

**NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
NOVEMBER 2, 2017, 7:00 P.M.**

CALL TO ORDER Mayor DeLorenzo called the meeting to order at 7:00 p.m.

FLAG SALUTE: Led by Mayor DeLorenzo and followed by a moment of silence

ROLL CALL: Mayor DeLorenzo
Deputy Mayor DeBaecke
Committeeman Doyle
Committeeman Kocubinski
Committeeman O'Donnell

Absent: None

Also Present: Clerk Picariello and Substitute Township Attorney Griegel

SUNSHINE STATEMENT: "The provisions of the Open Public Meetings Act have been met. Notice of this meeting has been transmitted by email to the Courier Post, Burlington County Times and The Trenton Times as well as given to those having requested same and posted on the Township bulletin board located in the foyer of the municipal building".

PUBLIC COMMENT AS IT RELATES TO AGENDA ITEMS

Mayor DeLorenzo opened the meeting to the public. There were no public comments this evening.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Deputy Mayor DeBaecke

Seconded By: Committeeman Doyle

REVIEW OF CORRESPONDENCE

There was no correspondence this evening.

ENGINEER'S REPORT

Engineer Hirsh noted the Stormwater meeting with the NJDEP. He noted a few reports needed to be amended. He stated the Burlington County Municipal Park Grant was being awarded for \$200,000.00. The NJDOT project will soon be closed out once the core tests are back.

MINUTES FOR APPROVAL

- October 19, 2017 – Regular Meeting

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle	X		X			
Committeeman Kocubinski			X			
Committeeman O'Donnell			X			
Mayor DeLorenzo			X			

- October 19, 2017 – Executive Session

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle	X		X			
Committeeman Kocubinski			X			
Committeeman O'Donnell			X			
Mayor DeLorenzo			X			

BILLS AND CLAIMS FOR APPROVAL

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

ORDINANCE – ADOPTION

2017-13 An Ordinance Amending Chapter 16 of the Township of North Hanover Code, County of Burlington, State of New Jersey for Clustering without a Planned Unit Residential Development (PURD) in a R-A Zoning District

ORDINANCE 2017-13

AN ORDINANCE AMENDING CHAPTER 16 OF THE TOWNSHIP OF NORTH HANOVER CODE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY FOR CLUSTERING WITHOUT A PLANNED UNIT RESIDENTIAL DEVELOPMENT (PURD) IN R-A ZONING DISTRICT

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of North Hanover, County of Burlington, State of New Jersey that Chapter 16 of the Revised General Ordinances of the Township of North Hanover is hereby amended and supplemented by amending Sections 16-080 and adding a new section 16-082, entitled “Cluster Development” to read as follows [added portions are bolded and underlined; deleted portions have strikethrough]:

Section 1. §16-080 R-A Residential-Agricultural

A. §16-080.1 Principal Permitted Uses

F. Cluster development in accordance with §16-082.

B. §16-080.3 Area and Yard Requirements

A. Requirements for detached single-family dwellings which are part of a conventional subdivision and not part of a planned unit residential development **or cluster development:**

D. Requirements for farm with single-family residence which is not part of a planned unit residential development **or cluster development:**

Section 2. §16-082 Cluster Development (New Section)
§16-082 Cluster Development

§16-082.1 Definitions

For purposes of this section:

“Agricultural structures” include, but are not limited to, barns, silos, tool and equipment sheds, farm markets, packing houses and agricultural labor housing.

“Agricultural infrastructure” includes, but is not limited to, irrigation wells and systems, irrigation ponds, fences, drainage ditches and swales, field tile drains, farm roads, and established access to adjoining roads.

“Agricultural restriction” means an “agricultural deed restriction for farmland preservation purposes,” as defined in section 3 of P.L.1983, c.32 (C.4:1C-13).

“Cluster development” means a development with a specified minimum contiguous or noncontiguous acreage of 25 acres or more to be developed, as a single entity, according to a subdivision plan, containing one or more contiguous clusters or noncontiguous clusters and one or more residential uses, as shall be specified in the zoning ordinance. A cluster development is composed of clustered parcels and preserved parcels, but not exempted parcels.

“Clustered parcel” means a parcel of land that is the subject of contiguous or non-contiguous parcel clustering, where the owner of the parcel is receiving the development potential of the preservation parcel, and on which increased density is allowed.

“Conservation restriction” means a “conservation restriction,” as defined in section 2 of P.L.1979, c.378 (C.13:8B-2).

"Contiguous cluster" means contiguous parcels of land developed, as a single entity, according to a subdivision plan, containing a section or sections of those parcels to be developed for residential purposes at a greater concentration of development than authorized within the section or sections under conventional development, in exchange for the permanent preservation of another section or other sections of the parcels as common or public open space or for historic preservation or agricultural purposes, or a combination thereof, while maintaining the same development potential for the parcels combined.

"Density" means the permitted number of dwelling units per gross area of land that is the subject of an application for development, including noncontiguous land.

"Development potential" means the maximum number of dwelling units that may be constructed, without bulk variances or design exceptions, on a specific parcel of land in accordance with the master plan and land use regulations in effect on the date of the adoption of the ordinance authorizing cluster development, as provided in §16-082.4.

"Development restriction" means an agricultural restriction or a conservation restriction.
"Exempted parcel" means a parcel or a portion of a parcel of vacant or developed land, which shall be exempted or excluded from a cluster development so that the owner may develop, expand or change a future or existing conditional, non-agricultural use or structure, that does not meet the applicable qualifications, standards, conditions, and restrictions for a rural microenterprise, as set forth in N.J.S.A. 4:1C-32.1 and as provided in an approved agricultural restriction. Exempted parcels shall be indicated on a cluster development's lot yield plan and conform to the minimum bulk and area requirements in §16-250.7. An exempted parcel's lot area shall not be used to determine a cluster development's development potential. Applications for cluster development approval shall also include the subdivision of exempted parcels. Exempted parcels shall not be covered by an agricultural or conservation restriction, such as those required for preserved parcels.

"Noncontiguous cluster" means noncontiguous parcels of land developed, as a single entity, according to a subdivision plan, containing a section or sections of those parcels to be developed for residential purposes at a greater density than authorized within the section or sections under conventional development, in exchange for the permanent preservation of another section or sections of the parcels as common or public open space, or for historic preservation or agricultural purposes, or a combination thereof, while maintaining the same development potential for the parcels combined.

"Preserved farmland parcel" means a preserved parcel subject to an agricultural restriction.

"Preserved parcel" means a parcel of land that is or has been the subject of contiguous or non-contiguous parcel clustering, whose development potential has been calculated and utilized with an associated clustered parcel in a clustered development and preserved through a development restriction.

"Rural microenterprise" means a small-scale business or activity that is fully compatible with agricultural use and production on the premises, does not, at any time, detract from, diminish, or interfere with the agricultural use of the premises, and is incidental to the agricultural use of the premises. These non-agricultural uses include: customary rural activities, which rely on the equipment and aptitude historically possessed by the agricultural community, such as snow plowing, bed and breakfast inns, bakeries, woodworking, and craft-based businesses; and agriculture support services, which have a direct and positive impact on agriculture by supplying needed equipment, supplies, and services to the surrounding agricultural community, such as veterinary practices, seed suppliers, and tractor or equipment repair shops. Unless otherwise specified by section 6 of the "Right to Farm Act," P.L.1983, c.31 (C.4:1C-9), a rural microenterprise is not eligible for protection under that act.

§16.082.2 Permitted Principal Uses

A. Clustered parcel:

1. Detached single-family dwellings.

B. Preserved parcel:

1. Agricultural uses and farms with no associated residential uses, as provided in an approved agricultural restriction.
2. Agricultural uses and farms with associated residential uses, as provided in an approved agricultural restriction.
3. Open space and passive recreational uses, as provided in an approved conservation restriction.

§16.082.3. Permitted Accessory Uses

A. Clustered parcel:

1. Off-street parking. (See §16-230.)
2. Home occupations, as defined in § 16-060.
3. Other customary accessory buildings and structures, such as pools, sheds, garages, etc.
4. Fences and walls.
5. Signs.

B. Preserved parcel:

1. Accessory uses, including agricultural employee housing, as provided in an approved conservation restriction or agricultural restriction.

§16.082.4. Conditional Uses (underlined added)

A. Clustered parcel:

1. None

B. Preserved parcel:

1. Rural microenterprises meeting the applicable qualifications, standards, conditions, and restrictions set forth in N.J.S.A. 4:1C-32.1, as provided in an approved agricultural restriction. The Joint Land Use Board may approve applications to renew and to continue expiring rural microenterprises for a maximum total duration of 20 years, in accordance with that section. (See §16-250.6, where applicable, for specific standards.)

§16-082.5 Determining Development Potential

- A. To determine the development potential of the clustered parcel or parcels within a cluster development, the applicant must submit a lot yield plan to the Joint Land Use Board indicating the number of lots that could be developed on the application's proposed combined clustered and preserved parcels, in accordance with the bulk standards described below, without bulk variances or design exceptions.
- B. The lot yield plan shall include the information required in §15-061.3 using the bulk standards in §16-082.4.C. The lot yield plan shall be reviewed and approved in accordance with §15-061.4.
- C. Minimum bulk standards for determining residential lot yields. Each individual lot in the lot yield plan must be at least two (2) acres in area, with a maximum of one (1) acre of each lot exhibiting environmentally sensitive lands, as defined in §16.060. It must also meet the following bulk standards:
 1. Lot area: two (2) to five (5) acres, in accordance with 16-082.4.D.
 2. Lot frontage along lot line: 200 feet.
 3. Lot width along front yard setback line: 200 feet.
 4. Lot depth: 200 feet.
- D. Minimum septic system requirements:
 1. Lot requirement for single family dwelling and/or any such other uses shall satisfy the following percolation or permeability tests:

PERMEABILITY

<u>MINIMUM LOT AREA (ACRES) - Depth to Seasonal High Groundwater</u>						
<u>Seasonal High Groundwater Depth</u>	<u>6.0' and Over</u>	<u>5.0' - 5.9'</u>	<u>4.0' - 4.9'</u>	<u>3.0' - 3.9'</u>	<u>2.0' - 2.9'</u>	<u>Less than 2.0'</u>

<u>Permeability Rate (inches per hour)</u>	<u>Minimum Lot Size</u>					
<u>20.000 to 3.01</u>	<u>2.00 acres</u>	<u>2.23 acres</u>	<u>2.53 acres</u>	<u>2.90 acres</u>	<u>3.35 acres</u>	<u>N/A</u>
<u>3.0 to 2.41</u>	<u>2.05 acres</u>	<u>2.28 acres</u>	<u>2.58 acres</u>	<u>2.95 acres</u>	<u>3.40 acres</u>	<u>N/A</u>
<u>2.400 to 2.007</u>	<u>2.14 acres</u>	<u>2.37 acres</u>	<u>2.67 acres</u>	<u>3.04 acres</u>	<u>3.49 acres</u>	<u>N/A</u>
<u>2.000 to 1.1719</u>	<u>2.28 acres</u>	<u>2.51 acres</u>	<u>2.81 acres</u>	<u>3.18 acres</u>	<u>3.63 acres</u>	<u>N/A</u>
<u>1.714 to 1.504</u>	<u>2.46 acres</u>	<u>2.69 acres</u>	<u>2.99 acres</u>	<u>3.36 acres</u>	<u>3.81 acres</u>	<u>N/A</u>
<u>1.500 to 1.336</u>	<u>2.69 acres</u>	<u>2.92 acres</u>	<u>3.22 acres</u>	<u>3.59 acres</u>	<u>4.04 acres</u>	<u>N/A</u>
<u>1.333 to 1.202</u>	<u>2.96 acres</u>	<u>3.19 acres</u>	<u>3.49 acres</u>	<u>3.86 acres</u>	<u>4.31 acres</u>	<u>N/A</u>
<u>1.200 to 1.093</u>	<u>3.28 acres</u>	<u>3.51 acres</u>	<u>3.81 acres</u>	<u>4.18 acres</u>	<u>4.63 acres</u>	<u>N/A</u>
<u>1.090 to 1.001</u>	<u>3.65 acres</u>	<u>3.88 acres</u>	<u>4.18 acres</u>	<u>4.55 acres</u>	<u>5.00 acres</u>	<u>N/A</u>
<u>1 or less</u>	*****NOT ACCEPTABLE*****					
The minimum lot area is determined by the permeability rate and depth to seasonal high groundwater.						

PERCOLATION

<u>MINIMUM LOT AREA (ACRES) - Depth to Seasonal High Groundwater</u>						
<u>Seasonal High Groundwater Depth</u>	<u>6.0' and Over</u>	<u>5.0' - 5.9'</u>	<u>4.0' - 4.9'</u>	<u>3.0' - 3.9'</u>	<u>2.0' - 2.9'</u>	<u>Less than 2.0'</u>
<u>Percolation Rate (minutes per inch)</u>	<u>Minimum Lot Size</u>					
<u>0 to 19.9</u>	<u>2.00 acres</u>	<u>2.23 acres</u>	<u>2.53 acres</u>	<u>2.90 acres</u>	<u>3.35 acres</u>	<u>N/A</u>
<u>20.0 to 24.9</u>	<u>2.05 acres</u>	<u>2.28 acres</u>	<u>2.58 acres</u>	<u>2.95 acres</u>	<u>3.40 acres</u>	<u>N/A</u>
<u>25.0 to 29.9</u>	<u>2.14 acres</u>	<u>2.37 acres</u>	<u>2.67 acres</u>	<u>3.04 acres</u>	<u>3.49 acres</u>	<u>N/A</u>
<u>30.0 to 34.9</u>	<u>2.28 acres</u>	<u>2.51 acres</u>	<u>2.81 acres</u>	<u>3.18 acres</u>	<u>3.63 acres</u>	<u>N/A</u>
<u>35.0 to 39.9</u>	<u>2.46 acres</u>	<u>2.69 acres</u>	<u>2.99 acres</u>	<u>3.36 acres</u>	<u>3.81 acres</u>	<u>N/A</u>
<u>40.0 to 44.9</u>	<u>2.69 acres</u>	<u>2.92 acres</u>	<u>3.22 acres</u>	<u>3.59 acres</u>	<u>4.04 acres</u>	<u>N/A</u>
<u>45.0 to 49.9</u>	<u>2.96 acres</u>	<u>3.19 acres</u>	<u>3.49 acres</u>	<u>3.86 acres</u>	<u>4.31 acres</u>	<u>N/A</u>
<u>50.0 to 54.9</u>	<u>3.28 acres</u>	<u>3.51 acres</u>	<u>3.81 acres</u>	<u>4.18 acres</u>	<u>4.63 acres</u>	<u>N/A</u>
<u>55.0 to 59.9</u>	<u>3.65 acres</u>	<u>3.88 acres</u>	<u>4.18 acres</u>	<u>4.55 acres</u>	<u>5.00 acres</u>	<u>N/A</u>
<u>60.0 or greater</u>	*****NOT ACCEPTABLE*****					
The minimum lot area is determined by the percolation rate and depth to seasonal high groundwater.						

2. Any individual subsurface sewage disposal systems that are designed on lots having a percolation rate greater than or equal to forty (40) minutes per inch or a permeability rate less than 1.0 inches per hour, shall utilize an alternative pressure-dosed sewage disposal system for the disposal and treatment of wastewater.

3. A percolation rate of sixty (60) minutes per inch and greater or a permeability rate less than 1 inch per hour is not acceptable and a depth to seasonal high groundwater of less than two (2) feet is not acceptable.
 4. All State standards, specifically New Jersey Department of Environmental Protection standards for the construction of Individual Subsurface Sewage Disposal Systems, shall apply. Any provisions herein that are more stringent than any provisions in the State standards, shall supersede and be applicable.
- E. Existing residences, homesteads, and non-migrant agricultural employee housing, as well as one acre for any rural microenterprise, shall be subtracted from the lot yield of the preserved parcel or parcels. Existing dwelling units that will be razed on contiguous or non-contiguous parcels shall be added to the overall residential lot yield.

§16-082.6 Standards for Preserved Farmland Parcels

- A. Preserved farmland parcels should be assembled in the largest contiguous blocks possible.
- B. Preserved farmland parcels of a cluster development must contain at least 50% of all the prime soils and at least 50% of all the soils of statewide importance in the cluster development or, alternatively, at least 50% of all the Class I soils and at least 50% of all the Class II soils, per the land capability classification system (LCCS) of the U.S. Department of Agriculture's Natural Resources Conservation Service.
- C. Parcels selected as preserved farmland parcels should be nearest to other preserved farmlands or other lands in agricultural use and furthest away from population centers and other developed lands.
- D. It is preferable that preserved farmland parcels, and not clustered parcels, be in any Joint Base McGuire-Dix-Lakehurst flight hazard areas.
- E. All other factors being equal:
 1. Parcels with existing agricultural structures and/or agricultural infrastructure, which can materially contribute to agricultural viability, should be selected for preservation.
 2. Parcels with a water source should be selected for preservation over those without a water source.

§16-082.7 Area, Yard and Bulk Requirements for Clustered Parcels

The total area of all clustered parcels shall be no more than 50% of the total area of all proposed clustered and preserved parcels combined and meet the following requirements:

- A. Minimum lot area:
 1. Lot area: one (1) acre.
 2. Lot frontage along lot line: 100 feet.
 3. Lot width along front yard setback: 100 feet.
 4. Lot depth: 100 feet.
- B. Minimum principal building setbacks:
 1. Front yard setback: 35 feet and 100% of units constructed in each block must have the same build-to-line.
 2. Rear yard setback: 30 feet.
 3. Each side yard: 15 feet.
- C. Minimum accessory building setbacks:
 1. Front yard setback: See 16-082.6.B.1.
 2. Rear yard setback: 10 feet.
 3. Each side yard: 10 feet.
- D. Maximum building height: 35 feet.
- E. Maximum total building coverage: 10,000 square feet.

F. Maximum total impervious coverage: 30%.

§16-082.8 Area, Yard and Bulk Requirements for Uses on Preserved Parcels

The total area of all preserved parcels shall be no less than 50% of the total area of all proposed clustered and preserved parcels combined and meet the following requirements:

A. Agricultural uses and farms with no associated residential uses:

1. Minimum lot area:
 - a. Lot area: five (5) acres.
 - b. Lot frontage along lot line: 200 feet.
 - c. Lot width along front yard setback: 200 feet.
 - d. Lot depth: 400 feet.
2. Minimum setbacks for farm buildings and structures: See §16-080.3C.

B. Agricultural uses and farms with associated residential uses:

1. Minimum lot area:
 - a. Lot area: six (6) acres.
 - b. Lot frontage along lot line: 200 feet.
 - c. Lot width along front yard setback: 200 feet.
 - d. Lot depth: 400 feet.
2. Minimum principal building setbacks:
 - a. Front yard setback: 100 feet.
 - b. Rear yard setback: 100 feet
 - c. Each side yard: 15 feet
3. Minimum accessory building setbacks:
 - a. Front yard setback: 100 Feet.
 - b. Rear yard setback: 75 feet
 - c. Each side yard: 50 feet
4. Minimum setbacks for farm buildings and structures: See §16-080.3C.
5. Maximum total building coverage: 20%.
6. Agricultural employee housing (See §16-250.6.R.)

C. Rural microenterprises. (See §16-250.7, where applicable, for minimum lot frontage, yard setbacks, parking setbacks, maximum building height, and minimum buffer to residential use requirements.)

D. Open space and passive recreation uses:

1. None

§16-082.9 Development Restrictions

A. A development restriction shall provide for the permanent protection of preserved parcels proposed to be preserved as public open space or common open space or as agricultural land, in accordance with the provisions set forth in this section.

B. Land preserved through a development restriction may remain in private ownership, permanently preserved by means of a deed of easement dedicated to the Township. The Township Committee may convey or authorize conveyance of the development restriction by ordinance to Burlington County, the State of New Jersey or another qualified public agency or non-profit open space conservation or farmland preservation organization which has a commitment to administer and enforce the terms of the development restriction.

C. Land identified for preservation as public open space shall be conveyed or dedicated by a conservation restriction. The conservation restriction shall be as set forth in a

conservation restriction template prepared by the Department of Environmental Protection for this purpose.

- D. Land identified for preservation as common open space shall be conveyed or dedicated by a conservation restriction and administered by an open space organization, as provided by C.40:55D-43.
- E. Land identified for preservation as agricultural land shall be conveyed or dedicated by an agricultural restriction. The agricultural restriction shall be as set forth in a template prepared by the State Agriculture Development Committee for this purpose or obtain approval of the agricultural restriction from the State Agriculture Development Committee. In the case of future conveyance of the agricultural restriction, the Burlington County Agricultural Development Board shall determine whether the proposed future holder of the deed of easement is qualified to administer and enforce the terms of the agricultural restriction.
1. Agricultural land subject to an approved agricultural restriction shall be provided the right to farm benefits under the "Right to Farm Act," P.L.1983, c.31 (C.4:1C-1 et al.) and other benefits that may be provided pursuant to the "Agriculture Retention and Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.).
- F. Any development restriction shall be recorded in the office of the Burlington County Clerk contemporaneously with the filing of the first subdivision plan for development on a clustered parcel. Final subdivision plans will not be signed by Township officials until the developer delivers to the Township a fully executed, duly authorized deed of easement, in the applicable form described above, together with the cost of recording same. The administrative officer shall be responsible for recording.
- G. Any development restriction shall be expressly enforceable by the development restriction deed of easement holder or holders, as set forth in the development restriction.

Section 3. INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. PARTIAL INVALIDITY

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

Section 5. COPIES OF ORDINANCE

At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

Section 6. NOTICE

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

MAYOR OPENS THE MEETING TO THE PUBLIC

Mayor DeLorenzo opened the meeting to the public. There were no public comments this

evening.

MOTION TO CLOSE PUBLIC HEARING

Proposed By: Deputy Mayor DeBaecke

Seconded By: Committeeman Doyle

MOTION TO ADOPT ORDINANCE 2017-13

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke			X			
Committeeman Doyle		X	X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

ORDINANCE – ADOPTION

2017-14 An Ordinance Amending Chapter 15 and Chapter 16 of the Township of North Hanover Code, County of Burlington, State of New Jersey for Clustering with a Planned Unit Residential Development (PURD) in a R-A Zoning District

ORDINANCE 2017-14

AN ORDINANCE AMENDING CHAPTER 15 AND CHAPTER 16 OF THE TOWNSHIP OF NORTH HANOVER CODE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY FOR CLUSTERING WITH A PLANNED UNIT RESIDENTIAL DEVELOPMENT (PURD) IN R-A ZONING DISTRICT

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of North Hanover, County of Burlington, State of New Jersey that Chapter 15 and Chapter 16 of the Revised General Ordinances of the Township of North Hanover is hereby amended and supplemented by amending Section 16-060 and Section 15-061 to read as follows [added portions are bolded and underlined; deleted portions have strikethrough]:

Section 1. §16-060 Definitions

Planned Unit residential Development – An area with a minimum contiguous or non-contiguous acreage of 100 ~~25~~ acres to be developed as a single entity according to a plan containing one (1) or more residential clusters, which may include appropriate commercial, or quasi-public uses all primarily for the benefit of the residential development.

Section 2. Amendments to §16.081

§16.081.2 Bulk Standards for Lot Yield Plans for Planned Unit Residential Developments

E. Existing residences, homesteads, and non-migrant agricultural employee housing, as well as one acre for any rural microenterprise, that are proposed to remain in a planned unit residential development shall be subtracted from the lot yield of the preserved parcel or parcels. ~~For example, if one existing farmhouse and one homestead are proposed to remain on one or more parcels in a PURD, the total lot yield of the parcels in the PURD will be reduced by two. No reduction in lot yields will be made for dwelling units to be razed. Existing dwelling units that will be razed on contiguous or non-contiguous parcels shall be added to the overall residential lot yield.~~ (underline added, crossed-out deleted)

§16.081.3 Principal Permitted Uses in a Planned Unit Residential Development.

1. Clustered Parcel
 - a. Detached single-family dwellings
2. Preserved Farmland Parcel
 - ~~a. Agricultural uses and farms as defined in §16-060.~~
 - ~~b. Farms and detached single family dwellings.~~
 - ~~c. Homesteads as defined in §16.060.~~
 - a. Agricultural uses and farms with no associated residential uses, as provided in an approved agricultural restriction.
 - b. Agricultural uses and farms with associated residential uses, as provided in an approved agricultural restriction.

- c. Open space and passive recreational uses, as provided in an approved conservation restriction.

§16.081.4. Accessory Uses Permitted.

- 1. Clustered Parcel
 - a. Off-street parking (see §16-230).
 - b. Home occupations, as defined in § 16-060.
 - c. Other customary accessory buildings and structures such as pools, sheds, garages, etc.
 - d. Fences and walls
 - e. Signs

- 2. Preserved Farmland Parcel

- ~~a. Farm stands and related off-street parking associated with farms.~~

~~Travel and camper trailers shall be parked or stored only. They may not be occupied at any time, except in accordance with the provisions of §4-040.~~

- a. Accessory uses, including Agricultural employee housing, as provided in an approved conservation restriction or agricultural restriction.

~~**16-081.5 – Conditional Uses**~~

~~Notwithstanding the provisions of §16-250.4 only the following conditional uses are permitted in planned unit residential developments:~~

~~A. Preserved Farmland Parcel~~

- ~~1. Bed and Breakfast~~
- ~~2. Farm Equipment sales, new and used farm equipment, sales and dealers and farm supply~~
- ~~3. Kennel~~
- ~~4. Veterinary offices and animal hospitals~~
- ~~5. Agricultural employee housing~~

~~B. Clustered Parcel~~

~~None~~

§16.081.5. Conditional Uses (underlined added)

A. Clustered parcel:

- 2. None

B. Preserved parcel:

- 2. Rural microenterprises meeting the applicable qualifications, standards, conditions, and restrictions set forth in N.J.S.A. 4:1C-32.1, as provided in an approved agricultural restriction. The Joint Land Use Board may approve applications to renew and to continue expiring rural microenterprises for a maximum total duration of 20 years, in accordance with that section. (See §16-250.6, where applicable, for specific standards.)

§16-091.7 Area, Yard and Bulk Requirements for Uses on Preserved Parcels (underlined added)

The total area of all preserved parcels shall be no less than 50% of the total area of all proposed clustered and preserved parcels combined and meet the following requirements:

E. Agricultural uses and farms with no associated residential uses:

- 3. Minimum lot area:
 - e. Lot area: five (5) acres.
 - f. Lot frontage along lot line: 200 feet.
 - g. Lot width along front yard setback: 200 feet.
 - h. Lot depth: 400 feet.

- 4. Minimum setbacks for farm buildings and structures: See §16-080.3C.

F. Agricultural uses and farms with associated residential uses:

- 7. Minimum lot area:
 - e. Lot area: six (6) acres.
 - f. Lot frontage along lot line: 200 feet.
 - g. Lot width along front yard setback: 200 feet.
 - h. Lot depth: 400 feet.

8. Minimum principal building setbacks:

- d. Front yard setback: 100 feet.
- e. Rear yard setback: 100 feet
- f. Each side yard: 15 feet

9. Minimum accessory building setbacks:

- d. Front yard setback: 100 Feet.
- e. Rear yard setback: 75 feet
- f. Each side yard: 50 feet

10. Minimum setbacks for farm buildings and structures: See §16-080.3C.

11. Maximum total building coverage: 20%.

12. Agricultural employee housing (See §16-250.6.R.)

G. Rural microenterprises. (See §16-250.7, where applicable, for minimum lot frontage, yard setbacks, parking setbacks, maximum building height, and minimum buffer to residential use requirements.)

H. Open space and passive recreation uses:

- 2. None

Section 3. §15-061.7 Standards for Preserved Farmland Parcels

C.2 Land identified for preservation as agricultural land shall be conveyed or dedicated by an agricultural restriction. The agricultural restriction shall be as set forth in a template prepared by the State Agriculture Development Committee for this purpose or obtain approval of the agricultural restriction from the State Agriculture Development Committee. In the case of future conveyance of the agricultural restriction, the Burlington County Agricultural Development Board shall determine whether the proposed future holder of the deed of easement is qualified to administer and enforce the terms of the agricultural restriction.

- 2. **Agricultural land subject to an approved agricultural restriction shall be provided the right to farm benefits under the "Right to Farm Act," P.L.1983, c.31 (C.4:1C-1 et al.) and other benefits that may be provided pursuant to the "Agriculture Retention and Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.).**

Section 4. INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. PARTIAL INVALIDITY

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

Section 6. COPIES OF ORDINANCE

At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

Section 7. NOTICE

The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto

pursuant to the provisions of N.J.S. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S. 40:55D-16 and with the Township Tax Assessor.

MAYOR OPENS THE MEETING TO THE PUBLIC

Mayor DeLorenzo opened the meeting to the public. There were no public comments this evening.

MOTION TO CLOSE PUBLIC HEARING

Proposed By: Deputy Mayor DeBaecke

Seconded By: Committeeman Kocubinski

MOTION TO ADOPT ORDINANCE 2017-14

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle			X			
Committeeman Kocubinski	X		X			
Committeeman O'Donnell			X			
Mayor DeLorenzo			X			

CONSENT AGENDA DEFINED:

All Resolutions listed on today's consent agenda are to be considered as one vote by Township Committee and will be enacted by one motion. There will be no discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

NONE

NON-CONSENT AGENDA

NONE

DISCUSSION

- JVFC Equipment – Committeeman O'Donnell reminded the Committee that during budget discussions the Fire Department needs were postponed. He gave an overview of the extensive repairs needed and discussed a refurbishing or replacement. He states he does not believe there is a value in refurbishing the apparatus and believes the needs could be met within the \$450,000 range. Mayor DeLorenzo posed several questions answered by Chief Palombi, regarding using the old truck as a back-up and Chief stated that would improve the ISO rating for North Hanover Township. Deputy Mayor DeBaecke inquired about the ISO rating and the actual cost for a taxpayer. He also was looking for ways to offset the expense. The approximate effect to the taxpayer could be \$32.10 per household; worse case scenario. Committeeman Doyle inquired about warranties. CFO Bruno gave an overview of the options and financial impact and stressed management of the inevitable debt. The Fire Department would make the initial down payment. Committeeman Kocubinski suggested a Fire Truck drive to help off- set the cost. There was a general consensus to move forward with the pricing.

TOWNSHIP COMMITTEE "COMMENTS"

Committeeman Kocubinski noted the "Trunk or Treat" occurred on Saturday. He noted his meeting with the summer recreation director regarding the program. He believes there might not be a need next year to increase tuition. He also stated the school would not be contributing.

Committeeman Doyle congratulated Sue Morales on her election to the executive board of the Burlington County Municipal Court Administrator Association. He noted he was invited Thursday, November 16th, to the Jersey Fresh meeting at Robson's Farm.

Committeeman O'Donnell noted the advertisement has begun for temporary positions to fill in for those employees going on maternity leave.

Deputy Mayor DeBaecke noted the leaf bags are being handed out and are scheduled for pick-up the first week of December. He also noted the bills for the back-hoe repair are being reduced.

Mayor DeLorenzo informed the Committee about a land use application and noted the JLUB passed a D variance for 28 Townhomes. They are intending on connecting to sewer in Wrightstown.

PUBLIC PARTICIPATION

Questions, comments or statements from members of the public in attendance.

Mayor Delorenzo opened the meeting to the public.

Stan Waskewicz – 145 Cookstown-New Egypt Road noted the trunk or treat and stated there were 23 cars, 50 Families and 100 Kids.

Milton Laird – Monmouth Road – expressed concern regarding accidents on Meany Road/Route 537. Clerk Picariello stated this was already reported to the traffic division of the Police Department and it is being worked on.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Deputy Mayor DeBaecke

Seconded By: Committeeman O'Donnell

EXECUTIVE SESSION RESOLUTION

2017-156 Authorizing a Closed Session Meeting to discuss the following matter(s) pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12; Personnel Matters, Contract Negotiation Matters, and Litigation matters

**RESOLUTION 2017-156
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

AUTHORIZING A CLOSED SESSION MEETING

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee of North Hanover Township wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

WHEREAS, the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Township Committee to discuss certain matter(s) in private, and in this case for the purpose of the Township Committee to discuss contract negotiations, litigation and personnel matters in this regard.

NOW, THEREFORE, BE IT RESOLVED by Township Committee of North Hanover Township that it will go into an Executive Session for the purpose of the Township Committee to discuss Contract Matters, Litigation and Personnel matters.

BE IT FURTHER RESOLVED that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are formally settled. Interested parties may contact the Township Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

MOTION TO TABLE INDEFINITELY

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke	X		X			
Committeeman Doyle		X	X			
Committeeman Kocubinski			X			
Committeeman O'Donnell			X			

Mayor DeLorenzo			X			
-----------------	--	--	---	--	--	--

BACK TO PUBLIC SESSION

MOTION TO ADJOURN

8:23 pm

Proposed By: Deputy Mayor DeBaecke
Seconded By: Committeeman O'Donnell

Respectively submitted,

*MaryAlice Picariello, RMC/CMR/CTC
Township Clerk*