and TC Zone District may be divided to accommodate different operations or tenants within the principal building, subject, however, to the provisions of Subsection F below.

- E. Multiple tenants within any building in an approved planned industrial development are permitted as regulated therein, subject, however, to the provisions of Subsection F. below.

Section 6. Paragraphs (3) and (6) in Subsection A. of Section 166-125., *Buffer requirements*, in Article XIX, *General Provisions*, are amended to read as follows:

- (3) Where a nonresidential development in the OB-RL, OB-DS, I, I-2, or I-P District abuts a public street, excluding State Highway Route 24 and Interstate Route 287;
- (6) Where a nonresidential development in the OB-RL, OB-DS, I, I-2, or I-P District abuts a Public Use (PU) Zone District or public park.

Section 7. Paragraphs (1), (2) and (5) in Subsection C. of Section 166-125., *Buffer requirements*, in Article XIX, *General Provisions*, are amended to read as follows:

- (1) Minimum depth of a buffer adjacent to residential zone districts. The minimum depth of the buffer adjacent to residential zone districts required by §166-125.A.(1) and (2) shall be as set forth in the following table. The buffer depth shall be measured from and perpendicular to the property line of the property located in the zone within which the buffer is required.

Zone District	Minimum Buffer Depth
R-10A	10 feet
R-M, RM-2, RM-3	20 feet
B, B-10, B-P2	25 feet
D-S	50 feet
OB-RL, I, I-2, I-P and PU	Five (5) feet for each acre of lot area, excluding from said lot area any state open waters, wetlands and wetland transition areas to remain after development, as approved by the New Jersey Department of Environmental Protection, provided that no buffer shall have a depth of less than fifty (50) feet, and no buffer shall be required to have a depth that exceeds one-hundred fifty (150) feet.

- (2) Minimum depth of a buffer between nonresidential development and public streets and roads, excluding State Highway Route 24 and Interstate Route 287. The minimum depth of the buffer between nonresidential development in the OB-RL, OB-DS, I, I-2, or I-P District and public streets as required by § 166-125.A.(3) shall be five feet for each acre of lot, excluding from said lot area any state open waters, wetlands and wetland transition areas, and conservation easements to remain after development, as approved by the New Jersey Department of Environmental Protection, provided that no buffer shall have a depth of less than 25 feet, and no buffer shall be required to have a depth that exceeds the depth of the minimum required front yard for principal buildings in the applicable zone district. The buffer depth shall be measured perpendicular to the front lot line of the property within which the buffer is required and shall be measured from the front lot line or between the shallowest front and rear boundaries of the buffer area.
- (5) Minimum depth of buffer between a nonresidential development in the OB-RL, I, I-2, or I-P District and a public use zone district or public park. The minimum depth of a buffer between a nonresidential development in the OB-RL, I, I-2, or I-P District and a public use zone district or public park, as required by § 166-125.A.(6), shall be 25 feet. The buffer depth shall be measured from and perpendicular to the property line of the nonresidential zone district.

Section 8. Paragraph (4) in Subsection D of Section 166-125., *Buffer requirements*, in Article XIX, *General Provisions*, is amended to read as follows:

- (4) Only within the required buffer between nonresidential development and public streets and roads, excluding State Highway Route 24 and Interstate 287 in the OB-RL, OB-DS, I, I-2, or I-P District as required by § 166-125.A.(3), noxious or invasive vegetation may be removed, including, for example, vines that could damage or weaken other vegetation, invasive weeds or nonnative trees that could excessively compete with other vegetation for light, moisture and nutrients, poison ivy, etc. Notwithstanding the foregoing, such buffer areas, as well as all other required buffer areas, shall be maintained to function as a natural woodland and

shall retain canopy trees, under-story trees, shrubs, ground covers and other low-growing natural plant material, except as permitted otherwise herein. The planting of grass and the placement of mulch, except for a natural leaf mulch, within all required buffers is also prohibited.

Section 9. Subsection B. of Section 166-128., *Vending machines and telephone booths*, in Article XIX, *General Provisions*, is amended to read as follows:

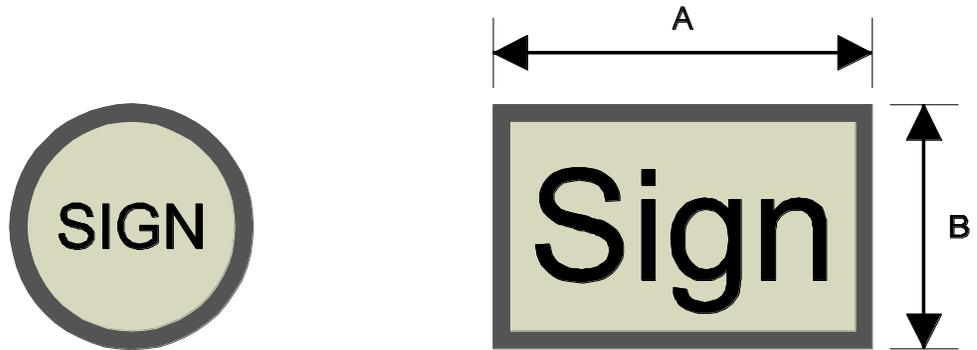
- B. Said vending machines are located in the B, B-10, WC or D-S Zones. Said telephone booths are located in the B, B-10, WC, I-P, OB-RL, OB-DS or D-S Zones. Telephone booths are also permitted on lands developed for Township parks or schools within the residence zones, notwithstanding the provisions of Subsection C. below.

Section 10. Paragraph (1) in Subsection G. of Section 166-128., *Vending machines and telephone booths*, in Article XIX, *General Provisions*, is amended to read as follows:

- (1) Said telephones are located in the B, B-10, WC, D-S, I-P, OB-RL and OB-DS Zones. Telephone booths or public telephones are also permitted on lands developed for Township parks or schools within the residence zones, notwithstanding the provisions of Subsection G.(3) below.

Section 11. Section 166-140., *Measurement of sign area and height*, is hereby amended to read as follows:

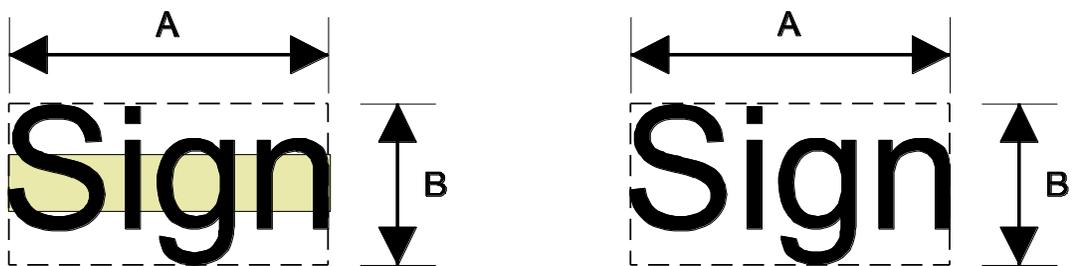
- A. For purposes of this chapter, the area of signs shall be calculated as follows:
- (1) The sign area shall be calculated based upon the entire face of the sign, including the advertising surface and any framing, trim, or molding, and any defined background (e.g., color panel, sign board, etc.). See illustration below.



SIGN AREA = AREA OF CIRCLE

SIGN AREA = A X B

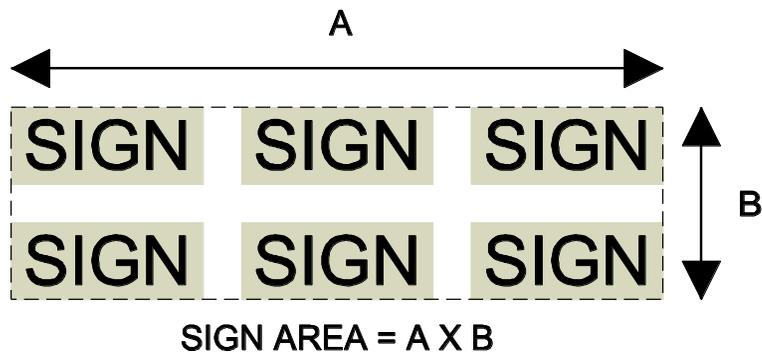
- (2) When there is no defined sign background, for example, when individual letters are mounted on a wall of a building without any different color or material than the balance of the wall, or when the defined sign background is smaller than the sign letters or symbols, the sign area shall be calculated based upon the area of the smallest rectangle which includes all of the sign elements. See illustration below.



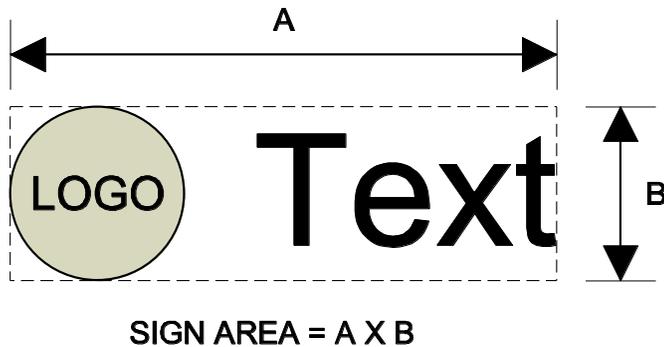
SIGN AREA = A X B

SIGN AREA = A X B

- (3) When a sign is comprised of multiple elements, for example, in a directory sign, the sign area shall be calculated based upon the area of the smallest rectangle which includes all of the sign elements, including the advertising surface and any framing, trim, or molding, and any defined background (e.g., color panel, sign board, etc.), including the space between the sign elements. See illustration below.



- (4) When a sign is comprised of multiple elements, some with a defined background and some without a defined background, the sign area shall include the area of the smallest rectangle which includes all of the sign elements.



- (5) The area of freestanding signs shall be calculated in the same manner as other signs, except that those structures used solely for support of the sign, and not designed as part of the face of the sign (such face including the advertising surface and any framing, trim, or molding, and any defined background), shall be excluded from the sign area.
- (6) Notwithstanding the foregoing provisions for calculating the area of signs with multiple elements, if in the judgment of the reviewing agency such multiple elements are not designed to be viewed together as a single sign, such elements shall be construed to be separate signs, with the area of each sign to be calculated separately, and such signs shall be subject to any applicable restrictions on the maximum permitted number of signs.

- B. The height of a sign shall be computed as the distance from normal grade to, in the case of signs attached to buildings or other similar structures, the top of the highest point of the sign or, in the case of freestanding signs, the highest point of any structure upon which the sign is located, whichever is greater. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berms, mounding or excavating installed primarily for the purpose of locating the sign.

Section 12. Paragraphs (1), (3) and (4) in Subsection C. of Section 166-141., *Regulations applicable in all zones*, in Article XX, *Signs*, are amended to read as follows:

- (1) No sign shall be lighted by means of flashing, fluctuating, changing or intermittent illumination. No sign shall be illuminated such that the illumination changes the sign content or message, except for gasoline pricing signs as permitted by this chapter and as regulated by other applicable law.
- (3) Internal light sources, wall-mounted or sign-mounted fixtures, or ground-based fixtures may be used for illumination.
- (4) There shall be no illumination of any freestanding sign between the hours of 11:00 p.m. and 7:00 a.m., except when the business identified on the sign and operating at the sign location is open for business.

Section 13. Subsection A. of Section 166-143., *Signs in the RM, RM-2, RM-3, RM-4 and AH-1 Zone Districts*, in Article XX, *Signs*, is amended to read as follows:

- A. In the RM, RM-2, RM-3, RM-4 and AH-1 Zone Districts, each multifamily or townhouse development shall be entitled to one freestanding sign at each vehicular entrance to the development, provided that such signs comply with the following requirements; provided, further, that if the RM or RM-2 Zone is developed

for residential use other than multifamily housing, the provisions of § 166-142. shall apply.

- (1) The area of each sign shall not exceed eight square feet.
- (2) The height of each sign shall not exceed six feet.
- (3) All such signs shall be set back at least 10 feet from any street right-of-way.
- (4) Said sign shall be an identification sign only, limited to the name of the development or project on site.
- (5) The design and location of all such signs shall be subject to the review and approval of the Planning Board.

Section 14. Section 166-144., *Signs in the B and B-1 Zone Districts*, in Article XX, *Signs*, is amended to be entitled, *Signs in the B and B-10 Zone Districts*, and to read as follows:

§ 166-144. Signs in the B and B-10 Zone Districts.

A. General requirements.

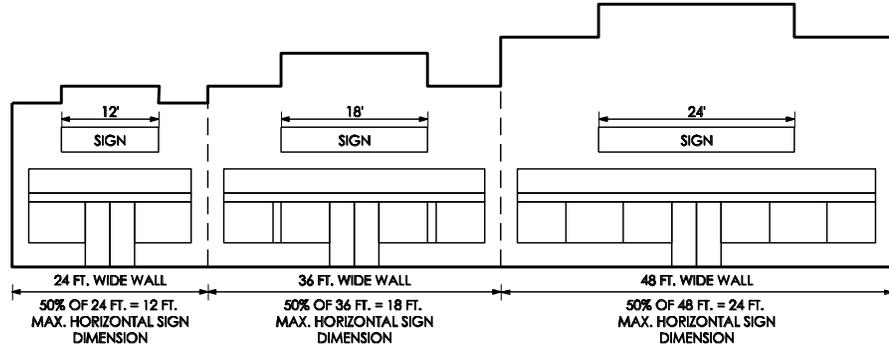
- (1) Except as may be specifically permitted by this Chapter or by other applicable law, no sign shall be permitted which is not an accessory use to the principal use conducted on the same property.
- (2) Principal identification signs. For purposes of these regulations, the term “principal identification sign” refers to any sign that is designed, intended or functions to identify a development, use, product, service, event or activity, when viewed from the street right-of-way or other location not on the same property as the sign.
- (3) Secondary signs. For purposes of these regulations, the term “secondary sign” refers to any sign that is not a principal identification sign.

B. Signs for retail sales and retail service uses. Signs for retail sales and service uses, as defined by this chapter, shall comply with the following requirements:

- (1) Principal identification signs. Principal identification signs for retail sales and retail service uses shall be subject to the following requirements:
 - (a) Permitted types. Principal identification signs may be attached to the building or freestanding, subject to the following requirements:
 - [1] Attached signs are permitted for all developments. Such signs may be attached to the building wall or permanent canopy or marquee constructed as an integral part of the building.
 - [2] A principal identification sign may be freestanding only if all of the following conditions are complied with:
 - [a] The lot or lots containing the development identified by the sign must have at least 200 feet of frontage upon a public street, and the freestanding sign must be oriented to be viewed primarily by travelers on said street; and
 - [b] The sign must be accessory to a development or developments containing at least 25,000 square feet of gross floor area.
 - (b) Content. In order to ensure the readability of signs, to avoid visual clutter and unnecessary distractions, and in order and to promote attractive sign designs, the content of principal identification signs shall be limited to information identifying the name of the business establishment(s) and/or the name of the overall development on the property, as in a shopping center, and/or the nature, logo, trademark or other identifying symbol of said establishment(s) and/or development, and/or the street address of the property.
 - (c) Attached principal identification signs. Attached principal identification signs shall be subject to the following requirements:
 - [1] Maximum quantity of signs. One sign for each business establishment shall be permitted on each wall of the establishment that faces a street upon which the property has frontage and on each wall that faces a parking area, up to a maximum of three signs for each establishment.

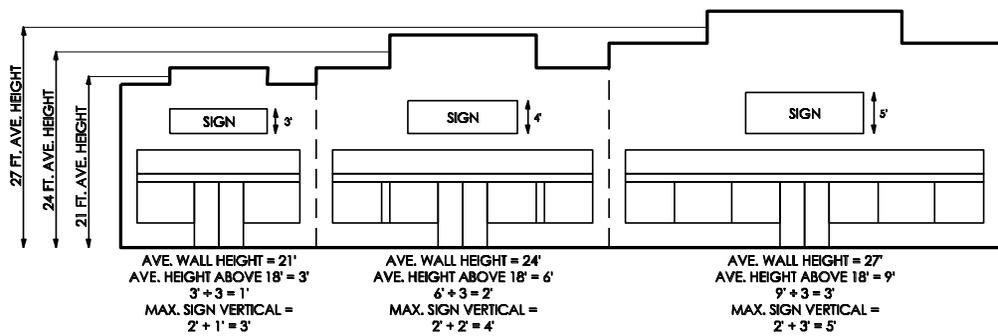
- [2] Sign location. Attached principal identification signs shall be located on a wall, window, door, canopy, marquee or awning which is part of that portion of the building used and occupied by the business establishment.
- [3] Maximum sign dimensions.

[a] Maximum horizontal sign dimension. The maximum horizontal sign dimension shall be 50% of the width of that portion of the wall enclosing the space occupied by the business and upon which the sign is located, up to a maximum horizontal sign dimension of 50 feet. See examples, below:



[b] Maximum vertical sign dimension. The vertical dimension of signs which are designed to have the sign background illuminated by a light source which: 1) is located behind the sign (i.e., on the building side of the sign), and 2) shines through the sign background (e.g., 'box' signs) shall not exceed 2 feet. For other signs, the maximum vertical dimension shall be based upon the average height of the of the ground floor wall upon which the sign is located, and shall be calculated as follows:

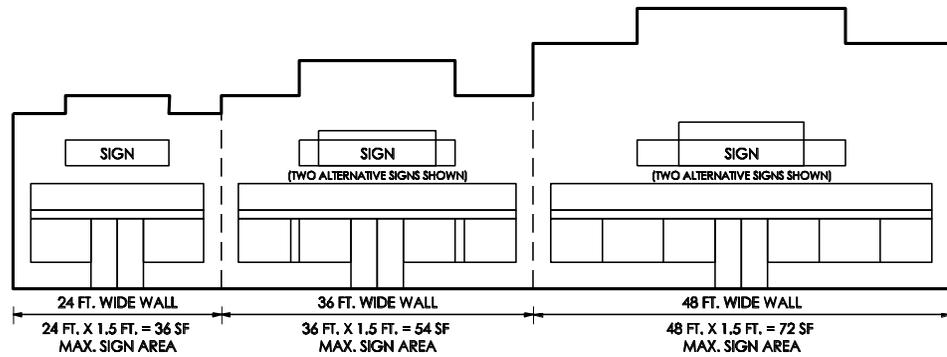
- When the average height of the ground floor wall is 18 feet or less, the vertical dimension shall not exceed 2 feet.
- When the average height of the ground floor wall is greater than 18 feet, the vertical dimension shall not exceed 2 feet plus one third (1/3) of the amount of average wall height greater than 18 feet, provided, that no sign shall have a vertical dimension greater than 5 feet. See examples, below:



The following table provides examples of the maximum permitted vertical sign dimension:

Average Wall Height (feet)	Maximum Sign Vertical Dimension (feet)
15	2
18	2
21	3
24	4
27	5
30	5

- [4] Maximum sign area. The area of the sign or signs for each business establishment on any facade or wall shall not exceed 1.5 square feet for each horizontal foot of width of that portion of the wall enclosing the space used and occupied by the business and upon which the sign is located, subject, however, to the maximum dimensions permitted above. See examples, below:



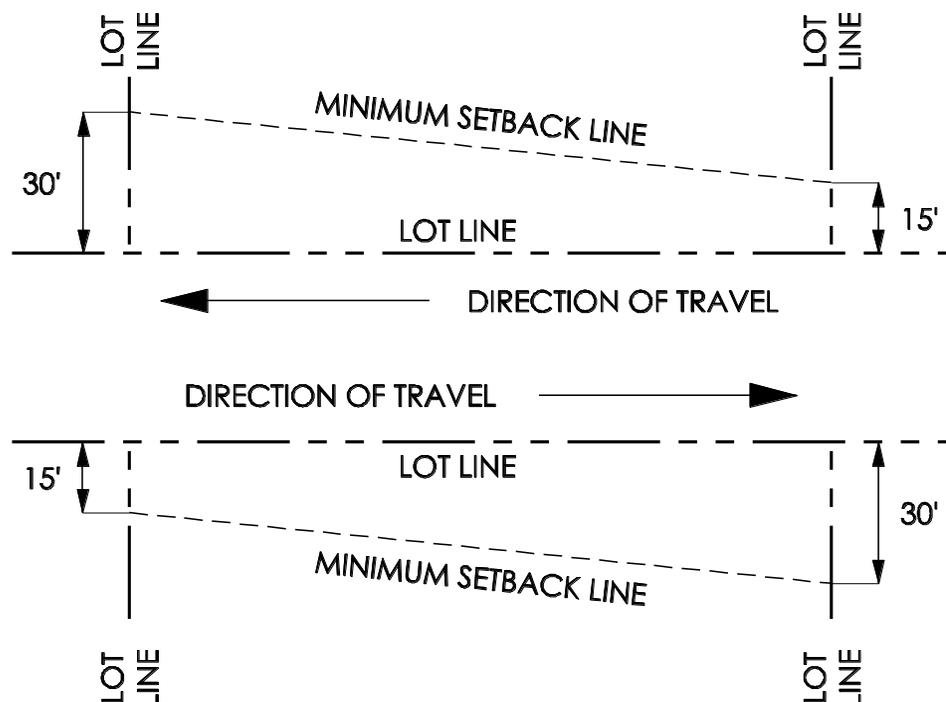
- [5] Maximum sign height above the ground level. Principal identification signs attached to a building wall, canopy or marquee shall not exceed the height of the ground floor wall, canopy or marquee upon which the sign is attached, provided that in the case of a one-story building, such signs may be located on a parapet or similar structure that is a vertical extension of the ground floor exterior wall.
- [6] Maximum sign projection from wall. Principal identification signs shall be mounted parallel to the face of the wall, canopy or marquee to which they are attached, and shall not extend further than 12 inches from the face of such wall, canopy or marquee.
- [7] In the case of buildings or developments used by or designed for use by multiple tenants, all attached signs on the building and in the development shall express a compatible design theme. The design theme shall be specified by the applicant at the time of the initial site plan approval for the development, and all attached signs shall be designed to have at least two of the following elements to be the same or substantially the same, subject to the approval of the reviewing agency:
- [a] sign type (e.g., box sign, board/panel sign, pin-mounted sign letters, etc).
 - [b] sign illumination (e.g., internal illumination, external gooseneck fixture illumination, etc.).
 - [c] sign location on the wall, canopy, awning, etc.
- (d) Freestanding signs. Freestanding principal identification signs, when permitted, shall be subject to the following requirements:
- [1] Maximum quantity of signs. One sign shall be permitted for each public street frontage that provides driveway access to the property.
 - [2] Shared freestanding signs. Freestanding signs shall be permitted to identify and advertise uses located on more than one lot if both of the following criteria are satisfied:
 - The freestanding sign shall be accessory to and located on the same lot as at least one of the uses identified or advertised on the sign.
 - All of the uses identified or advertised on the sign shall be located on the same lot as the sign or on a lot adjacent to the lot containing the sign.

Such freestanding signs shall be subject to the same regulations as other freestanding principal identification signs permitted by this section. The authorization for such signs shall not be construed to permit a greater number of freestanding signs than would otherwise be permitted. The maximum permitted area of such signs shall be based upon the floor area of all of the uses identified on the sign, provided that this shall not be construed to increase the sign area

above the maximum 250 square feet permitted for freestanding signs by this section.

- [3] Maximum sign area. The area of freestanding principal identification signs shall not exceed 2 square feet for each 1,000 square feet of gross floor area of the business or development identified by the sign, or 250 square feet, whichever is less. In the event that the freestanding sign is comprised of multiple signs, as in the case of a shopping center, the gross floor area of each business may only be included once in the maximum area calculation for any and all of the signs, and the area of each such sign and the cumulative area of all the signs shall be limited in the same manner as set forth above.
- [4] Maximum sign height. The height of freestanding principal identification signs shall not exceed 20 feet.
- [5] Minimum sign setback from streets. Freestanding principal identification signs shall be located at least 15 feet from any street right-of-way; provided, however, that in those locations where the subject property has frontage on a street that has a center barrier or other control that limits access to the property by vehicles traveling in only one direction, such signs shall be located no closer to the street right-of-way than a straight line which connects the following two points:
 - [a] 15 feet from the street right-of-way at the point of intersection of the front lot line and the side lot line that is closest to the direction of travel on the same side of the street as the property upon which the sign is located.
 - [b] 30 feet from the street right-of-way at the point of intersection of the front lot line and the side lot line that is farthest from the direction of travel on the same side of the street as the property upon which the sign is located.

The minimum setback line for such situations is illustrated below:



- (2) Secondary signs. Secondary signs for retail sales and retail service uses shall be subject to the following requirements:
 - (a) Window signs shall be permitted, subject to the following regulations:
 - [1] The total area of all window signs shall not exceed 25% of the main front window area, or one square foot for each linear foot of building frontage occupied by the tenant using the sign, whichever is lesser. For purposes of complying with this section, the maximum area permitted for window signs shall be calculated separately from the area for other permitted signs.
 - [2] Such signs shall be located only in the main front window.

- [3] Such signs shall not be illuminated.
- (b) Directory signs and loading bay signs for developments containing multiple business establishments shall be permitted, subject to the requirements for such signs in §166-147.
 - (c) Other signs permitted by §166-141. shall be subject to the regulations in §166-141.
- C. Signs for nonresidential uses other than retail sales and retail service uses. Signs for nonresidential uses other than retail sales and retail service uses shall be as permitted for such uses in §166-147. and shall be subject to the regulations for such signs in §166-147., except as provided otherwise below:
- (1) A principal identification sign for such uses may be freestanding only if all of the following conditions are complied with:
 - (a) The lot must have at least 200 feet of frontage upon a public street, and the freestanding sign must be oriented to be viewed primarily by travelers on said street; and
 - (b) The sign must be accessory to a development on the property containing at least 25,000 square feet of gross floor area.
 - (2) Freestanding principal identification signs for such uses shall be subject to the same setback requirements that apply to retail sales and service establishments in this section.

Section 15. Subsection A. of Section 166-145., *Signs in the D-S Zone District*, in Article XX, *Signs*, is amended to read as follows:

- A. Signs attached to the building, including window signs, are permitted as regulated in § 166-144. above.

Section 16. Paragraph (3) in Subsection A. of 166-145.1., *Signs in I-B3 Zone District*, in Article XX, *Signs*, is amended to read as follows:

- (3) All other permitted retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments: attached signs shall be permitted as regulated in § 166-144.

Section 17. The title of Section 166-147., *Signs in the OB-RL, OB-DS, I, I-2, I-B, I-P, I-3 and I-4 Zone Districts*, in Article XX, *Signs*, is amended to read as follows:

§166-147. OB-RL, OB-DS, I, I-2, I-B2, I-P, and I-4 Zone Districts.

Section 18. Subsection G. in Section 166-147., *Signs in the OB-RL, OB-DS, I, I-2, I-B, I-P, I-3 and I-4 Zone Districts*, in Article XX, *Signs*, is amended to read as follows:

- G. In the I-B2 Zone District, and only in conjunction with a use which is permitted in the B, B-10 or D-S Zone Districts, window signs shall be permitted as regulated in § 166-144. above.

Section 19. The opening paragraph in Subsection A. of Section 166-150., *Conditional use requirements for specific uses*, in Article XXI, *Conditional Uses*, is amended to read as follows:

- A. Gasoline stations. Gasoline stations shall be permitted as a conditional use in the B-10, BP-2, D-S, I-B3 and OB-DS zone districts, subject to the following requirements. Such requirements shall be in addition to all other applicable requirements of the respective zone district and of this chapter, except in case of conflict, in which case the following requirements shall apply.

Section 20. Paragraph (8) in Subsection A. of Section 166-150., *Conditional use requirements for specific uses*, in Article XXI, *Conditional Uses*, is amended to read as follows:

- (8) The gasoline station fuel pumps, and any canopy over such pumps, shall be located at least 100 feet from any private property located in a residential zone district.

Section 21. Subsection E. of Section 166-150., *Conditional use requirements for specific uses*, in Article XXI, *Conditional Uses*, is deleted.

Section 22. Subsection F. of Section 166-150., *Conditional use requirements for specific uses*, in Article XXI, *Conditional Uses*, is deleted.

Section 23. Subsection J. of Section 166-150., *Conditional use requirements for specific uses*, in Article XXI, *Conditional Uses*, is deleted.

Section 24. The opening paragraph in Subsection K. of Section 166-150., *Conditional use requirements for specific uses*, in Article XXI, *Conditional Uses*, is amended to read as follows:

K. Motor vehicle repair or maintenance establishments. Motor vehicle repair or maintenance establishments shall be permitted as a conditional use in the B, B-10, D-S, I-B3 and OB-DS Districts, subject to the following requirements:

Section 25. The opening paragraph in Subsection K. of Section 166-153., *General provisions*, in Article XXIII, *Off-Street Parking and Loading*, is amended to read as follows:

K. Off-street parking facilities may be placed in any yard in the B, B-10, OB-RL, I-B2, I-P, I and I-2 Zones, subject to the following conditions:

Section 26. Paragraphs (1)(a) and (1)(b) in Subsection K. of Section 166-153., *General provisions*, in Article XXIII, *Off-Street Parking and Loading*, is amended to read as follows:

(1) Front yards.

(a) No part of any parking area in the front yard of any OB-RL, I, I-2, I-B2 or I-P Zone shall be closer to the front street right-of-way line than a distance that is not less than the required front yard setback requirement for the zone in which it is located; provided, however, that any site plan in any OB-RL, I, or I-P Zone approved by the Township Planning Board prior to December 30, 1982, which indicates off-street parking within the required front yard setback, that may be constructed in the future pursuant to Subsection L of this section, shall be treated as a legal nonconforming use, the same as if the parking area was installed, and said area, shown on the plan as possible future parking, may be installed as approved by the Planning Board if either the existing use deserves more parking or if the use changes, requiring more parking pursuant to said Subsection L. Parking areas and drives, where permitted in the front yard, shall be set back at least the following distances from the side line of the property:

Zone	Setback(feet)
I	15
I-B2	25
OB-RL	25
I-P	25

(b) Off-street parking in the B and B-10 Zones is specifically prohibited within 15 feet of the front lot line or any road widening easement. Driveways and parking areas in any front yard in the B and B-10 Zones shall be set back at least 5 feet from the side property lines.

Section 27. Paragraph (2) in Subsection K. of Section 166-153., *General provisions*, in Article XXIII, *Off-Street Parking and Loading*, is amended to read as follows:

(2) Parking areas and drives in the side yards must be located at least the following distances from any property line, provided that where shared access and/or parking between adjacent lots is permitted, no setback shall be required as necessary to accommodate such shared access and/or parking:

Zone	Setback (feet)
B	5
B-10	5
I-B3	10
I	15
I-2	15
I-B2	15
I-P	25
OB-RL	25

Section 28. Paragraphs (3), (4) and (5) in Subsection K. of Section 166-153., *General provisions*, in Article XXIII, *Off-Street Parking and Loading*, are amended to read as follows:

- (3) Parking areas and drives in the rear yards must be at set back at least the following distances from any property line, provided that where shared access and/or parking between adjacent lots is permitted, no setback shall be required as necessary to accommodate such shared access and/or parking:

Zone	Setback (feet)
B	5
B-10	5
I-B2	10
I-B3	10
I	10
I-2	10
I-P	25, or one half of the minimum side yard requirement, whichever is greater
OB-RL	25, or one half of the minimum side yard requirement, whichever is greater

- (4) Parking areas and drives in the B and B-10 Zones shall be at least 25 feet from any residential zone property line, unless the requirements of § 166-125 impose a more stringent requirement.
- (5) Parking areas and drives in the I, I-2, I-B3, OB-RL, I-P and D-S Zones shall be at least 50 feet from any residence district boundary line, unless the requirements of § 166-125 impose a more stringent requirement.

Section 29. The opening paragraph of Section 166-157., *Shared parking and loading facilities*, in Article XXIII, *Off-Street Parking and Loading*, are amended to read as follows:

§ 166-157 Shared parking and loading facilities.

Developments in the B, B-10, OB-RL, OB-DS, I-B2, I-B3, WC and I-4 Zones, and planned developments in any of the zones where the same are permitted, may meet the required parking provisions of this article by participation in a shared parking and/or loading program of two or more uses, provided that plans for such a program have been approved by the Planning Board, and further provided that the number of the parking and loading spaces equals the sum of the required number of parking and loading spaces of each use participating therein. Notwithstanding the foregoing, the Board may approve a shared parking plan with fewer parking spaces than the sum of the requirements for the participating uses without the need for a variance, if all of the following requirements are complied with:

Section 30. Sections 166-180.4., *Purpose and intent*, 166-180.5., *Primary intended uses*, and 166-180.6., *Accessory uses*, in Article XXIXB, *RM-2 Residence District*, are amended to read as follows:

§ 166-180.4 Purpose and intent.

The purpose and intent of the RM-2 Zone District is to encourage limited multifamily and single-family residential development and the preservation of open space through appropriate standards. The standards are designed to encourage multifamily residential development in a manner that concentrates such development within a limited area and results in the preservation of open space in the adjacent PU Zone District. Single-family residential development is permitted as an alternative to multifamily development when the standards for multifamily development cannot be complied with.

§ 166-180.5 Primary intended uses.

The following principal uses and structures shall be permitted in the RM-2 Zone District:

- A. Single-family attached dwellings, also known as "townhouses."
- B. Multifamily apartment buildings.
- C. Buildings combining a mixture of townhouse and apartment dwellings.
- D. Single-family detached dwellings.

§ 166-180.6 Accessory uses.

Permitted accessory uses shall be limited to those uses customarily incidental to the permitted principal uses in the district.

- A. Permitted accessory uses to single-family attached and multifamily residential developments shall include, but not be limited to, clubhouses, pools, tennis courts

and similar personal recreation facilities for the exclusive use of the residents and guests of the development, plus gatehouses and gates.

- B. Permitted accessory uses to single-family detached residential developments shall be as permitted in the R-25 District.

Section 31. Paragraph (2) in Subsection B. of Section 166-180.8. *Lot, bulk, intensity of use and other regulations*, in Article XXIXB, *RM-2 Residence District*, is amended to read as follows:

- (2) Maximum tract density. The maximum density shall be 2.7 dwelling units per acre of the tract. For purposes of administering this requirement, the tract area shall include any property located in the RM-2 District owned by the developer, plus any area within the adjacent PU District owned by the housing unit developer and which is, or is proposed by the developer to be, restricted in perpetuity for open space and recreational use or any permitted public use, whether or not such property in the PU District is located on the same lot as the property in the RM-2 District.

Section 32. Subsections C. and D. of Section 166-180.8. *Lot, bulk, intensity of use and other regulations*, in Article XXIXB, *RM-2 Residence District*, are deleted.

Section 33. Paragraph (2) in Subsection A. of Section 166-182., *Prohibited uses*, in Article XXX, *B Business District*, is amended to read as follows:

- (2) Any business conducted outside the confines of a building, with the following exceptions:
- (a) Plant material nurseries.
 - (b) (Reserved)
 - (c) Drive-in banks.

Section 34. Part 5, *Zoning*, is amended by adding and inserting a new Article XXXA, *B-10 Highway Business District*, including Section 166-183.1., *Purpose and intent*, Section 166-183.2., *Permitted principal uses*, Section 166-183.3., *Conditional uses*, Section 166-183.4., *Permitted accessory uses*, Section 166-183.5., *Prohibited uses and use limitations*, Section 166-183.6, *Lot, bulk and intensity of use regulations, small scale development*, Section 166-183.7, *Lot, bulk and intensity of use regulations, large scale development*, and Section 166-183.8, *Other requirements*, to read as follows:

Article XXXA

B-10 Highway Business District

§166-183.1 Purpose and intent.

The purpose and intent and of the B-10 zone district is to:

- A. establish a regulatory framework that will enhance the character of the Route 10 corridor in the Township;
- B. promote a strong and sustainable economic environment that encourages attractive commercial and business development, employment opportunities, an enhanced tax base, and convenient and quality facilities, services and amenities, for both residents and the business community;
- C. ensure that infill development and redevelopment is accomplished in a manner that complements the overall community and respects the general scale of development in the Township;
- D. ensure that development in the district is responsive to and preserves environmental features; in particular, steep slopes, wetlands, areas subject to flooding, streams and other water bodies and trees;
- E. enhance the appearance of the district, and of the Township as a whole;
- F. preserve and enhance retail commercial areas by defining their functional role in the Township and the region;
- G. encourage a community sense of place, offering uses that incorporate the highest standards of aesthetic design resulting in an attractive mixed-use, bicycle- and

pedestrian-friendly corridor with improved access from the residential neighborhoods in the Township;

- H. promote redevelopment of under- or poorly-utilized or developed properties and the assembly of undersized or poorly configured parcels into larger and properly configured properties; and
- I. promote safe and efficient transportation design and improvements.

§166-183.2 Permitted principal uses.

The permitted principal uses in the B-10 zone district shall be limited to those set forth below.

Within the area of the B-10 overlay in the I – Industrial zone, as depicted on the Zoning Map, the uses permitted by this Article XXXA or the uses permitted in the I – Industrial zone by Article XXXIV shall be permitted; provided, however, that the permitted uses in any development shall be limited to those uses permitted in only one of the two zones.

Any development within the B -10 overlay area for uses permitted in the B-10 zone, but not permitted in the I – Industrial zone, shall be subject to the applicable regulations in this Article XXXA.

Any development within the B -10 overlay area for uses permitted in the I - Industrial zone, but not permitted in the B-10 zone, shall be subject to the applicable regulations in the I - Industrial zone district in Article XXXIV.

Any development within the B-10 overlay area for uses permitted in both the B-10 and the I – Industrial zone districts shall be subject to either the regulations of this Article XXXA or the regulations in Article XXXIV, at the developer’s option; provided, however, that any such development shall be subject to the regulations of only one of the two zones.

When provided, the number in parentheses following the uses listed below refers to the code number assigned by the North American Industry Classification System (NAICS), 2017 edition, and such use shall be defined as described in the text of that document, available online at <http://www.census.gov/eos/www/naics/>. The following list is subject to any applicable use limitations set forth in this Chapter:

- A. Retail trade uses, limited to:
 - (1) Motor vehicle and parts dealers, limited to:
 - New car dealers (441110), including used car dealers when an accessory use to a new car dealer on the same premises.
 - Motorcycle, atv, and all other motor vehicle dealers (441228).
 - Automotive parts and accessories stores (441310).
 - Tire dealers (441320), but excluding motor vehicle repair or maintenance establishments regulated as a conditional use.
 - (2) Furniture and home furnishings stores (442).
 - (3) Electronics and appliance stores (443).
 - (4) Building material and garden equipment and supplies dealers (444).
 - (5) Food and beverage stores (445).
 - (6) Health and personal care stores (446).
 - (7) Clothing and clothing accessories stores (448).
 - (8) Sporting goods, hobby, musical instrument, and book stores (451).
 - (9) General merchandise stores (452).
 - (10) Miscellaneous store retailers, limited to:
 - Florists (4531).

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- Office supplies and stationery stores (45321).
 - Gift, novelty, and souvenir stores (45322).
 - Used merchandise stores (4533).
 - All other miscellaneous store retailers (4539), excluding manufactured (mobile) home dealers (45393) and live retail auctions (45399).
- (11) Nonstore retailers, limited to electronic shopping and mail-order houses (4541), but excluding warehousing operations for such uses.
- B. Taxi and limousine services (4853).
- C. Motion picture theaters (512131).
- D. Banks, savings and loan institutions, credit unions, lending establishments and similar uses (522).
- E. Real estate and rental and leasing services, limited to:
- Passenger car rental and leasing (53211).
 - Consumer goods rental (5322).
 - General rental centers (532310).
 - Office machinery and equipment rental and leasing (532420).
- F. Educational services, limited to:
- Business schools and computer and management training (6114).
 - Technical and trade schools (6115).
 - Other schools and instruction (6116).
 - Educational support services (6117).
- G. Health care and social assistance services, limited to:
- Ambulatory health care services (621).
 - Child and youth services (62411).
 - Services for the elderly and persons with disabilities (62412).
 - Other individual and family services (62419).
 - Community food services (62421).
 - Vocational rehabilitation services (62431).
 - Child care centers, as regulated by N.J.S.A. 40:55D-66.6.
- H. Arts, entertainment, and recreation services, limited to: ● Performing arts, spectator sports, and related industries (711).
- Museums, historical sites, and similar institutions (712).
 - Other amusement and recreation industries (7139).
- I. Food services and drinking places (722).
- J. Other services, limited to:
- Personal care services (8121).
 - Drycleaning and laundry services (8123), excluding industrial launderers (812332).
 - Other personal services (8129).
- K. Business, administrative and professional offices.
- L. Food and beverage manufacturing establishments that engage in selling to the general public products made on the same premises from which they are sold, including but not limited to chocolate and confectionery manufacturing, ice cream and frozen dessert manufacturing, bread and bakery product manufacturing, perishable prepared food manufacturing, breweries, wineries, and distilleries, which comply with all of the following requirements:
- (1) The gross floor area of the manufacturing and other non-retail operations shall not exceed 10,000 square feet.
 - (2) The gross floor area of the retail operations shall not be less than 1,000 square feet.

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- (3) The manufacturing operation shall comply with the performance standards in §166-193.

M. Hotels.

N. Research laboratories devoted exclusively to research design and experimentation, limited to those laboratories permitted in the OB-RL zone district pursuant to §166-190.

§166-183.3 Conditional uses.

A. Gasoline stations, with or without a convenience store, as regulated in §166-150.A.

B. Motor vehicle repair or maintenance establishments, with or without a convenience store, as regulated in §166-150.K.

C. Public utility buildings and structures, as regulated in §166-150.C.

§166-183.4 Permitted accessory uses.

The following accessory uses shall be permitted in the B-10 Zone District:

A. Off-street parking.

B. Signs.

C. Uses accessory to a permitted principal or conditional use located on the same property or on adjacent property in the D-S or WC zone districts.

D. Other uses customarily accessory and incidental to permitted principal or conditional uses.

§166-183.5 Prohibited uses and use limitations.

Any use other than the uses specifically permitted by this Article, by other provision of this Chapter or permitted by other applicable law, shall be prohibited. In addition, the following uses shall be specifically prohibited, in addition to any use other than as permitted in § 166-181., the following:

A. Residential dwellings.

B. Inpatient care or overnight lodging, except as part of permitted hotel operation.

C. Any business conducted outside the confines of a building, with the following exceptions:

- (1) Building material and garden equipment and supplies dealers permitted by this Article.

- (2) Motor vehicle service stations as regulated in § 166-150.A.

- (3) Drive-in banks and pharmacies.

- (4) Outdoor dining permitted as an accessory to a permitted restaurant.

- (5) The display of passenger vehicles for sale accessory to a new car dealer.

D. Used car sales as a principal use.

E. Any industrial use, except as may be specifically permitted.

F. Wholesale uses, except as an accessory use to a permitted principal use, or except may be specifically permitted.

G. Construction trade yards or buildings, except for offices for such uses.

H. The use of any noisemaking devices, such as phonographs, loudspeakers, amplifiers, radios, television sets or similar devices, so situated as to be heard outside any building.

§166-183.6 Lot, bulk and intensity of use regulations, small scale development.

Small scale development shall be defined for purposes of this Section, as development on a property having a net lot area less than 5 acres. Net lot area shall be defined as excluding all floodways, wetlands and required transition areas for wetlands.

- A. Minimum lot area: 20,000 square feet.
- B. Minimum lot width: 100 feet.
- C. Minimum lot depth: 200 feet.
- D. Maximum floor area ratio. The maximum floor area ratio shall be based upon the net lot area, which shall exclude all floodways, wetlands and required transition areas for wetlands. The maximum floor area ratio shall be 30% of the net lot area.
- E. Maximum building coverage. The maximum building coverage shall be based upon the net lot area, which shall exclude all floodways, wetlands and required transition areas for wetlands. The maximum building coverage shall be 20% of the net lot area.
- F. Maximum building height: three stories, 45 feet.
- G. Minimum yard depths. The minimum yard depths shall be as required below. For purposes of determining compliance with yard depths based upon building height, in the case of buildings having varying heights, the yard depth shall be measured to each portion of the building having a different height. Thus, a portion of a building having a lower height will have a different yard requirement than a portion of the same building having a greater height.
 - (1) Minimum front yard depth: 60 feet, or twice the building height, whichever is greater.
 - (2) Minimum side yard depth: 20 feet.
 - (3) Minimum rear yard depth: 25 feet.
 - (4) Minimum yard depth abutting a residential zone district: 50 feet, or twice the building height, whichever is greater.
- H. Maximum number of principal buildings: one per lot.

§166-183.7 Lot, bulk and intensity of use regulations, large scale development.

Large scale development shall be defined for purposes of this Section as development on a property having a net lot area of at least 5 acres. Net lot area shall be defined as the total lot area, less the area of all floodways, wetlands and required wetland transition areas.

- A. Minimum lot area: 5 acres.
- B. Minimum lot width: 300 feet.
- C. Minimum lot depth: 200 feet.
- D. Maximum floor area ratio. The maximum floor area ratio shall be based upon the net lot area, which shall exclude all floodways, wetlands and required transition areas for wetlands. The maximum floor area ratio shall be 40% of the net lot area.
- E. The maximum building coverage shall be based upon the net lot area, which shall exclude all floodways, wetlands and required transition areas for wetlands. The maximum building coverage shall be 25% of the net lot area.
- F. Maximum height of principal buildings: 75 feet.
- G. Minimum yard depths. The minimum yard depths shall be as required below. For purposes of determining compliance with yard depths based upon building height, in the case of buildings having varying heights, the yard depth shall be measured to each portion of the building having a different height. Thus, a portion of a

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building having a lower height will have a different yard requirement than a portion of the same building having a greater height.

- (1) Minimum front yard depth: 60 feet, or twice the building height, whichever is greater.
- (2) Minimum side yard depth: 20 feet.
- (3) Minimum rear yard depth: 25 feet.
- (4) Minimum yard depth abutting a residential zone district: 50 feet, or twice the building height, whichever is greater.

H. Maximum number of principal buildings: unlimited.

§166-183.8 Other requirements.

A. Architectural design. Buildings shall be designed and placed in accordance with the following provisions:

- (1) The architectural design of buildings shall promote a desirable visual environment through the relationship of design features, such as height and mass, building proportions, rooflines, building projections and ornamental features.
- (2) The design of buildings shall be harmonious with the character of existing development in the immediate vicinity and which enhances the character of the surrounding neighborhood and the Township as a whole, and avoids adversely affecting the value of adjacent or nearby properties.
- (3) The use of exterior colors, facade or roof materials, or such combination of colors and materials, shall be compatible with and enhance the character of existing development.
- (4) Excessive uniformity or monotony of design within the context of existing development in the neighborhood shall be avoided.
- (5) Building components such as windows, doors, eaves and parapets shall have proportions in keeping with each other, the building and the neighborhood as a whole.
- (6) Bright or brilliant colors shall be used only for accent and shall not substantially depart from the character of existing neighborhood colors so as to detract from the overall appearance of the neighborhood.
- (7) All sides of the building shall contribute to the architectural unity of the building by using similar building materials for the front, side and rear walls, and through other methods.
- (8) Large unbroken building masses shall be avoided through the uses of projections, recesses, varying materials and other methods.
- (9) All buildings shall use durable high-quality material requiring low maintenance, such as brick, stone, stucco, glass, precast concrete, and wood, when properly treated. Where durability and performance are questionable, the applicant may be asked to provide a manufacturer's guaranty or proof of durability from an independent testing laboratory certification. The use of aluminum siding, vinyl siding, and exposed concrete block, are prohibited, except for architectural prefinished block and split face block, which are permitted.

B. Buffers: as required by §166-125.

C. Roof structures shall not exceed five feet in height, nor shall their total area exceed 5% of the roof area to which they are attached. This shall not be construed to permit a dish antenna to exceed the twenty-eight-foot height limit as regulated in § 166-150.H.

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- D. Supplemental regulations applicable to hotels. Hotels shall be subject to the following regulations, in addition to all other applicable requirements of this Article and of this Chapter. In the event that the following requirements conflict with other applicable requirements of this Chapter, the more restrictive requirement shall apply:
- (1) Hotels shall be located on properties that have frontage upon and direct access to a state highway.
 - (2) Hotels shall be located on properties that contain at least 4 contiguous acres of developable area, which shall exclude all floodways, freshwater wetlands and wetland transition areas.
 - (3) Hotels shall contain at least 100 lodging units or guest rooms.
- E. Limited recreational and open-air uses. Certain limited recreational and open-air uses, such as tennis courts, batting cages, pitch-and-putt golf courses, miniature golf and golf driving ranges and accessory uses thereto are permitted in the B-10 Zone, subject to the following requirements:
- (1) Such uses shall be located on tracts of land having an area of not less than 15 acres.
 - (2) The principal building for such use shall not exceed 30,000 square feet in gross floor area, and no such building shall be built which is:
 - (a) Less than 150 feet from the right-of-way line of any public thoroughfare.
 - (b) Less than 100 feet from any property line.
 - (c) Greater than 45 feet in height, provided that a building may be up to 65 feet in height if the building must be elevated due to floodplain constraints. Rooftop equipment shall comply with the requirements for such equipment in § 166-202.A.
 - (3) Permitted principal and accessory uses shall be permitted alone or in combination. Any miniature golf course shall be located at least 200 feet from the right-of-way line of any public thoroughfare. An outdoor dining area and/or a restaurant/dining area with a total of not more than 100 seats, which shall be located in a well-defined area as approved by the Planning Board, shall be considered to be a permitted accessory use.
 - (4) Uses commonly associated with amusement parks, such as Ferris wheels or other moving rides, including trains or cars, or involving animals or pets, are expressly prohibited.
 - (5) The use shall be conducted in such a manner that there shall be no direct or sky-reflected glare exceeding 0.5 footcandle measurable upon the property line of the lot occupied by such use. The only lighting permitted to illuminate the area shall be of such a nature that the direct source of light is not visible from any street or residential zone district.
 - (6) Paved parking areas shall be provided to ensure one-hundred-percent off-street parking to all participants at all times under all conditions.
 - (7) The design of any pitch-and-putt course or any permitted accessory use shall be of such nature so as to ensure against the possibility of damage to any adjoining property or injury to any person using the public right-of-way. No barriers exceeding five feet for the elimination of said hazard shall be allowed within 400 feet of any public right-of-way.
 - (8) Lighting poles and other accessory equipment shall be subject to Planning Board review with respect to materials of construction, height, location, spacing and any other factor which, in its opinion, would be detrimental to the public health, safety and welfare.
 - (9) Recreational and open-air uses, as permitted, shall be limited to operating between the hours of 7:00 a.m. and 1:00 a.m.
 - (10) The requirements of § 166-202.G., H. and I shall also be complied with.

- F. Amusement devices. Amusement devices are permitted as an accessory use only. Said amusement devices, where permitted as an accessory use, shall meet all of the following requirements:
- (1) There shall be 60 square feet of operating area for each amusement device. The calculation of the operating area shall exclude any area of the premises which is used for other purposes but shall include access- and walkways primarily serving the amusement device.
 - (2) The maximum area devoted for all amusement devices, at a ratio of 60 square feet for each device, shall not exceed 25% of the gross floor area of the establishment.

Section 35. Article XXXI, *B-1 Business District*, containing Section 166-184., *Primary intended use*, Section 166-185., *Prohibited uses*, and Section 166-186., *Required conditions*, is deleted.

Section 36. Article XXXIA, *B-P Business and Professional District*, containing Section 166-186.1., *Permitted principal uses*, Section 166-186.2., *Permitted accessory uses*, Section 186.3., *Permitted conditional uses*, Section 166-186.4., *Prohibited uses and structures*, and 166-186.5., *Required conditions*, is deleted.

Section 37. Subsection B. of Section 166-194., *Primary intended use*, in Article XXXIV, *I Industrial Districts*, is amended to read as follows:

- B. Notwithstanding any provisions to the contrary in § 166-195. or elsewhere, the I Zone shall also permit the surface parking and storage of motor vehicles, and structures necessary for the same, if such parking and storage is accessory to a permitted principal use in the B-10 District, but only under the following circumstances and only if the following requirements are complied with:
- (1) The parking and/or vehicle storage shall be located on a lot that is divided by the boundary between the I District and the B-10 District.
 - (2) The parking and/or vehicle storage shall be accessory to and located on the same lot as a permitted principal use and principal structure in the B-10 District.
 - (3) The parking and/or vehicle storage and related structures or improvements shall be located within 900 feet of the right-of-way of Route 10.
 - (4) No principal or accessory buildings devoted to a use prohibited in the I Zone District shall be permitted within any portion of the I District, except as permitted in the area of the B-10 overlay zone as depicted on the Zoning Map.
 - (5) The parking and/or vehicle storage shall not be prohibited by § 166-195.J.
 - (6) The parking and/or vehicle storage shall be subject to the requirements for parking areas in the I District, including but not limited to setback requirements.

Section 38. Section 166-194., *Primary intended use*, in Article XXXIV, *I Industrial Districts*, is amended by adding and inserting a new Subsection C., to read as follows:

- C. Within the area of the B-10 overlay in the I – Industrial zone, as depicted on the Zoning Map, the uses permitted by this Article or the uses permitted in the B – 10 zone by Article XXXA shall be permitted; provided, however, that the permitted uses in any development shall be limited to those uses permitted in only one of the two zones. The following shall apply to development within the overlay area:
- (1) Any development within the B -10 overlay area for uses permitted in the B-10 zone, but not permitted in the I – Industrial zone, shall be subject to the applicable regulations in Article XXXA.
 - (2) Any development within the B -10 overlay area for uses permitted in the I - Industrial zone, but not permitted in the B-10 zone, shall be subject to the applicable regulations in the I - Industrial zone district in this Article XXXIV.
 - (3) Any development within the B-10 overlay area for uses permitted in both the B-10 and I – Industrial zone districts shall be subject to either the regulations of Article XXXA or the regulations of this Article XXXIV, at the developer's

option; provided that such development shall be subject to the regulations of only one of the two zones.

Section 39. Article XXXVI, I-B Industrial-Business District, containing Section 166-200., *Primary intended use*, Section 166-201., *Prohibited uses*, 166-202., *Required conditions*, and 166-203., *Limited recreational and open-air uses*, is deleted.

Section 40. Subsection A. of Section 166-203.2., *Permitted uses*, in Article XXXVIA, *I-B2 Industrial-Business District*, is amended to read as follows:

A. Industrial and warehouse use permitted in the I - Industrial District.

Section 41. Section 166-203.3., *Prohibited uses*, in Article XXXVIA, *I-B2 Industrial-Business District*, is amended to read as follows:

§ 166-203.3 Prohibited uses.

Any use not specifically permitted in the I-B2 Zone by § 166-203.2. or permitted in all zones by this chapter is prohibited.

Section 42. Paragraph (1) in Subsection K of Section 166-203.4., *Required conditions*, in Article XXXVIA, *I-B2 Industrial-Business District*, is amended to read as follows:

(1) The building shall be designed using high quality facade materials, roofing materials and architectural details. Facade materials such as brick, stucco, stone, textured concrete block, EIFS (e.g., "dryvit"), lightweight panelized systems with synthetic stucco or stone aggregate finishes, etc., are examples of acceptable facade materials. All building facades shall be designed with similar building materials. Metal or vinyl siding and plain, flat concrete block or cinder block shall be prohibited on any building facade.

Section 43. Subsection M of Section 166-203.4., *Required conditions*, in Article XXXVIA, *I-B2 Industrial-Business District*, is amended to read as follows:

M. The following requirements shall apply:

- (1) Every principal use shall have a minimum floor area of 7,500 square feet per floor.
- (2) Those portions of all front, rear and side yards that are not used for off-street parking shall be attractively planted and maintained with trees, shrubs, plants and grass lawns as required by the Planning Board.
- (3) No store or shop shall use any noisemaking devices, such as phonographs, loudspeakers, amplifiers, radios, television sets or similar devices, so situated so as to be heard outside any building. No smoke, fumes or objectionable odors shall be emitted from any building. The display of merchandise placed on the exterior premises of any building is prohibited.

Section 44. Section 166-204, *Primary intended use*, in Article XXXVII, *I-P Industrial Park District*, is amended to read as follows:

§ 166-204. Primary intended use.

The following principal uses shall be permitted in the I-P Industrial Park Zone ; provided, however, that any part of the I-P Zone that falls within an area defined as an airport hazard area in the Air Safety and Hazardous Zoning Act of 1983, N.J.S.A. 6:1-81 et seq., as amended, N.J.A.C. 16:62 et seq., as amended May 15, 1989, shall comply with the provisions of said chapter and with the Air Safety and Zoning regulations, N.J.A.C. 16:62-1.1 et seq.:

- A. Professional, executive or administrative offices.
- B. Industrial and manufacturing uses as permitted and regulated by this Article.
- C. Scientific or research laboratories.
- D. State-licensed nursing homes.
- E. Indoor physical fitness facilities.
- F. Hotels, as regulated by this Article.
- G. Municipal uses, institutional uses and nonresidential social assistance establishments as regulated by §166-138.4. and by this Article.
- H. Conditional uses as permitted and regulated in Article XXI of this chapter.

Section 45. Subsection I. of Section 166-206., *Required conditions*, in Article XXXVII, *I-P Industrial Park District*, is amended to read as follows:

- I. Hotels shall be subject to the following regulations, in addition to all other applicable requirements of this Article and of this Chapter. In the event that the following requirements conflict with other applicable requirements of this Chapter, the more restrictive requirement shall apply:
 - (1) Hotels shall be located on properties that have frontage upon and direct access to a state highway.
 - (2) Hotels shall be located on properties that contain at least 4 contiguous acres of developable area, which shall exclude all floodways, freshwater wetlands and wetland transition areas.
 - (3) Hotels shall contain at least 100 lodging units or guest rooms.

Section 46. The opening Paragraph in Subsection K. of Section 166-206., *Required conditions*, in Article XXXVII, *I-P Industrial Park District*, is amended to read as follows:

- K. Planned industrial developments as defined in §166-4. shall be permitted, which developments shall meet the following requirements, along with all other applicable requirements of this Article and of this Chapter. In the event that the following requirements conflict with other applicable requirements of this Chapter, the following requirements shall apply to the planned industrial development:

Section 47. Subsection K. of Section 166-206., *Required conditions*, in Article XXXVII, *I-P Industrial Park District*, is amended by adding and inserting a new Paragraph (8), to read as follows:

- (8) Every planned industrial development containing more than one principal building on a lot shall be required to demonstrate, as part of the required site plan application, that any future lot created as part of a future subdivision of the property would meet all front yards, side yards, rear yards, minimum lot area and width, off-street parking, floor area ratios and other applicable requirements of this Article and of this Chapter.

Section 48. Paragraph (1)(g) in Subsection J of Section 166-207.2., *Planned commercial development - mixed-use town center*, in Article XXXVIIA, *T-C Town Center District*, is amended to read as follows:

- (g) Individual lot requirements. The following lot area, yard, and building and improvement coverage standards shall apply for all nonresidential development within the T-C Zone District; however, the Planning Board may waive the strict requirements of these standards when approving a general development plan for the planned commercial district:
 - (1) Minimum lot area. There shall be a minimum lot area of 15,000 square feet.
 - (2) Minimum lot width. There shall be a minimum lot width of 100 feet, measured at the required minimum front yard setback line. In addition, there shall be an average lot width of at least 100 feet within 150 feet of the front lot line, calculated such that there shall be at least 15,000 square feet of lot area within 150 feet of the front lot line.
 - (3) Minimum lot frontage. Each lot shall have a minimum lot frontage of 100 feet.
 - (4) Maximum building coverage. The building coverage shall not exceed 25% of the lot area.
 - (5) Maximum improvement coverage. The improvement coverage shall not exceed 70% of the lot area.
 - (6) Minimum front yard. There shall be a minimum front yard setback of fifty (50) feet, measured from the street right-of-way line, and any road widening easement for the street.
 - (7) Minimum side yards. There shall be two side yards, and no side yard setback shall be less than 15 feet.
 - (8) Minimum rear yard. There shall be a minimum rear yard setback of 25 feet.
 - (9) Location of parking and loading spaces. Except as provided otherwise by this chapter, parking and loading spaces shall be prohibited in the front yard. Parking and loading areas in the side and rear yards and driveways in the front yard shall be located at least ten (10) feet from any property line.

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Section 49. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 50. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

Section 51. This ordinance shall take effect in accordance with the law.

The Ordinance will be further considered for Public Hearing on December 28th at 8:30 pm and at that time any person wishing to be heard concerning the Ordinance will be given the opportunity to be heard. The Ordinance as a Summary and Notice of Introduction will be published in full in the Daily Record in accordance with the law.

Motion on introduction made by Member Ferramosca and seconded by Member Brueno and unanimously approved.

So Introduced

RESOLUTIONS AS A CONSENT AGENDA:

RESOLUTION NO. 201-2017

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING MELISSA POLK TO THE POSITION OF PART-TIME CLERICAL SUPPORT SERVICES EMPLOYEE FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING MONDAY, NOVEMBER 13, 2017 AND ENDING SUNDAY, MAY 13, 2018 AND ESTABLISHING HER COMPENSATION AT \$17.25 PER HOUR UNDER JOB GROUP II IN ACCORDANCE WITH SALARY RANGE GUIDE "C" OF SALARY ORDINANCE NO. 8-17 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION, NEGATIVE DRUG TEST AND NEGATIVE CRIMINAL HISTORY RECORD CHECK)

WHEREAS, with the appointment of Jaime Getsinger as the full-time replacement Clerk/Support Services Secretary in the Recreation and Park Administration Department effective October 2, 2017, the position of part-time Clerical Support Services position in the General Office is vacant; and

WHEREAS, the position noted above is classified under Job Group II, Schedule "B" and Salary Range Guide "C" Salary Ordinance No. 8-17; and

WHEREAS, pursuant to the Township's job search process, the Township received seven (7) applications by the Department of Administration; and

WHEREAS, of the seven (7) applications, a total of four (4) candidates were initially interviewed by the Deputy Township Clerk, Planning Board Secretary and Human Resource Specialist; and

WHEREAS, the applicants were rated on their prior employment experience and expertise and their overall skills and abilities to perform the duties and tasks of the Part-Time Clerical Support Services position; and

WHEREAS, on November 7, 2017, the Business Administrator/Township Clerk and Deputy Township Clerk interviewed one (1) finalist; and

WHEREAS, as a result of all the interviews, it is the recommendation of the Interview Committee that **Melissa Polk** residing at 15 Tulane Road in Flanders, New Jersey 07836 has the necessary work experience, job qualifications and administrative skills closely matching the Job Description for Part-Time Clerical Support Services; and

WHEREAS, Ms. Polk shall serve as the part-time Clerical Support Services employee for a six (6) month probationary period commencing Monday, November 13, 2017 and ending on Sunday, May 13, 2018 ; and

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WHEREAS, in accordance with Schedule Range Guide "C" of Salary Ordinance No. 8-2017, **Ms. Polk** shall be compensated at the hourly rate of \$17.25 per hour under Job Group II. Pursuant to Township policy, **Ms. Polk** shall not be entitled to receive any other remuneration such as compensatory time other than the annual cost of living adjustments that may be granted to non-union civilian employees by the Township Committee, and subject to receiving a satisfactory Job Performance Evaluation performed by the Business Administrator or his designee; and

WHEREAS, **Ms. Polk** shall be subject to the requirements of the Employee Job Performance Evaluation System as described in full under Section 61-18. Of Chapter 61 of the Code of the Township entitled Salaries and Compensation; and

WHEREAS, in accordance with the Township's Personnel Policies and Procedures, and Section 61-29.N.(1) through (4). Entitled "Alcohol and Drug Testing Policy for Civilian Employees" under Chapter 61 of the Code of the Township, **Ms. Polk** shall be subject to receiving a satisfactory medical examination, a negative drug test and a negative criminal history record check conducted by the New Jersey Division of State Police.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

1. That **Melissa Polk** residing at 15 Tulane Road in Flanders, New Jersey 07836 is hereby appointed as the part-time Clerical Support Services employee for a six (6) month probationary period commencing Monday, November 13, 2017 and ending Sunday, May 13, 2018. As a part-time employee, **Ms. Polk** shall not work more than twenty-nine (29) hours a week.
2. In accordance with Salary Range Guide "C" of Salary Ordinance No. 8-2017, **Ms. Polk** shall be compensated at \$17.25 per hour under Job Group II. Pursuant to Township Policy, **Ms. Polk** shall not be entitled to receive any other remuneration such as compensatory time other than the annual cost of living adjustments that may be granted to non-union civilian employees by the Township Committee, and subject to receiving a satisfactory Job Performance Evaluation performed by the Deputy Township Clerk.
3. **Ms. Polk** shall be subject to the requirements of the Employee Job Performance Evaluation System as described in full under Section 61-18. Of Chapter 61 of the Code of the Township entitled Salaries and Compensation. At least twenty (20) working days prior to the expiration of the probationary period, it shall be the responsibility of the Deputy Township Clerk to complete a written job performance evaluation. In the event that **Ms. Polk** receives an unsatisfactory job performance evaluation during her probationary period, **Ms. Polk** may be terminated at the conclusion of the probationary period or sooner, whichever case is applicable.
4. Pursuant to Township Policy, **Ms. Polk** shall not be eligible to receive health and dental benefits or earn and accrue paid vacation and sick leave of any kind whatsoever.
5. This offer of employment is conditional and subject to **Ms. Polk** receiving a satisfactory medical examination, a negative drug test and a negative criminal history record check, all in accordance with the Township's Personnel Policies and Procedures and Section 61-29.N.(1) through (4). Entitled "Alcohol and Drug Testing Policy for Civilian Employees" under Chapter 61 of the Code of the Township.
6. That a certified copy of this resolution shall be transmitted to the Chief Municipal Finance Officer and **Ms. Polk** for reference and information purposes.

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RESOLUTION NO. 202-2017

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE EMPLOYMENT OF DAVID C. MANNHERZ AS A PART-TIME ASSISTANT BUILDING INSPECTOR/ASSISTANT ZONING OFFICERS/ASSISTANT PROPERTY MAINTENANCE OFFICER ON A TEMPORARY, AS NEEDED BASIS, AT THE RATE OF \$31.83 PER HOUR UNDER JOB GROUP IX, SCHEDULE "B" AND SALARY RANGE GUIDE "C" AND FURTHER AUTHORIZING THE EMPLOYMENT OF SALVATORE SIMONETTI AS A PART-TIME PLUMBING INSPECTOR ON A TEMPORARY, AS NEEDED BASIS, AT THE RATE OF \$32.47 PER HOUR PURSUANT TO ITEM 4. OF SECTION 11. UNDER SALARY ORDINANCE 8-17

WHEREAS, the Township is experiencing significant residential and commercial development, and with the construction season in full swing, the Construction Official has requested that the Township Committee authorize the employment of one (1) part-time assistant building inspector and one (1) part-time plumbing inspector, on a temporary, as needed basis whenever the Construction Official deems such assistance is needed; and

WHEREAS, the Construction Official recommends that the following individuals who are licensed by the State of New Jersey to serve as a building inspector and plumbing inspector be authorized to perform building inspection and plumbing inspection services on an as needed basis:

**David C. Mannherz
Salvatore Simonetti**

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

1. The governing body hereby authorizes the Construction Official to retain the services of the individual named below as a temporary, part-time Assistant Building Inspector/Assistant Zoning Officer/Assistant Property Maintenance Officer in order to assist the Building Department with residential and commercial building inspections:

David C. Mannherz
4 Moraine Road
Morris Plains, New Jersey 07950

2. **Mr. Mannherz** shall be compensated at the rate of \$31.83 per hour under Job Group IX, Schedule "B" pursuant to Salary Range Guide "C" of Salary Ordinance No. 8-17. **Mr. Mannherz** shall not work more than twenty-eight (28) hours in any week.
3. The governing body hereby further authorizes the Construction Official to retain the services of the individual named below as a temporary, part-time Plumbing Inspector in order to assist the Building Department with residential and commercial building inspections:

Salvatore Simonetti
71 Mountain Avenue
Cedar Knolls, New Jersey 07927

4. **Mr. Simonetti** shall be compensated at the rate of \$32.47 per hour under Item 4. of Section 11. as set forth in Salary Ordinance No. 8-17. **Mr. Simonetti** shall not work more than twenty-eight (28) hours in any week.
5. The authorization given to the Construction Official to retain the services of **Messrs. Mannherz** and **Simonetti** as a temporary, part-time building inspector and a part-time plumbing inspector on an as needed basis shall expire on December 31, 2018.

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- 6. As temporary, part-time employees of the Township authorized to work on an as needed basis, **Messrs. Mannherz** and **Simonetti** shall not be eligible to receive any prior service credit or receive or accrue any paid vacations, holiday pay, sick leave or health and dental benefits coverage of any kind whatsoever during their temporary employment with the Township.
- 7. That certified copies of this resolution shall be transmitted to the Construction Official, the Township's Chief Municipal Finance Officer and **Messrs. Mannherz** and **Simonetti** for reference and information purposes.

RESOLUTION NO. 203-2017

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING 2017 BUDGETARY APPROPRIATION TRANSFERS IN ACCORDANCE WITH N.J.S.A. 40A:4-58

WHEREAS, N.J.S.A. 40A:4-58 sets forth the manner in which appropriation transfers may be made; and

WHEREAS, there appears to be insufficient funds in the following accounts (excepting the appropriation for contingent expenses or deferred charges) to meet the demands thereon for the balance of the 2016 current year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris, that this resolution be adopted (by not less than two-thirds of all the members thereof affirmatively concurring) in accordance with the provision of N.J.S.A. 40A:4-58, part of the surplus in the accounts mentioned below be and the same are hereby transferred to the accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient, to meet the current demands of the 2017 operating budget.

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized and directed to make the following transfers:

FROM:			TO:		
ACCOUNT			ACCOUNT		
<u>NO</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>	<u>NO</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>
127-0001	Admin SW	\$50,000.00	127-0031	Bd of Health SW	\$ 2,500.00
127-0010	Violations SW	25,600.00	127-0035	Pks & Plgrnds SW	10,000.00
127-0011	Engineering SW	25,000.00	127-0064	Dial-A-Ride SW	10,000.00
127-0018	Group Ins. OE	50,000.00	127-0082	Comm Ctr SW	2,,000.00
			127-0005	Tax OE	1,500.00
			127-0053	PERS OE	4,000.00
			127-0048	Rd Const/Rec OE	120,000.00

RESOLUTION NO. 204-2017

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL VARIOUS CURRENT ACCOUNT AND CAPITAL ACCOUNT ITEMS

BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey that the amounts listed in the following items be and they are hereby cancelled:

OUTSTANDING CHECKS:

<u>ISSUE DATE:</u>	<u>CHECK #</u>	<u>AMOUNT</u>
<u>Current Account:</u>		
September 8, 2016	45879	\$ 23.50
January 12, 2017	46673	10.00
April 13, 2017	47362	12.00

ORDINANCES:
Capital Account:

NUMBER	DESCRIPTION	AMOUNT
34-2016	Tractor/Snow Machine	\$ 322.35
20-2014	Improvements OEM Trailer	9,027.64
16-2015	Resurface Eden Lane	125,067.28
27-2016	Security System	1,864.90
28-2013	Natural Gas Emergency Generator-Municipal Bldg	24,719.65
28-2015	Remedial Investigation/Action Report Contamination	31,558.43
17-2017	Street Sweeper	30,552.00
26-2013	DPW Garage Overhead Door Modifications	500.00
30-2015	Bee Meadow Pool Improvements	1,624.08

BE IF FURTHER RESOLVED, that a certified copy of this Resolution be transmitted to the Township’s CMFO for his information and action

RESOLUTION NO. 205-2017

A RESOLUTION APPROVING THE REFUND OF TAX OVERPAYMENTS

BE IT RESOLVED, by the Township Committee, of the Township of Hanover, County of Morris and State of New Jersey, that the following tax overpayments, as certified by Silvio Esposito, Collector of Taxes, be and are hereby refunded:

BLOCK	LOT	QUAL. #	NAME	AMOUNT
4502	19		SunTrust Mortgage, Inc. ATTN: Tax Services, RVW-3166 1001 Semmes Avenue Richmond, VA 23224 RE: 6 Fairchild/Tunstead	\$1,413.68

Motion made by Member Ferramosca to accept Resolutions as a Consent Agenda and seconded by Members Brueno and unanimously passed.

PAYMENT OF BILLS:

The governing body approved a grand total disbursement of **\$7,200,438.30** for the payment of all bills as of this Regular Township Committee Meeting. A copy of the “Bills Payment List – by Vendor” is hereby approved and made a part of this resolution as if set forth in full. Moved by Member Brueno and seconded by Member Ferramosca and unanimously passed.

A copy of the Bill Payment List – by Vendor has been incorporated in the Supplemental Minute Book – Payment of Bills which is on file in the Township Clerk’s office.

RAFFLES:

- RL- 3071 – Randolph Township PTO Council – Tricky Tray**
- RL- 3072 – Randolph Township PTO Council – off premise 50/50**
- RL- 3073 – Randolph Township PTO Council – off premise raffle**
- RL- 3074 – Interfaith Food Pantry – 50/50 off premise**
- RL- 3075 - Interfaith Food Pantry – Tricky Tray**

Motion to be approved made by Member Brueno and by Member Gallagher and unanimously passed.

OPEN TO THE PUBLIC

Motion to close the Public portion made by Member Ferramosca and seconded by Member Brueno and unanimously passed.

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Burt Stitt, 40 Warren Street, Whippany: This is a Bear Stern project, I'm going to keep it simple and to one point because there are a lot of people here tonight and there is a lot of people missing because of the school closing. Today particularly and we can discuss the detail if we have to, but today particularly pointed out to me what I think in my opinion has been a lack of clear communications between various Town Committees and the general public. I strongly urge the two committees the Township Committee and the Planning Board to increase the communications but to be more clear on it. If we have to go into detail, I will try to explain it. But I think I'm clear on that subject.

Mayor: Are there area that you feel that the either the board or the committee was deficient in notification?

Mr. Stitt: No not on notification, specifically though Ron since you asked, the residence adjoining or close to the Bear Stern on the north eastern side of the property left, from what I'm hearing, left the planning board meeting last week with the understanding that nothing would be done on that site. I've come to learn that that is not true and somethings have been done but it's been explained to me that some things can be done, I think we could have avoided a lot of issues that have arisen have we been more clear on that issue. I think we are going to find others as we go along in the next couple of weeks and I think we urge the Township Committee with its representatives on the Planning Board and everyone else involved be clear on what they intend to say, again I personally came away from that meeting with the same impression that a number of my neighbors have, that nothing would happen. As I learned differently today, I understand what was said and I understand why there is some activity on the site. But that was not clear again when we left the meeting and I don't want to speak for every other resident but to my knowledge I don't think it was clear to any other residents either.

Mayor: The activities that you and I are familiar with that are going on now are outside the Planning Board prevue. The Planning Board and I can't be quoted as to what exactly what the Chair of the Planning Board regarding the site but I'm sure that in his explanation was that the case is going forward and that he did make notification of the new date for the case to continue with no further notification necessary. There has been some requests upon the township to move that date up and we would not do that. The notification has been made to the people, regarding the site, yes our Engineer was out there today we had him inspecting the site again. There are certain things going on the site that the Planning Board has no prevue over you and I know that. Such as they are putting up a construction fence right now, that is a temporary type of fence there is no planning approval that would not permit to put up a temporary fence. I think I have heard that they are doing some demolition work inside the property.

Mr. Maceira: I think they pulled some building permits because I think they are doing some work interior of the building. That is part of the construction.

Mayor: Burt that is the operational word..they pulled building permits to do demo work inside their buildings. We are somewhat handicapped I know some of the concerns of our community and the neighborhood and I appreciate them, but it's like you or I demoing our basement to redo it, if you come in for a permit and you meet the requirement you are going to get a permit to demo your basement. But to tell Barclay's bank that they can't have a permit to demo inside their buildings I don't know if we have the ability to keep them from such a permit. So I'm saying there is some hamstrung here and the public perception when they look at that is that they are going ahead with this project. If they are doing anything within the realm of getting building permits they are taking the risk upon themselves at this point. But no other aspect of this project as you and I know, the garage aspect the taking up of surface parking areas and other improvements or changes that they want to make.

Mr. Stitt: Let me get into the weeds with one other communications and Gerry knows I came down to Town Hall this morning to talk to Gerry because as I observed out there today the contractor apparently did not understand or wasn't doing the job properly, the workers were cutting down branches on the berm to put up the fence, God knows we need every branch we can, we don't need them clipped. I can understand some of those branches right along the fence line but in some cases they were clipped back to the trunk 5 feet away from the fence. This is part of communication somebody doesn't understand.

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Mr. Maceira: I did send an inspector out once we were learned.

Mr. Stit: Gerry I appreciate that, and I think it was stopped, I'm talking about before that. There was not proper supervision or proper communication so what they can touch and what they can touch.

Mr. Ferramosca: Any disturbance that occurred at that location to that buffer that we can define we can have it replaced.

Mr. Stit: Thank you John, that was a subject titled remediation.

Mr. Ferramosca: They disturbed whatever they do not have Planning Board approval for that subsequently they are going to have to do replacement.

Mr. Stit: They hacked some of those beautiful holly trees they is enough room to plant more hollies. Thank you

Mayor: The do have an aggressive landscape plan that we heard at the first meeting and so to the extent that they can that berm is going to be reforested. They were talking thousands of plants in the overall and a plant could be shrub up to a tree. But the reforestation of that area is part of what has got to go on. There is no question about that. Understanding too and it came from that meeting that the Township reserves to go on the site after it or should it get complete and review whatever needs we have and add additional landscaping as need be should be the case. But whatever they are disturbing and John is absolutely correct they will have to be replaced.

Mr. Stit: I'm focusing on your word aggressive and they were much to aggressive in hacking trees today.

Gail Brezinski, 39 Warren Street, Whippany: I would like to say thank you very much for looking into the remediation to the damaged trees and shrubs. I just want to make a statement if you have any questions for me at the end that is fine, but I just want you to understand our feelings and concerns. You are our elective representatives and we are asking as always that you will support and protect our neighborhood legally and morally and ethically during this Barclay's renovation process. I ask that you would strongly consider suggestions made by some of the residents possibly to maybe, this might be for the Planning Board, to possibly make a change as to where the parking garage might be located. Keep up better notified as Bert at mentioned on different changes such as, if possible, as ordinance changes, I understand that one got changed a couple of days after the Barclay's put their proposal in. I know that is legal but it's kind of, we would like to know what is going on. Now I understand that from hearing you this evening explain that Barclay's are allowed to do interior renovations and such but it happened about three days after the Planning Board meeting was for a period of about three hours late in the evening maybe eleven for about three hours very loud low booms like a sub low boom. They were repetitious and regular and I could not sleep and I'm not the houses that butt up to it but I'm across the street and I was hearing it loud and clear. Maybe somebody can look into that. It's our goal as the residents through compromise to achieve a good quality of life for our neighborhood. With this encompassing maybe watching we are concerned about increase of noise, of fumes car fumes and exhausts, light pollution from construction lighting and parking garage lighting and so forth; visual obstructions by the parking garage; mature tree removal, nobody likes to see that; maybe builders, and also an increase of traffic. Yes I know that's for the Planning Board but yes we are seeing traffic presently that is bad for about 4 hours trying to get out to Route 10 on three different roads. It is a concern that that is going to increase and we also have those new townhouses and it's going to bring more traffic to the area. I don't think it is possible for even an expert to surmise the degree of traffic that is going to take place, nobody knows, maybe it's not so bad maybe it's a disaster, but we need to be prepared for that. Nobody wants change in their home area, I'm just asking you all to please consider us, we are putting our trust in you cause are who we have. Help us make this a fair agreement, yes I'm sure it's going to be legal to the "t" but a fair agreement and that's all I have to say and thank you very much for your time.

Mayor: Let me give you some updates that I have shared with Bert over some time and Bert and allow me to comment if I can on some of the things that we have

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been discussing. Certain members of the Planning Board, myself included Deputy Mayor also included, are most concerned about any light that effects the residential neighborhood and including present daylight which is the office buildings now. We know they leave their lights on day and night, being an energy thing etc., but we are most concerned regardless where the parking garages go, if they go where they are or if they are going to be moved further down that any side of a parking garage that faces a residential neighborhood has to be completely shielded. That is going to be our demand of the applicant that they come up with a shield. They intend at the next Planning Board case to bring forward their architectural engineer to talk to that. There are ways of shielding, so I don't think we will accept anything but that the fact that 100% of the light is shielded. They will have to address that. So you can be assured that we are going to take a very firm hard stance on the lighting aspect of it.

Ms. Brezinski: I do understand that Bayer Healthcare's interior lighting does goes off but when there is movement in there it will light up for that particular floor and that really makes a big difference so they can have minimal lighting in there and if there is people walking by it will turn on that might be a suggestion,

Mayor: There are conditions, are you thinking of that in the garage area or the office building itself?

Ms. Brezinski: Anywhere where it is appropriate, it will save money.

Mayor: Bayer has some great technology including that which brings the lights down and they also have self-dimming window system which is interesting. I think we can impose Barclay to do all they possibly can and Barclay's as you and I know we all appreciate one thing and it's a premier company worldwide to say that they are Fortune 500 is an understatement I think they are Fortune 50. We are going to impose upon them to do the right thing and I don't even know if that's a good word because I think Barclay's going to want to do the right thing to the full extent that they can. I know that this project is going to fall under the run of what is called the green project, John can probably speak to that better than I can but I can tell you that they are going to do everything they can from an environmental standpoint and make it better than it is now, so what does that mean to you? We have to hear that at the next meeting and we will be anxious to hear that, there have been other concerns that we've had with exhaust fumes and obnoxious fumes etc. I've had our planner make some comments on that and he's given us some reports on that, right now with surface parking we got thousands of parking spaces spread out along the entire area there and we also have the lighting off of their parking spaces, so if we can deal with the removal of that lighting and that surface parking and it's consolidated into some of these garages in some fashion and finally shield it from the neighbors boy is that a homerun, but that is what we have to go after. So I think this next Planning Board meeting is critical for all of us and the neighbors to come out and hear what is going to be said about that but I think the focused down to what our neighbors concerns are and I know it's primarily the garage and its location I know it's the lighting, I know it's the fumes, I know it's the noise, so we are going to address that.

Ms. Brezinski: We need to get sleep at night so we can be good productive workers. I really appreciate your explanation and your time. Thank you.

Ralph Monaco, 54 Warren Street, Whippany: Again on the communication issue I was one of the lucky ones to get a letter, certified letter, that there was a meeting, however when we were at the last meeting and the regulation discussion the 46 feet and the height of the building was discussed and I asked the Planning Board can you tell me why it was approved, they said it's not us, take it up with the Township Committee.

Mayor: Passing the buck but I'll give you the answer.

Mr. Monaco: Well I know they are passing the buck because looking at the minutes afterwards the Planning Board recommended it, I saw that they had a meeting on the 12th to discuss this and in fact in the minutes they said they approved this for themselves and passed the letter on to the Township Committee to approve it which you did, but then communication, we get a letter to come to the meeting in October meanwhile the key fact of 46 feet is already approved and saying that they are well within the regulations here to have 46 feet but maybe we should have had a letter to

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attend the meeting that when we were discussing the 46 feet so you can hear the public and not just approve something that people have no say or have a chance to say so. All we are saying is that they are well within the regulations but we didn't get a chance. That's a big communication gap in my opinion.

Mayor: I think John can explain the progression of that, but your point that the notification to the neighbors to that happening, now in the process of that when we made that change in the modification of that ordinance that was an open public meeting on the Planning Board on the change and then referred to us.

Mr. Giorgio: Under the Municipal Land Use Law which governs zoning and land use, the Township is required to do a couple of things. Township Committee introduces the ordinance, it is then sent to the Planning Board with a request for what they call in the law referral and recommendation, simultaneous with that request the ordinance is required to be published once in the official newspaper of the Township of Hanover, which is the Daily Record and that was done, the ordinance was introduced I believe on the 14th of September and it was published in the Daily Record on the 20th of September, in the meantime the Ordinance was sent to the Planning Board for referral and recommendation. With regard to an ordinance of that type there is no regulation in the Municipal Land Use Law that requires that the owners of properties within 200 feet be notified. The only time that happens and I will defer to Mr. Brancheau is when there is a boundary line change or a change in classification in zone. So in this case we were talking about different conditions so the municipal land use law does not require any kind of notification for that.

Mr. Monaco: So again back to my question that I asked the Planning Board and I'm gonna ask you, why was 46 feet approved? Why did we change a regulation that we had forever now all of a sudden they want to put in.

Mayor: That is a more than fair question.

Mr. Ferramosca: Mr. Monaco you are raising a very good question and in fairness of that question which came up at the Planning Board night we asked our planner who is here tonight Blais Brancheau to give us the history, go back Blais and take us through the whole continuum of parking garages in Hanover Township, so I would like to give him an opportunity to share the research that he did for us, because it goes back to 1956, this doesn't go back to September 2017 and I want him to go through it so that we all understand what actually is the transition of parking garages in Hanover Township so we are all on the same level playing field because we need to over communicate, we heard loud and clear from Bert that we need to over communicate on this issue and I think this will helpful if we all were aware of what he is going to share with us. Blais I'm going to ask you to read to us your history of the use of parking garages for nonresidential uses in Hanover Township.

Blais Brancheau: Happy to do so Mr. Ferramosca. At the request of Mr. Ferramosca I researched our Code and the historical treatment of parking garages in town and what I found was that for many years starting at least with the 1956 zoning ordinance the township has permitted private garages which is basically defined as storage or parking of motor vehicles by employees and visitors essentially parking deck and the ordinance at that time permitted those private garages this is through the 50's, 60's and 70's to have the same height as the principal building. It wasn't until the 1980's that the term parking structure or parking deck was starting to be used and in 1985 as part of the comprehensive code amendment for the land use ordinance the code mentioned that parking structures would be limited to only a planned development in the I and IP zones. It also at that time permitted parking decks to be the same height as principal buildings. In 1988 the ordinance was amended to allow planned development in the OBRL Zone and that ordinance parking decks were limited to a height of 28 feet in that zone. Parking lots could be 50 feet from the property line of a resident but the parking deck would have to be 100 feet from a residence. In 2002 the code was amended again to convert a portion of the OBRL Zone to the OBRL-3 Zone which is the former Bell Labs site former Lucent Technologies site now the current Bayer and MetLife property that was converted to an OBRL-3 zone and then that zone as part of that change in zoning the height in parking decks in that zone was permitted to be increased to 46 feet. It was this year that the Township was approached by the owner developer of the former Bayer Sterns property on South Jefferson pointed out to the Township that they permitted 46 feet there why don't you permit 46 feet here,

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pointed out a number of benefits to the Town and to the public by doing so including the reduction of surface parking is already there, increased green space by removal of that parking reduced lighting for that surface parking, reduce storm water runoff for that parking, and a number of other benefits of doing that. It was with that analysis and that discussion that the Township ultimately amended it to allow same height in this zone than it allows in the OBRL-3 zone cause it saw the benefits in doing so.

Mr. Monaco: How about the negatives in doing so.

Mr. Brancheau: There is always tradeoffs and compromises but the town...
(interrupted)

Mr. Monaco: I didn't hear any of those.

Mr. Brancheau: Well the negatives, the main negatives and the Town had identified those as well when it was discussing this was the light a fact, the noise of fact and the other facts it felt and still feels that those can be sufficiently mitigated by for example, the placement of louvers in the deck opening, the design in lighting to be more shielded than it would otherwise be or lower in height than it would otherwise be, to reduce lighting levels to minimal need for security reasons during the overnight hours, so you don't have even that level of lighting that is there and by the setbacks of the decks and the plantings the feel was that the benefits once you add the benefits and mitigate the detriment that the committee it would be in the public interest to do it that way. Could the developer have built twice as many decks at 28 feet? They probably could have but the Township Committee considered that and didn't feel that would not have been an improvement to have instead of having one deck for 46 to have two decks at 28 you would still in that case have light you still have noise but now you have more coverage and less green, so the Township Committee was trying to balance the good and bad and it felt that the good outweighed the bad and in that case and it could mitigate the bad sufficiently to make it worthwhile.

Mr. Monaco: It still would have been nice to have the communication so that you can hear from the public to help balance the score card a little bit from the people that are actually living in there; I don't know how many of you on the Committee here and the Planning Board actually went out to the property site and stood by the neighbors where we are all adjacent to this property and to visualize a building of that size and a parking garage, I mean when you look through the woods and yeah you have a parking lot you don't see the parking lot because of the berm all you see is the building there is distance, so now that distance is going to be closed down right to the edge of the berm and there will be a huge building. You have to take a look at that end I don't know you were saying that it was in the interest of the public, but the public here nobody feels that there is an interest in that.

Mr. Brancheau: I don't want to have a debate on this but even without that recent amendment someone could have put an office building in the same location as that deck and that would have been allowed to be 55 feet high and that was under the current zoning which has been that way for 30 years. So that was one of the considerations that the governing body took into account that if it was the visual effect of it the zoning would allow a 55 feet tall building even without the outer limits so the deck provides some blocking of the existing building so those were all considerations, how you come on the balancing obviously different people can disagree and I'm only trying to explain what the thinking was.

Mr. Monaco: A 55 foot building though I would debate you probably wouldn't have enough parking spots for more 55 foot buildings, I mean right now, I'm sure they are allocated at any building you have to have so many parking spots for 150,000 square foot building, I don't think the property could handle another building or two of that size and having enough parking for that without breaching into the buffer zones for sure. But I think that's the point.

Mayor: On that night, there is a site plan before the Planning Board doesn't exceed the yard areas of anything.

Mr. Brancheau: No, there is like an extra 175 feet from the property.

Mayor: So they are within.

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Mr. Brancheau: They are allowed to be 100 feet and where they are proposed is well in excess of 100 feet and that was not an amendment that has been on the books for 30 years.

Mr. Monaco: Thank you very much.

Mayor: Again, there is a Planning Board meeting coming up November 21st at 7:30.

Mr. Stit: I broke my promise and I said I wasn't going to say anything but I think we need to add to the comments that were made, there is more than lighting involved and other site things, there are two other issues that seem to get missed in this whole process and that is the concentration the intense concentration of fumes in a small area and then there is the perceived at least a number of people not just the people in the audience I think people that we have talked to in the street the perceived issue of safety with parking garages. We have been talking about the residences, we forget that the residences that will be close to these two parking garages are split in the middle by an elementary school, children who walk those streets and those paths, children who will be breathing those fumes morning and in the summer time it's not just the school year because Salem Drive has activities year round, we need to add those elements to it and my personal opinion, the poisonous fumes coming out of there are perhaps more important than anything else, I can close my eyes but I can't close my lungs without risking death.

Joe DeKasar, 36 Warren Street, Whippany: The one thing that I did not hear tonight was the problem of water and I know the EPA has approved the move, who requested the EPA approval?

Mayor: The EPA approval Gerry?

Mr. Maceira: There is none, the current development plan does not require any DEP approval because they are not impacting anything.

Mr. DeKasar: Are you talking about the approval from the previous building then? There are wetlands out there.

Mr. Maceira: Yes, there is a current Letter of Interpretation which defines the wetlands and the associated buffers and they are not encroaching into any of those areas with the current development.

Mr. DeKasar: The new buildings are not encroaching any of the wetlands?

Mr. Maceira: No sir.

Mr. DeKasar: Thank you.

Motion to close Public portion made by Member Brueno and seconded by Member Ferramosca.

OTHER BUSINESS

Mr. Gallagher: This coming Tuesday, November 14 with the Hanover Township PBA 128 and Hanover Township Substance Awareness Council the Morris Area Coalition for Education and Positive Choices and the Morris County Sheriff's Department and the Whippany and Cedar Knolls Mom's Group will be having a program called How To Better Protect Your Child From Sexual Assault, Child Abduction and Any Other Additional Types of Abuse; I have announced it before as a stag program, usually I talk about things that are kind of fun and exciting and positive but this is positive to a lot of us parents and some grandparents and we want to make sure we do the best we can to protect our kids, my daughter is 13 and she thinks she's 20 and it's a struggle every day and my friends and I all lean on each other on what we think is an appropriate amount of slack and what isn't. Officer Littman here has been a big champion of this program and the gentleman that is coming into speak so it's a 3 hour program and if anyone wants to come in and check it out for a little while, I know 3 hours is a long time we would love to see you and we would love you to spread the word and it's going to be

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at the Community Center and you know what's nice too and I want to thank Bob Brueno, I had a nice talk with Denise Brennan and they do a lot of great things parallel to what we do. We are going to start working together a little more hand and glove and the Recreation jumped in and they are pushing this really hard with us too because they are responsible for a lot of our kids, a lot of great activities and we have a revolving door of our youngsters in that recreation building and it's appropriate that it is going to be held in the Recreation Center; so Bob thank you very much and we will be working together and announcing things coming up shortly but again Dave for all of your hard work.

Again, Friday, January 5 – March 9th ten consecutive nights at Mennen Arena we have an incredible special for all of our kids it's just about half price to skate all night long and we are going to have special events on every Friday night.

The last thing I will say is that you are seeing the DPW out there 7 days a week almost 24 hours a day, our fields are second to no one and the leaf pick up I don't know how they do it, I hear them when I'm sleeping in the morning and I hear them when I'm going to bed at night. These guys are machines, they are great, we appreciate them and I just want to thank them from this side of the desk with my colleagues here because we do get a lot of compliments and unfortunately sometimes we get some complaints but I just want to say they are doing a phenomenal job in just about every area.

Mr. Ferramosca: Roads we are still working on the roads, the good news it Whippany Road paving is done. Special shout out to the Hanover Police Department they did a fine job in terms in making traveling tolerable during that very difficult construction period and we are talking about paving Whippany Road this is no side street that they did, that was a major County roadway that they were able to provide safe travel. Hanover Avenue and Ridgedale Avenue, I would stay away from that corner tomorrow because weather permitting they will be paving that and that on a good day has a lot of congestions. North Jefferson Road concrete work has begun and the plan is to complete paving by year end weather permitting.

Hanover Sewerage Authority recently won a recognition for a national award called Utility of the Future Today for innovation and forward thinking practices that are providing sustainability, efficiency and value added services to the community of Hanover Township ~ so shout out to them.

Pinch hitting for George Coppola he wants me to give some information out on three issues. Knights of Columbus there is a family Christmas party that will be held on December 2, 2017 at 6:30 at Our Lady of Mercy Parish Hall it's a great event for those of us who have little children or grandchildren so please get the bulletin from Our Lady of Mercy and make your reservation through that bulletin.

Cedar Knolls Fire Company will have a special family night at their firehouse on November 25th Santa will be coming along with the lighting of the biggest Christmas tree on Ridgedale Avenue that we have in Hanover Township.

This Saturday is Veteran's Day, November 11th, Mr. Coppola urges you to please thank our Veterans. Last Sunday we recognized a Veteran, Corporal Slattery, one of Hanover's own paid the ultimate price fifty years ago and commemorating his service and his life the Marine Corp League facilitated the installation and the funding of a beautiful monument that is outside the Municipal Campus right outside of the Library. I encourage you to go look at it, it's a beautiful dedication to his life.

Mr. Gallagher: I forgot one point, with the School and Park Traffic Safety Advisory Committee and I would like to recognize Committeeman Elect Brian Cahill who is the Vice-Chair and he is also currently a Board of Education, we announced and it's going to be in the Daily Record is some of our school buses are now equipped with technology where the police department can ticket from the camera. So when you see the arm go out on the school bus and we always see somebody fly right by the bus and you always look around and say "oh, I wish there was a cop there" and sometimes there is and sometimes there not cause they can't be everywhere but now with the technology that we have in some of our buses and we are going to get more that technology will take a picture of that car, the make, model and tag and it will go to the Police Department and you can ticket from that technology, it's 5 points on your license and it's

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a lot of money and the fact that it's going to get out there on this level is going to make people change their behavior right away, because as a committee four of our six portable signs that say the speed when you ride by 4 of our 6 have a camera in them now, but do you believe people say to me, "Gallagher the one on Park Avenue does that one have a camera in it" why would someone asked me that, but the bottom line is the fact that they wonder and we have talked about this before tonight, when you see that sign you naturally check your speed and slow down a little bit. We are doing a lot of work, with the schools and with our body and with the School and Park so that will make everything safer right away. I'm going to talk to Jim Lent because I would like him to put something in the paper.

Mr. Brueno: The ski program for our middle schoolers the registration is still taking place, the first trip is right after New Year's January 5th so if you want to send your middle schoolers skiing get registered quickly. Wrestling has begun, basketball has begun but there is still room if you want to register. We have a new activity at the Recreation Center on Tuesdays for those with younger children from 1-3 just an open play time, so bring the kids the grandchildren as the weather gets a little chillier looking for some opportunities to have the kids run around and meet some new friends; no real structure so if you are looking for something very informal.

Hard to believe like Committeeman Ferramosca mentioned the KofC is having their Christmas festivities December 2nd we will be doing the same at the Recreation Center on December 2nd from 2-4 here comes Santa, face painting, DJ, arts and crafts, three weeks from Saturday can you believe we are having Christmas activities three weeks from Saturday. Beyond that the 2nd annual chili cook off February 2nd which is the Friday of Superbowl weekend and last year's winner of course is bragging and looking to repeat, so mark that on your calendar, it will be a chili Friday.

Lastly, our 5th and 6th grade football players have been nationally recognized one of the top teams in the County at that age group, there are going to have an opportunity to play into a national tournament much like the baseball players do when they go out to Williamsport, it's all televised on ESPN so football to get some positive vibes from the kids and our 5th and 6th graders will be playing in the regional tournament first trying to get to Canton, Ohio on December 1st up at Pope John High School, put some information on the webpage but it's really an honor for that group of kids the coaches, I think we are going to bring them in here and recognize them and wish them good luck but they've won 39 games in a row, so the future not the immediate future by the future of Whippany Park Football looks great and in the meantime we are really wish those 5th and 6th graders best of luck as they try to get to a National Tournament, really incredible.

Mayor: The Giants can use some of them. I watch the games now just to see how many they can continually lose. Great news for them. If any of you did not get over to Malapardis Park for the Halloween party for the kids, that was outrageous that was great. It's such a great thing and I'm so happy that Hanover takes such an active role in that where the kids can come out for Halloween candy, they go to little homes all that are dotted around the lake area we get so much cooperation with that from Denise Brennan and we bring our kids and our grandkids, Mike Mihalko and I showed up and it seems to get better and bigger every year so kudos to Denise and the park staff, DPW and everyone that participated in that it was great.

ADJOURNMENT

Motion made to close at 9:55p.m. was by Member Ferramosca and seconded by Member Brueno and unanimously passed.

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

Joseph A. Giorgio, Township Clerk