

**TOWNSHIP OF CHATHAM**  
**TOWNSHIP COMMITTEE AGENDA**

**DECEMBER 13, 2018**  
December 12, 2018 Draft

**Meeting Called to Order**

**Adequate Notice** of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both The Chatham Courier and the Morris County Daily Record on January 5, 2018; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 5, 2018; and notice was filed with the Township Clerk on January 5, 2018.

**Flag Salute**

**Roll call**

**Approval of Agenda**

**Hearing of Citizens/Petitions** Note: This is an opportunity for any member of the public to be heard about issues which are not topics scheduled for Public Hearings tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to three minutes.

**Presentation**

1. Affordable Housing Obligation and Compliance Mechanisms

**Public Hearing/Final Adoption of Ordinances**

1. Ordinance 2018-22 Adopting Redevelopment Plan
  - a. Resolution 2018-192 Designating Redeveloper for Skate Park Site
  - b. Resolution 2018-193 Ratifying & Confirming Site Access Agreement with Southern Boulevard Urban Renewal for Portion of Skate Park Site
2. Ordinance 2018-23 Phasing of Market to Affordable Units
  - a. Resolution 2018-194 Reasons Resolution
3. Ordinance 2018-24 Prohibiting Smoking and Vaping Shops

**Non-Consent Agenda**

1. Resolution Regarding Affordable Housing Settlement

**Consent Agenda** (routine items that may be passed by a single roll call vote; any Committee member may call for a separate discussion or vote on any item)

1. Resolution 2018-195 Payment of Bills
2. Resolution 2018-196 Receipt of Reports
3. Resolution 2018-197 Approving Meeting Minutes
4. Resolution 2018-198 Approving Executive Session Minutes
5. Resolution 2018-199 Releasing Escrow Balances
6. Resolution 2018-200 Refunding Electrical Permit Fee
7. Resolution 2018-201 Option to Apply Tax Overpayments to Subsequent Quarters
8. Resolution 2018-202 Authorizing Tax Collector to Cancel Balances Less than \$10.00
9. Resolution 2018-203 Fixing Discount for Payment of Taxes Previous to the Date on Which Payment Would Become Delinquent
10. Resolution 2018-204 Authorizing Extension of Temporary Cell Tower Lease
11. Resolution 2018-205 Authorizing Reimbursement Agreement with T-Mobile
12. Resolution 2018-206 Cancelling Unexpended Balances
13. Resolution 2018-207 Cancelling Stale Dated Checks
14. Resolution 2018-208 Redemption of Outside Sewer Lien
15. Resolution 2018-209 Budget Transfers

**Discussion: possible ordinance or resolution**

1. Shared Service Agreement for Class III Special Law Enforcement Officer at CHS

**Hearing of Citizens** (Time Permitting)

**Executive Session\*** – Resolution 2018-P-16

1. Personnel

**Adjourn**

\*In accordance with the Open Public Meetings Act, items to be discussed in Executive Session will be made public as soon as known.

**ORDINANCE 2018-22**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,  
ADOPTING A REDEVELOPMENT PLAN FOR A 3.8 ACRE PORTION OF BLOCK  
48.16, LOT 117.27 FOR THE DEVELOPMENT OF LOW AND MODERATE INCOME  
HOUSING AND REPEALING SECTION 30-79.1 TITLED “PURPOSE”, SECTION 30-  
79.2 TITLED “PERMITTED USES”, AND SECTION 30-79.3 TITLED “REQUIRED  
CONDITIONS FOR RESIDENTIAL DEVELOPMENT” OF THE REVISED GENERAL  
ORDINANCES OF THE TOWNSHIP OF CHATHAM**

**WHEREAS**, on October 12, 2017, the Township Committee of the Township of Chatham adopted Resolution 2017-183 designating a 3.8 acre portion of Block 48.16, Lot 117.27 (“Redevelopment Area”) as shown on the Township of Chatham Tax Map as an area in need of non-condemnation redevelopment for the development of low and moderate income housing; and

**WHEREAS**, on October 26, 2017, the Township Committee adopted Resolution 2017-187 clarifying Resolution 2017-183; and

**WHEREAS**, it is the purpose of this Ordinance to adopt the attached Redevelopment Plan (“Redevelopment Plan”) which will supersede the underlying AH Affordable Housing Zone and which Plan will set forth specific Land Use and Building Standards (use, bulk and design requirements) for the development of twenty-four (24) low and moderate income housing units within the Redevelopment Area.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

Section 1. Section 30-79.1 titled “Purpose”, Section 30-79.2 titled “Permitted Uses” and Section 30-79.3 titled “Required Conditions for Residential Development” of the Revised General Ordinances of the Township of Chatham are hereby repealed.

Section 2. The Redevelopment Plan for a 3.8 acre portion of Block 48.16, Lot 117.27 as shown on the Township Tax Map and attached is hereby adopted.

Section 3. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities, to the last owner of the Redevelopment Area and all persons at their last known address, if any, whose names are noted on the assessment records as claimants of an interest in Redevelopment Area. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section 3, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 4. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Chatham for its review in accordance with N.J.S.A. 40A:12A-7e. The Planning Board is directed pursuant to N.J.S.A. 40A:12A-7d to transmit to the Township Committee, within forty-five (45) days after referral, a report finding that the Redevelopment Plan shall be substantially consistent with the Township Master Plan or designed to effectuate the Master Plan or that the Redevelopment Plan is

substantially inconsistent with the Township Master Plan or not designed to effectuate the Master Plan.

Section 5. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Introduced: November 8, 2018

TOWNSHIP OF CHATHAM, COUNTY OF  
MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk



**PROPOSED REDEVELOPMENT PLAN  
FOR A 3.8 ACRE PORTION  
OF BLOCK 48.16, LOT 117.27  
CHATHAM TOWNSHIP, NEW JERSEY**

Prepared for Chatham Township Committee by  
**Banisch Associates, Inc.**  
November 6, 2018

# **Proposed Redevelopment Plan**

For a 3.8-acre portion of  
Block 48.16, Lot 117.27

**Chatham Township**  
Morris County

**November 6, 2018**

Prepared by:  
Chatham Township Committee  
With Assistance from:  
Banisch Associates, Inc.

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## Chapter 1. INTRODUCTION

### 1.1 BASIS FOR THE PLAN

This Redevelopment Plan has been prepared at the direction of the Chatham Township Committee, pursuant to New Jersey's Local Redevelopment and Housing Law (LRHL), for a 3.8-acre portion (the "Redevelopment Plan Area") of Block 48.16, Lot 117.27 (the entire "Redevelopment Area"), located along Southern Boulevard in Chatham Township. See Figure 1 Location of Redevelopment Plan Area and Figures 2 and 3 which show the location of Redevelopment Plan Area within the Redevelopment Area on a tax map and aerial photograph respectively.

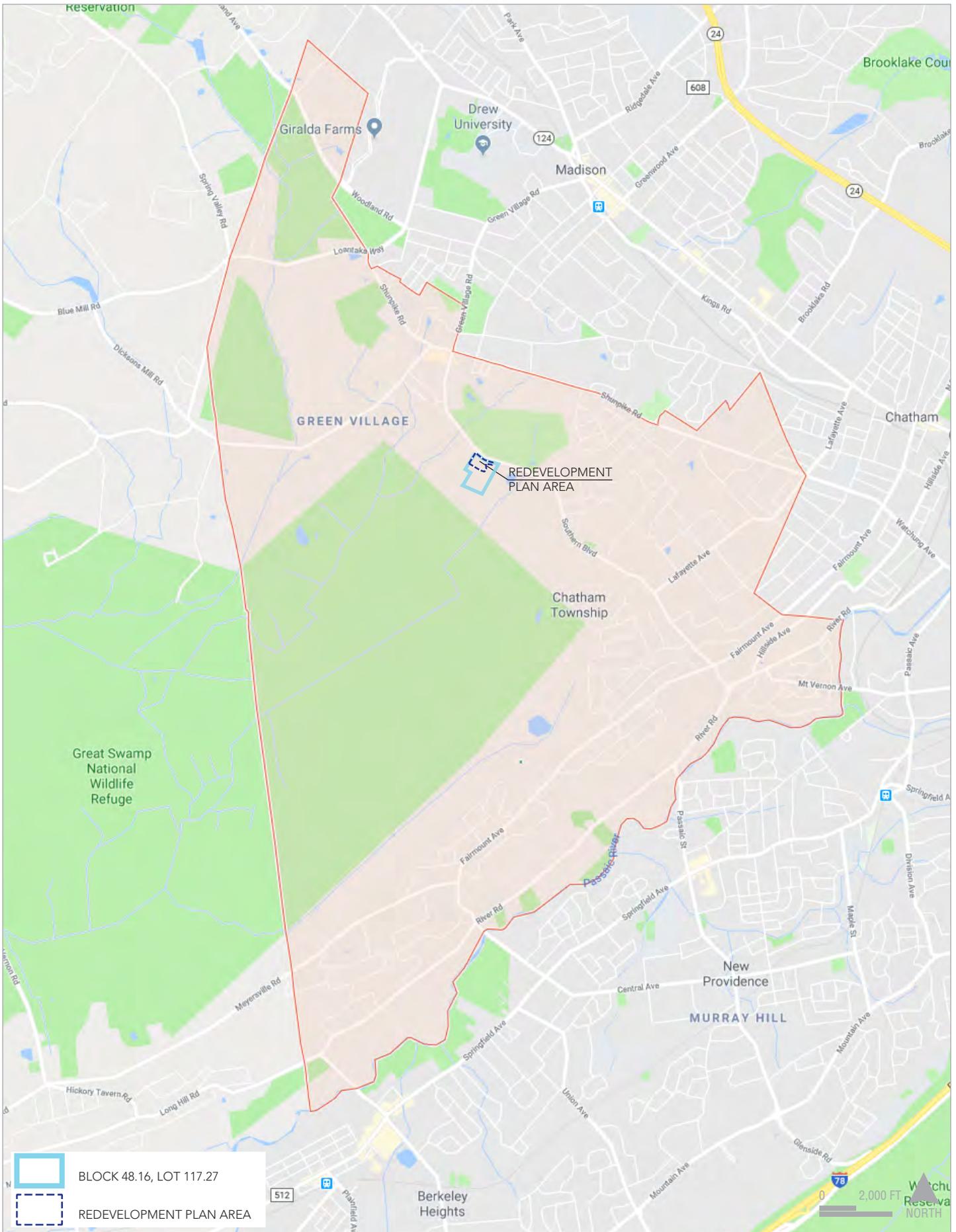
The Redevelopment Area is currently and has long been zoned for affordable housing. However, this Redevelopment Plan will supercede the underlying AH Affordable Housing Zone and will set forth specific Land Use and Building Standards (use, bulk and design requirements) which will make the development of 24 affordable housing units realistically possible within the 3.8 acre Redevelopment Plan Area. Aside from the 3.8 acre "Redevelopment Plan Area", the remainder of the Redevelopment Area ( $\pm$  11.9 acres) will continue to serve municipal purposes including police and public works in the future.

### 1.2 REDEVELOPMENT PLANNING PROCESS

The Local Redevelopment and Housing Law (LRHL) at NJSA 40:12A-1 et seq., details the process that a municipality must follow to designate a property as an "Area in Need of Redevelopment" and thereafter adopt a Redevelopment Plan for the property so designated.

Following the adoption of a Redevelopment Plan, a municipality is empowered to undertake the following actions:

- Clear any area owned or acquired and install, construct or reconstruct public infrastructure essential to the preparation of sites for use in accordance with the redevelopment plan.
- Contract for professional services.
- Contract with public agencies or redevelopers for the undertaking of any project or redevelopment work.
- Negotiate and collect revenues from a redeveloper to defray the costs of the redevelopment entity.
- Lease or convey property or improvements to any party without public bidding.



**FIGURE 1: LOCATION OF REDEVELOPMENT PLAN AREA**  
 Block 48.16, Lot 117.27 Chatham Township, NJ  
 BANISCH ASSOCIATES, INC. 2018

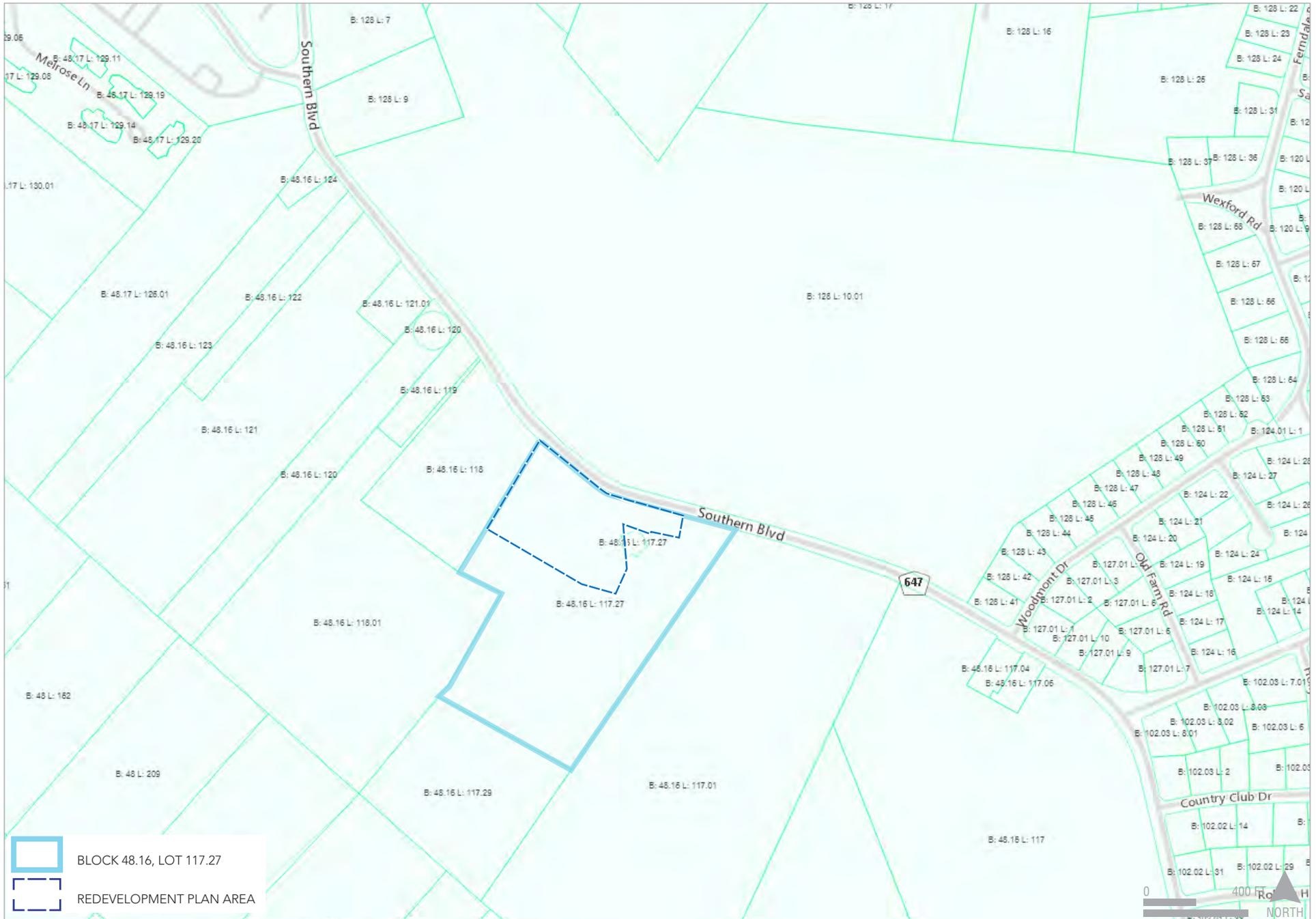


FIGURE 2: TAX MAP OF REDEVELOPMENT PLAN AREA

Block 48.16, Lot 117.27 Chatham Township, NJ

BANISCH ASSOCIATES, INC. 2018

SOURCE: <https://newjersey.maps.arcgis.com>



FIGURE 3: AERIAL PHOTOGRAPH OF REDEVELOPMENT PLAN AREA  
Block 48.16, Lot 117.27 Chatham Township, NJ  
BANISCH ASSOCIATES, INC. 2018

According to the Local Redevelopment and Housing Law, the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the Redevelopment Area which are sufficient to indicate:

1. Its relationship to definitive local objectives, including appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and public improvements;
2. Proposed land uses and building requirements;
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area;
4. Identification of properties to be acquired, if any;
5. Any significant relationship of the Redevelopment Plan to the Master Plans of contiguous municipalities, the County and the State Development and Redevelopment Plan; and
6. Enumeration of deed-restricted affordable units in the redevelopment area and their disposition.

### 1.3 OVERVIEW OF REDEVELOPMENT PLAN AREA

The Redevelopment Plan Area is a 3.8-acre portion of a property identified on the official tax maps of the Township of Chatham as Block 48.16, Lot 117.27 (on Tax Map Sheet 38), which the Committee of the Township of Chatham previously designated as a Redevelopment Area. The Redevelopment Plan Area is located at 401 Southern Boulevard, and is situated within the Township's sewer service area. Figure 2 is a tax map showing both the designated "Redevelopment Area" (the full tax lot of Lot 117.27 of Block 48.16) and the 3.8 "Redevelopment Plan Area", which is the portion of the larger Redevelopment Area for which this Redevelopment Plan is proposed.

The Redevelopment Area includes the Chatham Township Police Department offices near the front of the Redevelopment Area. The Redevelopment Area also houses the Department of Public Works facilities, situated toward the rear of the lot. Notably these portions of the Redevelopment Area are excluded from the Redevelopment Plan Area. Currently, the Redevelopment Plan Area includes the skate park which is located in the northwesterly portion of the Redevelopment Plan Area.

### 1.4 OVERVIEW OF REDEVELOPMENT PLAN FOR THE REDEVELOPMENT PLAN AREA

This Redevelopment Plan provides that the Redevelopment Plan Area, a 3.8 portion of the designated Redevelopment Area which is to be subdivided from the larger 15.7 acre property (Lot 117.27 of Block 48.16), will facilitate the development of twenty-four (24) affordable rental family units in two, 2-story apartment buildings. This Redevelopment Plan Area is to be subdivided off the overall 15.7 acre Redevelopment Area, and is to be conveyed to a third party for the construction, ownership and management of low and moderate income housing units. Such a development will conform to the requirements of the Fair Housing Act, the second round rules of the Council on Affordable Housing (COAH) and New Jersey Housing and Mortgage Finance Agency (NJHMFA), as applicable. The Redevelopment will also comply with the terms and

conditions set forth in the Settlement Agreement between Fair Share Housing Center and the Township of Chatham, if such an agreement is reached.

## Chapter 2. CONTEXT, VISION AND GOALS

### 2.1 LAND USE CONTEXT

The prevailing land uses in the Township are residential, with low density rural areas to the north and medium density residential neighborhoods in the central and southern portions of the Township. High density apartments and townhouses are clustered in two principal areas - in the northern part of the Township between Green Village Road and Southern Boulevard, and north of Shunpike Road, and in the southern part of the Township along River Road.

The Redevelopment Plan Area is less than 8/10<sup>ths</sup> of a mile from the commercial center in Chatham Township, which is situated along Green Village Road, Southern Boulevard and Shunpike Road.

The area immediately surrounding the Redevelopment Plan Area is dominated by open space/recreational uses, such as the Fairmount Country Club to the north and southeast, and Noe Pond Club immediately east. To the northwest of the Redevelopment Plan Area is Chatham Hills, formerly the King James Care Center, and to the east lies the vast Great Swamp National Wildlife Refuge.

### 2.2 VISION FOR THE REDEVELOPMENT PLAN AREA

Chatham Township has spent the past several years examining opportunities for the development of affordable housing to address its constitutional fair share obligation. Primary among the Township's objectives has been the identification of realistic opportunities for the creation such affordable housing. This Redevelopment Plan is part of a broader effort of the Township to utilize inclusionary development to meet its fair share obligation. In this particular case, the affordable housing component of a new 100% market rate townhouse development which is to occur on Lot 1 of Block 66 (referred to as the "Dixiedale" project) will be transferred to the Redevelopment Plan Area, in which the development of a 100% affordable, 24-unit family rental apartment project will be undertaken by the designated redeveloper.

The development of affordable housing within this Redevelopment Plan Area is part of the Township's plan to meet its prospective need obligation for the Third Round, that is, the period between 1999-2025. The Redevelopment Plan Area is well-situated and suitable to provide for affordable family rental apartments, having sufficient developable land to accommodate the development as well as all necessary infrastructure and roadway access.

### 2.3 GOALS

This proposed Redevelopment Plan is consistent with Chatham Township's Master Plan, which has identified the following two broad goals related to housing:

- Preserve the desirability of the community and its neighborhoods by managing the scale of new and expanded buildings and alterations to their landscapes.

This site is well situated for the provision of affordable housing to assist in meeting the Township's constitutional obligation, being situated adjacent to a residential health care facility, proximate to a commercial district, and located within an open space setting where the enhanced density will not have a deleterious impact on adjoining neighbors. The proposed development of two, 2-story building comprising 24 units of multi-family housing in this location is compatible with the surrounding uses, and consistent with the underlying AH-Affordable Housing zoning.

- Promote a balance of housing types for all segments of the population.

The Redevelopment Area of which the Redevelopment Plan Area is a part, has long been zoned for affordable housing within the Township, whose purpose has been to assist the Township in meeting its constitutional fair share obligation. However, until now, no viable plan for the realization of such housing has emerged. Through the adoption of this Redevelopment Plan, a new public-private partnership initiative will provide a realistic opportunity for 24 affordable family units to be constructed and occupied at this location.

These Master Plan goals and objectives serve as a to guide this to Redevelopment Plan, and will ensure that the new development will blend into the current landscape of the Redevelopment Area, harmonize with nearby neighborhoods, and enhance the quality of life for residents of Chatham Township.

## Chapter 3. LAND USE AND BUILDING REQUIREMENTS

### 3.1 APPLICABILITY

This Redevelopment Plan shall supercede Chatham Township’s Land Development regulations as they pertain to the Redevelopment Plan Area (Chapter XXX of the Chatham Township Code). The development shall adhere to the requirement set forth herein as it relates to permitted uses, bulk, area and yard requirements, as well building and site plan design requirements, landscaping and open space requirements, utility service requirements, and low and moderate income housing requirements.

### 3.2 ILLUSTRATIVE CONCEPTUAL SITE AND ARCHITECTURAL PLANS

This Redevelopment Plan provides for the development of 24 affordable family rental units in two (2) 2-story residential apartment buildings. A concept site plan (see Figure 4 Conceptual Site Plan for the Redevelopment Plan Area) and conceptual architectural floor plans and conceptual perspective renderings and elevations (see Figures 5 through 9 for a Conceptual Perspective Rendering and Elevations, and Figures 10 and 11 for Conceptual Floor Plans) are included herein to illustrate the intended development configuration and architectural style. It is the intention of the redeveloper and the requirements of the Township as set forth in this Redevelopment Plan, that the development will be built much like these plans and elevations.

At the same time, the Redevelopment Plan also recognizes the unique challenges of developing the 24 affordable family rental units on this site in light of: existing Township uses to which it is adjacent within the designated Redevelopment Area; the necessity in 100% affordable housing projects to eliminate any cost generating requirements and improvements; as well as other limitations such as wetland buffer requirements, existing paved areas and topography. As such, the proposed development may require flexibility and deviations from the standards and requirements set forth in this chapter. The Planning Board may therefore, in its discretion, permit modifications and deviations from strict adherence to the requirements otherwise applicable where such adherence is not necessary in the interest of the public, and where the waivers or modifications are consistent with the intent and purpose of the underlying requirements and the interests of the Township. (See Section 6-3 of this report “Deviation Requests”)

### 3.3 PERMITTED USES

#### A. Principal Uses

1. Multi-family apartments, as defined in Section 30-6 of the Chatham Land Development Ordinance.

#### B. Accessory Uses

1. Structures and facilities designed for recreation or community use for residents and their guests, including barbeque facilities.
2. Tot lots.
3. Walking paths.



REFERENCES:  
 1. BOUNDARY AND WETLANDS DELINEATION REPORT FOR BLOCK 48.16, LOT 17.27, CHATHAM TOWNSHIP, NEW JERSEY, ELECTRONIC VERSION DATED JUNE 21, 2018.  
 2. FRESHWATER WETLANDS LETTER OF FINDINGS FOR BLOCK 48.16, LOT 17.27, CHATHAM TOWNSHIP, NEW JERSEY, PWW 170801, DATED JUNE 29, 2018.

REV#	DATE	DESCRIPTION

CONSULTANT

ORIENTATION / KEY PLAN

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CLIENT

PROJECT

COAH BUILDING AT SKATE PARK

SHEET TITLE

COLORED CONCEPTUAL SITE PLAN

PROJECT NO. 0608-005

DATE: 10/01/2018

DRAWN BY: BRL

CHECKED BY: MJK

SCALE: 1" = 40'

SHEET OF: 1

SHEET NO. SP-1

FIGURE 4: CONCEPTUAL SITE PLAN FOR THE REDEVELOPMENT PLAN AREA  
 Block 48.16, Lot 17.27 Chatham Township, NJ  
 BANISCH ASSOCIATES, INC. 2018  
 SOURCE: PS&S LLC



FIGURE 5: CONCEPTUAL PERSPECTIVE RENDERING  
Block 48.16, Lot 117.27 Chatham Township, NJ  
BANISCH ASSOCIATES, INC. 2018  
SOURCE: SUN HOMES



**EAST ELEVATION**



**NORTH ELEVATION**

note: vents & grills for hvac & plumbing have not been designed yet

**FIGURE 6: CONCEPTUAL ELEVATIONS - NORTH AND EAST ELEVATION FOR BUILDING 1**

Block 48.16, Lot 117.27 Chatham Township, NJ

BANISCH ASSOCIATES, INC. 2018

SOURCE: SUN HOMES



**WEST ELEVATION**



**SOUTH ELEVATION**

**FIGURE 7: CONCEPTUAL ELEVATIONS - WEST AND SOUTH ELEVATIONS FOR BUILDING 1**

Block 48.16, Lot 117.27 Chatham Township, NJ

BANISCH ASSOCIATES, INC. 2018

SOURCE: SUN HOMES



**EAST ELEVATION**

note: the building height as marked is based on design grade. Topo is not yet available, and the max height as measured from existing grade will be provided at that time



**NORTH ELEVATION**

**FIGURE 8: CONCEPTUAL ELEVATIONS - EAST AND NORTH ELEVATIONS FOR BUILDING 2**

Block 48.16, Lot 117.27 Chatham Township, NJ

BANISCH ASSOCIATES, INC. 2018

SOURCE: SUN HOMES



**WEST ELEVATION**



**SOUTH ELEVATION**

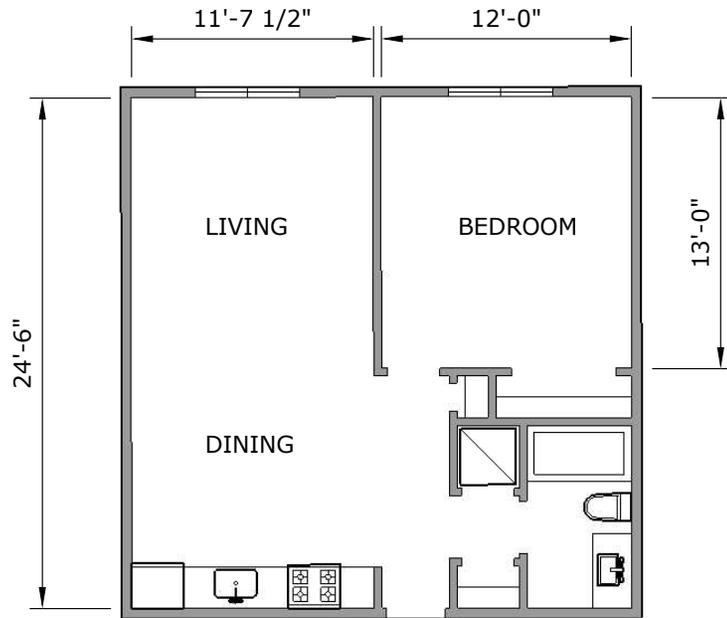
**FIGURE 9: CONCEPTUAL ELEVATIONS - WEST AND SOUTH ELEVATIONS FOR BUILDING 2**

Block 48.16, Lot 117.27 Chatham Township, NJ

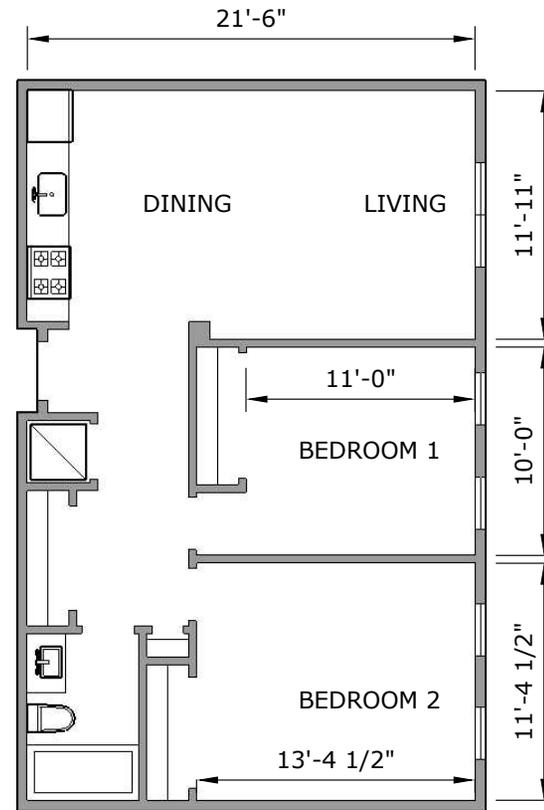
BANISCH ASSOCIATES, INC. 2018

SOURCE: SUN HOMES

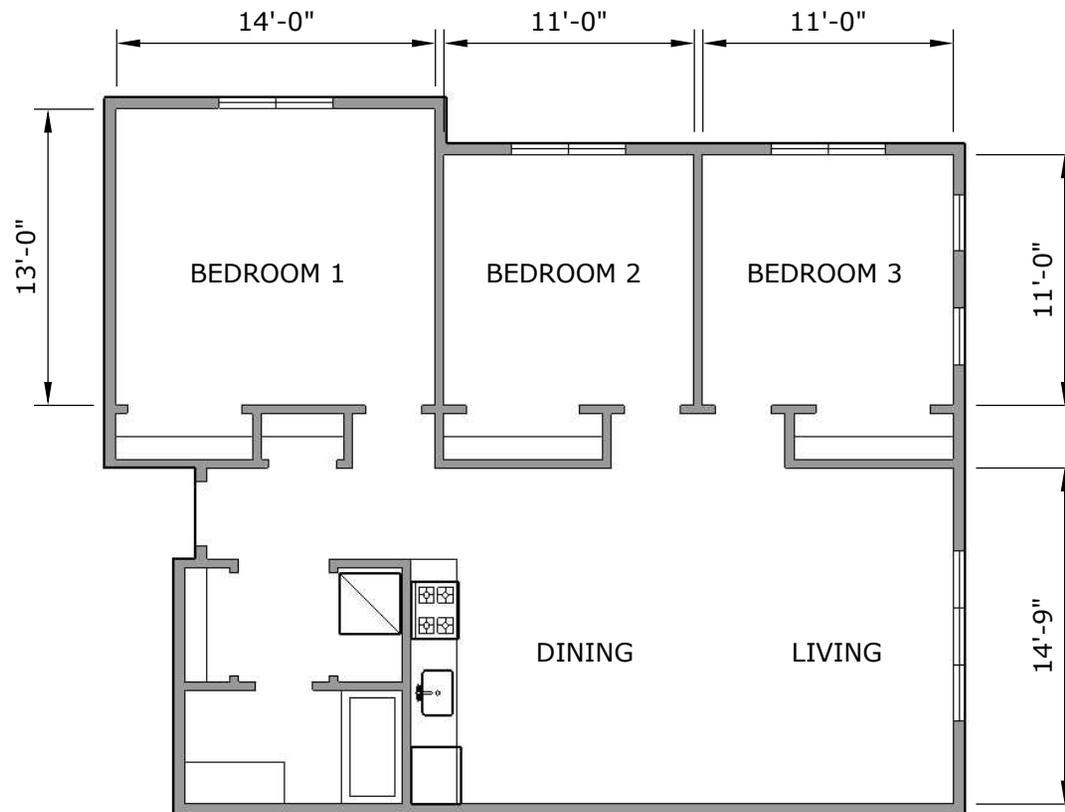
note: minimum areas shown;  
there are bay windows and  
bumpouts for architectural reasons  
in some plans



ONE-BEDROOM PLAN @ 1/8" = 1'-0"  
638 SQUARE FEET  
4 OF 24 UNITS



TWO-BEDROOM PLAN @ 1/8" = 1'-0"  
784 SQUARE FEET  
14 OF 24 UNITS



THREE-BEDROOM PLAN @ 1/8" = 1'-0"  
 1,084 SQUARE FEET  
 6 OF 24 UNITS

FIGURE 11: CONCEPTUAL FLOOR PLANS: TYPICAL THREE-BEDROOM UNITS  
 Block 48.16, Lot 117.27 Chatham Township, NJ  
 BANISCH ASSOCIATES, INC. 2018  
 SOURCE: SUN HOMES

4. Off-street parking, in accordance with RSIS standards.
5. Fences and walls in accordance with the requirements of Section 30-96.15 of the Chatham Land Development Ordinance.
6. Landscaping and screening in accordance with the requirements set forth in Section 3.7 of this report.
7. Outdoor lighting in accordance with the requirements of Section 30-96.22 of the Chatham Land Development Ordinance.
8. Outdoor structures for the storage of solid waste and recycling materials, with sufficient vehicular access for pick-up and removal.
9. One (1) double-sided monument sign composed of wood, stone, brick or masonry or the same material as used on the exterior of the principal buildings not to exceed 50 square feet in area or a height of greater than 4 feet, and a setback no closer than 10 feet from a property line.
10. Above-ground, at-grade, or below-ground utility structures and facilities required to provide gas, electricity, telephone, water, sewer cable television or other utility service. Utilities shall comply with the requirements set forth in Section 3.8 of this chapter.
11. Other accessory uses and structures which are customary and incidental to the principal permitted use.

### 3.4 BULK, AREA AND YARD REQUIREMENTS<sup>1</sup>

#### A. Minimum Standards

<b>Standard</b>	<b>Required/Permitted</b>
1. Lot Area	3 acres
2. Lot Frontage	150 feet
3. Setbacks of Principal Buildings to Property Line	
• Front	35 feet
• Side	10 feet
• Rear	25 feet
4. Distance between Two Principal Buildings on the lot	20 feet
5. Setbacks of Tot Lots or Trash Enclosures:	
a. To Property Line	
• Front	20 feet
• Side	10 feet
• Rear	10 feet

---

<sup>1</sup> Development within the Redevelopment Plan Area shall be exempt from the setback requirements for the location of cell towers as set forth in Section 30.99.9b of the Chatham Township Code. Also, for the purpose of the subdivision to create the lot in which the Redevelopment Plan Area as defined herein will take place, none of the requirements of the Chatham Township Code relating to the setback of lot lines of the Redevelopment Plan Area from adjacent building, structures, lot lines and other improvements shall apply.

- 6. Setback of Parking:
  - a. To property lines
    - Front 8 feet
    - Side 4 feet
    - Rear 4 feet
  - b. To buildings 10 feet
- 7. Number of Parking Spaces 1.5 spaces/dwelling unit<sup>2</sup>

**B. Maximum Standards**

<b>Standard</b>	<b>Required/Permitted</b>
1. Building Coverage	15%
2. Impervious Coverage	30%
3. Building Height <sup>3</sup> <ul style="list-style-type: none"> <li>• Principal Buildings</li> </ul>	2 stories/35 feet
4. Number of dwelling units	24 dwelling units

### 3.5 BUILDINGS AND SITE PLAN DESIGN

1. All off-street parking areas and internal roadways shall be paved, bounded by permanent curbing and constructed in accordance with RSIS standards; provided, however, that, upon recommendation of the Township Engineer, the requirement of curbing may be waived or modified when found not to be needed for control of storm water, protection of pavement and similar purposes.
2. Except as otherwise provided in the New Jersey Residential Site Improvement Standards, internal roadways shall be at least twenty-four (24) feet in width for two (2)-way traffic and twelve (12) feet in width for one (1)-way traffic and shall not enter a street within fifty (50) feet of an existing intersection. Driveways leading from internal roadways to parking areas shall be at least twenty (20) feet in width. Parking on internal roadways and driveways shall be prohibited.
3. The arrangement and location of garages, parking areas and internal roadways shall be subject to approval of the Planning Board at site plan approval and shall be designed to insure maximum safety, proper circulation and maximum convenience for residents and their guests.

### 3.6 DESIGN REQUIREMENTS

1. Architectural elevations and floor plans shall be provided at site plan application for each building.
2. The length of a building shall not exceed 225 feet.

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<sup>2</sup> A de minimus exemption from the parking requirements of New Jersey’s Residential Site Improvement Standards (RSIS) will be required.

<sup>3</sup> Building height for the purposes of this Redevelopment Plan shall be measured as the vertical distance from the average post-development ground elevation as measured at the corners at the perimeter of the building to a horizontal plane projected from the highest point of the roof.

3. Variations in set-back, materials, colors and design including breaks in the building façade shall be encouraged to break up the appearance of the mass of the building. The building façade shall be broken into façade segments. The building façade shall have off-sets every 40 feet, with set back or bump out sections being 1 ½ feet or more in depth.
4. Primary exterior materials shall be consistent with materials utilized for surrounding buildings and may include cedar impression vinyl siding, vinyl siding, asphalt shingle roofing and cementitious or PVC trim.
5. A variety of materials and architectural features are to be used, for example, to distinguish first floor from the second floor, to distinguish the top floor from the lower floor, and to highlight building entrances.
6. Sloping roofs are encouraged. If flat roofs are provided, they shall incorporate design techniques to shield any roof mounted equipment.
7. Rooftop HVAC and mechanical equipment, if used, shall be aesthetically shielded by peak roof inserts.
8. All apartment buildings and all accessory buildings and structures shall be designed in a unified architectural style.
9. Architectural design and materials used in the construction of accessory buildings shall be similar to or complement those of the principal buildings.
10. There shall be a minimum gross floor area for the dwelling units in the project as follows: for 1-bedroom units, 620 square feet; for 2-bedroom units, 750 square feet; and for 3-bedroom units, 1,000 square feet. Each dwelling unit shall contain as a minimum, a separate living room, a separate bedroom, a separate bath, and a kitchen, which kitchen facility shall be located separate and apart from other rooms in the unit with the exception of the dining room.
11. Storage space with a door or other means of separate access containing a minimum of forty (40) square feet of floor area and a minimum volume of three hundred (300) cubic feet shall be provided for each dwelling unit in the principal building, within the dwelling unit itself, or in a basement of the building in which the units are located.

### 3.7 LANDSCAPING AND OPEN SPACE

1. A minimum of 15 percent of the site area shall be specifically set aside for conservation, recreation, and/or other open space, and shall not include stormwater detention facilities or other structural or infrastructure improvements.
2. The tree replacement requirements of the Township's Tree Protection Ordinance (§22-5.4 and 5.5) shall be adhered to.
3. The minimum required open space area may be wetlands, wetlands buffer, or land within a 100-year flood plain.
4. Common open space, where improved, shall be attractively landscaped with grass lawns, trees and shrubs. Where possible, provision shall be made for the preservation of existing trees and natural features including those in designated critical areas (such as within wetland buffer areas). All proposed landscaping,

- including existing and new trees, shrubs and natural screening shall be shown on a landscape plan and submitted to the Planning Board for approval at site plan review.
5. Except as otherwise provided in the New Jersey Residential Site Improvement Standards, sidewalks or walkways constructed in accordance with the Township specifications shall be provided in such locations and of such widths as required and approved by the Planning Board to insure safe and convenient pedestrian traffic.
  6. Effective screening by fences, walls or landscaping shall be provided to shield parking areas and other common facilities from view of adjoining residential properties.
  7. Adequate outdoor lighting shall be provided in parking areas and along sidewalks, walkways and internal roadways. The source of lighting shall be directed downward, away from buildings and adjoining streets and property lines. Lighting fixtures shall be so arranged that the direct source of light is not visible from any adjacent residential property.

### 3.8 UTILITY SERVICES

1. All dwelling units within a structure shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of certificates of occupancy.
2. Adequate provision shall be made for storm water drainage, water supply and sewage treatment and disposal.
3. All telephone, electric and CATV service, including outdoor lighting on the property, shall be by underground conduit.
4. Fire hydrants shall be installed at locations specified by the Township. Such hydrants shall be provided with appropriate water pressure and otherwise adequately maintained by the owner or owners of the townhouse dwelling units. All such hydrants shall conform to the standards of the National Board of Fire Underwriters or Township requirements, whichever is more restrictive.
5. Suitable provision shall be made for the orderly on-site storage and pick-up of solid waste, including recyclable materials. The locations and numbers of all facilities for such purposes shall be subject to approval by the Planning Board and shall meet all regulations of the Township Board of Health and applicable provisions of the Township Recycling Ordinance.

### 3.9 MUNICIPAL COOPERATION WITH UTILITIES

- A. The Township shall confirm in writing its support for the submission of applications for all utilities (including specifically water and sewer), and all necessary governmental agency or private utility approvals related to all aspects of the development within five (5) business days of a written request for such support from the redeveloper. Specifically, the Township shall assist the redeveloper in obtaining such approvals with Morris County, New Jersey Department of Transportation and the New Jersey Department of

Environmental Protection and any other public or private entity with which the redeveloper must deal in order to develop the approved site plan.

### 3.10 LOW AND MODERATE INCOME HOUSING REQUIREMENTS

- A. Low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. including standards for required bedroom mix, (not more than 20% 1-bedroom units; not less than 20% 3-bedrooms; and the remainder 2-bedrooms), and the following income distribution: 4 very low income units (16.7%), 8 low income units, (33.3%) and 12 moderate income units (50%).
  1. Affordable housing units shall be affordable family rentals and shall not be age-restricted.
  2. The Township designated Affordable Housing Administrator shall be responsible for affirmatively marketing, administering and certifying the occupants of each affordable unit, with all administrative costs to be paid by the redeveloper/owner of the affordable units.

## Chapter 4. REDEVELOPMENT ACTIONS

### 4.1 OUTLINE OF PROPOSED ACTIONS

Construction of new affordable housing structures and other improvements shall take place as proposed in this Redevelopment Plan in tandem with the development of up to 54 fee simple townhouses at Dixiedale (Block 66, Lot 1) in accordance with a phasing schedule to be set forth in the Redevelopment Agreement.

The existing Skate Park within the Redevelopment Plan Area shall be completely demolished and removed by the designated redeveloper. Since the Skate Park is within a designated wetland buffer area, the land upon which the Skate Park is currently developed will be restored in accordance with the requirements of the New Jersey Department of Environmental Protection. The cost of such removal and restoration shall be borne by the redeveloper.

The redeveloper will be required to enter into a Redevelopment Agreement with the Township that stipulates the precise nature and extent of the improvements to be made. Their timing and phasing shall be governed as required therein.

### 4.2 PROPERTIES TO BE ACQUIRED

This Redevelopment Plan will not require Chatham to acquire any privately- or publicly-owned property within the Redevelopment Area.

### 4.3 RELOCATION

This Redevelopment Plan will not require displacement or relocation of any residents or businesses.

### 4.4 ADMINISTRATIVE PROVISIONS

Redevelopment activities within the Redevelopment Plan Area shall comply with all requirements in any executed Redevelopment Agreement between the designated redeveloper and the Township of Chatham.

## Chapter 5. PLAN CONSISTENCY REVIEW

### 5.1 RELATIONSHIP TO MASTER PLANS OF ADJOINING MUNICIPALITIES

The Redevelopment Plan Area is adjacent to the Great Swamp. Madison is the municipality closest to the subject property, being approximately ½ mile away. Given such a distance, the redevelopment of the Redevelopment Plan Area will not have any discernable impact on the Madison Master Plan.

The Redevelopment Plan Area is more than one mile from Chatham Township's borders with other surrounding municipalities; as such, its development will have no impact on these municipalities.

### 5.2 RELATIONSHIP TO THE MORRIS COUNTY MASTER PLAN

The Morris County Master Plan (adopted 1975) includes a *Future Land Use Plan* map that identifies the Hickory Tree area as a "Local Center". The intent of the County Plan was to organize growth in and around centers; the Redevelopment Plan Area is consistent with this objective. The County Plan was ahead of its time in many respects, including its focus on center-based growth and protecting environmental resources – also one of the primary organizing principles of the State Development and Redevelopment Plan.

The County's Future Land Use Plan also includes a statement of eight goals for the future of Morris County. Goal 6 is the "Provision for a variety of individual choices in life styles and living spaces." The Plan notes that historically, Chatham Township residents have preferred single family housing, but that "other types of housing are often preferred by sub-segments of a demographically mixed population; the elderly and the newly-married, for instance, have no need for large living areas." This Redevelopment Plan increases the diversity of housing choice within Chatham Township and is thus consistent with this goal of the Morris County Master Plan.

### 5.3 RELATIONSHIP TO STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP)

The site lies in Metropolitan Planning Area 1 (PA-1) of the SDRP. The SDRP has been crafted as a growth management plan and PA-1 is the principal area in which the SDRP promotes growth, including higher density residential development.

PA-1 is a preferred location for affordable housing development as it generally includes diverse land uses that support the needs of households.

Relevant objectives for the PA-1 Metropolitan Planning Area, identified in the stated intent of the State Plan, includes the following, which are supported by this Redevelopment Plan:

- Provide for much of the State's future development and redevelopment;
- Take advantage of increased densities and compact building design;
- Encourage distinctive, attractive neighborhoods with a strong sense of place; and

- Create a wide range of residential housing opportunities and choices with income mix.

Furthermore, one of the adopted housing policies of the SDRP which is specifically advanced by this Redevelopment Plan, is set forth in the excerpt below:

*#6. Housing – Preserve and expand the supply of safe, decent and reasonably priced housing while meeting the constitutional mandate with respect to affordable housing through improved planning, regulatory reform, supportive infrastructure investments, housing subsidies, tax and discounted dee incentives and municipal property tax relief in ways that are consistent with the vision and goals of the State Plan. (emphasis added)*

## Chapter 6. GENERAL PROVISIONS

### 6.1 AMENDMENT TO ZONING MAP OF CHATHAM TOWNSHIP

The Zoning Map of the Township of Chatham is hereby amended to indicate the location of the Redevelopment Plan Area as set forth in this Redevelopment Plan.

### 6.2 DEFINITIONS

With respect to the intent and meaning of all words and terms used in this Redevelopment Plan, the “Definitions” section of the Township’s Land Development Ordinance shall govern unless as otherwise defined herein.

### 6.3 DEVIATION REQUESTS

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan (inclusive of both bulk and design requirements set forth in Chapter 3), where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any areas, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an applicant relating to a specific piece of property where the purposes of the Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. Any deviation that would require “d” variance in accordance with the Municipal Land Use Law, NJSA 40:55D-70d et seq., shall require an amendment to the Redevelopment Plan by the Township Committee. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice as set forth in N.J.S.A. 40:55D-12a and b.

### 6.4 SITE PLAN AND SUBDIVISION REVIEW

Within the Redevelopment Area, subdivisions and/or site plans providing for the demolition of existing improvements and construction of new buildings and other improvements shall be prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and shall be submitted by the redeveloper for review and approval by the Township of Chatham Planning Board.

To assure the comprehensive and coordinated development of the Redevelopment Plan Area, any application for subdivision and/or site plan approval submitted to the Chatham Planning Board shall be consistent with the terms of this Redevelopment Plan and shall include at least the following elements:

- A subdivision plan to show the portion of the Redevelopment Plan Area which is to be subdivided from the larger Redevelopment Area.

- A site plan for the Redevelopment Plan Area identifying land use types, building locations and heights, floor areas of each building and the number of residential units, with zoning tables indicating compliance with the bulk and design regulations set forth herein, and deviations to be requested.
- The site plan shall also show specific locations and details related to parking, loading vehicular access and circulation, pedestrian and bike paths, open space and recreational features and improvements.
- Architectural elevations and floor plans.
- A landscape plan.
- A utility plan.
- A stormwater management plan.
- A traffic study.
- An environmental impact assessment.
- A signage plan showing signage design and details.

No permits shall be issued for construction of buildings within the Redevelopment Plan Area until the Chatham Township Planning Board has granted final site plan approval for such improvements.

The criteria for the consideration and approval of the site plan shall be in conformance with the requirements of this Redevelopment Plan as set forth herein, the applicable site plan provisions of the Township of Chatham Land Use Ordinance which are referenced in this Redevelopment Plan, as well as the executed Redevelopment Agreement between the redeveloper and the Township of Chatham.

An application for site plan approval shall provide public notice as set forth in NJSA 40:55D-12a and b. All requested deviations (as identified pursuant to Section 6.3 above) shall be included in such notice.

## 6.5 AFFORDABLE HOUSING

The redeveloper or their successor's, heirs, or assigns, shall be required as part of any redevelopment agreement between the redeveloper and the Township of Chatham to build, own, operate and maintain 24 units of affordable family-rental housing within the Redevelopment Plan Area. The affordable housing units are to be privately-financed, without public funds or low income housing tax credits, and constructed in accordance with the phasing schedule as set forth in Section 4.1 of this Redevelopment Plan.

## 6.6 ADVERSE INFLUENCES

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

#### 6.7 NON-DISCRIMINATION PROVISIONS

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by any redeveloper or any of his or her heirs, successors or assigns, whereby the sale, lease, use or occupancy of land within the Redevelopment Plan Area is restricted on the basis of race, creed, color, sexual orientation or national origin. Appropriate covenants, running with the land in perpetuity, shall prohibit any such restrictions and shall be included in the disposition instruments.

#### 6.8 DURATION OF THE PLAN AND DEED RESTRICTION

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Plan Area and the requirements and restrictions with respect thereto shall be in effect for a period of thirty (30) years from the date of the adoption of this Plan by the Township Committee. All units within the Redevelopment Plan Area will be deed restricted for low and moderate family occupancy for a period of thirty (30) years from the date of issuance of the certificate of occupancy. The Township of Chatham, at its option, may extend the deed restriction at the conclusion of the first thirty (30) year period.

## Chapter 7. OTHER PROVISIONS

### 7.1 STATEMENT ABOUT REDEVELOPMENT

In accordance with N.J.S.A. 40A:12A-1 et seq. known as The Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definitive relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the Plan objectives.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Plan Area.
- The Redevelopment Plan does not envision a need to acquire privately-owned properties or to relocate any residents or businesses.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Township of Chatham and the Morris County Master Plan. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment.
- This Redevelopment Plan shall supersede all provisions of the Zoning and Land Development Regulations of the Township of Chatham regulating development within the Redevelopment Plan Area, except where stated otherwise within the text of this Plan. Final adoption of this Redevelopment Plan by the Township Committee shall be considered an amendment of the Township of Chatham Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

### 7.2 PROCEDURE FOR AMENDING THE APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee shall be paid pursuant to site plan fee schedule found in Section 126-35 “Fees” of the Chatham Township Code by the party requesting such amendment, unless the request is issued from any agency of Chatham Township. The Township Committee, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey.

**ORDINANCE 2018-23**

**ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER XXX, TITLED “LAND DEVELOPMENT”, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM, SECTION 30.78, TITLED “R-RESIDENCE DISTRICTS,” SUBSECTION 30-78.13, TITLED “REQUIREMENTS FOR ONE-FAMILY DWELLINGS AND MULTI-FAMILY DWELLINGS IN THE R-6C DISTRICT” TO AMEND SECTION 30-78.13(g)(1) THE DEFINITION OF BUILDING HEIGHT, TO ADD A NEW SECTION 30-78.13(k)(7) PROVIDING FOR ADDITIONAL LANDSCAPE BUFFER, TO AMEND SECTION 30-78.13(n)(1) TO PROVIDE FOR CONSTRUCTION PHASING OF MARKET TO AFFORDABLE UNITS**

**BE IT ORDAINED** by the Mayor and Township Committee of the Township of Chatham, in the County of Morris and State of New Jersey as follows:

**SECTION 1.** Chapter XXX, titled “Land Development” of the Revised General Ordinances of the Township of Chatham, Section 30.78, titled “R-Residence Districts,” Subsection 30-78.13, titled “Requirements for One-Family Dwellings and Multi-Family Dwellings in the R-6C District,” is hereby amended as follows:

“30-78.13 Requirements for One-Family Dwellings and Multi-Family Dwellings in the R-6C District.

(a) Permitted Principal and Accessory Uses

1. Principal uses - One-family dwellings and multifamily dwellings or any combination thereof.
2. Accessory Uses – Indoor and outdoor recreation facilities, including clubhouse, meeting areas and active and passive recreation.

(b) Area and Density Requirements.

1. Minimum Area. Each development shall have a minimum tract area of thirty (30) acres. Public or private roads, easements or rights-of-way shall not be deemed to divide acreage of a development.
2. Maximum Density. Two (2) dwelling units/acre, not to exceed a total of fifty-four (54) units, except as provided in Section 30-78.13(n).1 below.
3. Minimum Lot Size Per Dwelling. A minimum lot size per dwelling of 1,200 square feet shall be required for all fee simple dwelling units.

(c) Maximum Building Coverage

1. The total ground floor area of all buildings shall not exceed fifteen (15%) percent of the lot area of the development.

(d) Maximum Impervious Coverage

1. The total area of all impervious surfaces shall not exceed thirty (30%) percent of the lot area of the development.

(e) Setback Requirements.

1. No principal building shall be located within fifty (50) feet of a public street or exterior property line of the tract nor within twenty (20) feet of any internal roadway.

2. No dwelling structure shall have more than two (2) continuous attached dwelling units with the same front building line, and variations in the building line shall be at least four (4) feet.

(f) Distance Between Buildings. Minimum distances as specified below shall be maintained between principal buildings:

Positions of Building Walls	Minimum Distance Between Buildings at Any Point
Front facing front	50'
Front facing rear	50'
Front facing side	25'
Rear facing rear	50'
Rear facing side	30'
Side facing side	15'

(g) Building Requirements.

1. Height. No building shall exceed a height of two and one-half (2 ½) stories or thirty-five (35) feet, whichever is lesser, except that existing buildings in excess of the permitted number of stories or height may be re-used for any permitted principal or accessory use. Building height shall be the vertical distance measured from the average post-development ground elevation as measured from the four corners of the building to a horizontal plane projected from the highest point of the roof. However, for locations in which the elevation is, for reasons of topography, one full story or less lower at the rear of the building than at the front, the height shall be measured from an average of the front two elevations only, provided that neither of the elevations at the rear two corners of the building are more than ten feet below the front two corners of that building.
2. Units Per Building. No building shall contain more than four (4) dwelling units.

h) Dwelling Unit Requirements.

1. Each dwelling unit shall contain as a minimum a separate living room, a separate bedroom, a separate bath, a room for storage and utilities, and a kitchen, which kitchen facility shall be located separate and apart from other rooms in the unit with the exception of the dining room.
2. Minimum Floor Area. Each dwelling unit shall have a minimum floor are, as “floor area” is defined in Article 2 of this chapter, in accordance with the following schedule:

Number of Bedrooms	Minimum Required Floor Area Per Dwelling Unit (in Sq. Ft.)
1	900
2	1,150
For each additional	200 additional

3. No basement shall contain a bedroom.
4. Each dwelling unit shall have at least two (2) private outside entrances.
5. Each dwelling unit shall contain its own heating plant and system and shall constitute a separate, independent unit for metering and all other purposes with respect to all required utilities and similar conveniences. No central or common laundry or similar facilities intended for two (2) or more units shall be permitted.
6. Each dwelling unit shall have at least one (1) individual private yard area, open patio or court adjoining the unit and having a width of at least fifteen (15) feet and an area of at least one hundred fifty (150) square feet. Each private yard area, patio, court or deck shall be effectively screened in order to provide a reasonable degree of privacy.
7. In addition to the above requirements, a storage space with separate access and containing a minimum of eighty (80) square feet of floor area shall be provided for each dwelling unit in the basement of the building in which the unit is located or in the garage serving the unit. Storage space located in a garage shall not encroach upon

or be located above a minimum area of ten feet by twenty (10' by 20') feet for the parking of a motor vehicle..

8. The layout and arrangement of buildings and their design shall incorporate energy saving and green design features where practicable.

(i) Accessory Buildings.

1. Setbacks. Accessory buildings shall meet the street, property line and internal roadway setbacks of the principal buildings and shall be at least twenty-five (25) feet from a principal building and fifteen (15) feet from another accessory building. Detached garages shall be at least fifteen (15) feet from a principal building or from any other garage or accessory building. Clubhouses, swimming pools and recreation facilities shall be at least one hundred (100) feet from a property line.
2. Height. The maximum height of an accessory building shall be fifteen (15) feet except for clubhouses which shall not exceed twenty-eight (28) feet in height. Existing buildings in excess of the permitted number of stories or height may be re-used for any permitted principal or accessory use.
3. When a clubhouse or other accessory building is attached to a building containing a permitted principal use, the bulk requirements for the permitted principal use shall apply.
4. Design. Architectural design and materials used in the construction of accessory buildings shall conform to or complement those used in the construction of principal buildings.
5. Except to the extent inconsistent with the specific provisions of this subsection, the provisions of subsection 30-96.13 shall be complied with.
6. Signs. The provisions of Section 30-98 shall be complied with.

(j) Off-Street Parking and Internal Roadways. Off-street parking and internal roadways shall conform to the provisions of subsection 30-64.2, and, in addition, the following requirements shall be met:

1. All off-street parking areas and internal roadways shall be paved, bounded by permanent curbing and constructed in accordance with Township of Chatham road specifications; provided, however, that, upon recommendation of the Township Engineer, the requirement of curbing may be waived or modified when found not to be needed for control of storm water, protection of pavement and similar purposes.
2. Parking areas shall be located at least five (5) feet from a building and twenty-five (25) feet from a development property line.
3. Except as otherwise provided in the New Jersey Residential Site Improvement Standards, internal roadways shall be at least twenty-four (24) feet in width for two (2)-way traffic and twelve (12) feet in width for one (1)-way traffic and shall not enter a street within fifty (50) feet of an existing intersection. Drives leading from internal roadways to parking areas shall be at least twenty (20) feet in width. Parking on internal roadways and drives shall be prohibited.
4. The arrangement and location of garages, parking areas and internal roadways shall be subject to approval of the Planning Board and shall be designed to insure maximum safety, proper circulation and maximum convenience for residents and their guests.
5. Sidewalks shall be provided along at least one side of any internal road serving the development.
6. A public trail network shall be provided around and through the site and shall be designed to connect with any nearby public trail or sidewalk system.
7. Unless otherwise provided in the New Jersey Residential Site Improvements Requirements, minimum requirements for off-street parking spaces shall be as follows for low and moderate income housing units:

8.

1 bedroom or efficiency unit	1.75 parking spaces
2 bedroom unit	2.0 parking spaces
3 or more bedroom unit	2.5 parking spaces

(k) Landscaping and Common Open Space.

1. There shall be provided a minimum of forty (40%) percent of the entire tract for common open space, which shall be deed restricted against future development and managed by the homeowners association. Said open space shall not contain any impervious surfaces, detention facilities or other structural or infrastructure improvements.
2. The common open space, where improved, shall be attractively landscaped with varieties of flowering plants, grasses, trees and shrubs that will serve to minimize water use. Provision shall be made for the protection and preservation of existing trees and the prominent hedgerow along Hillside Avenue as well as natural features including those in designated critical areas.
3. Except as otherwise provided in the New Jersey Residential Site Improvement Standards, sidewalks or walkways constructed in accordance with the Township specifications shall be provided in such locations and of such widths as required and approved by the Planning Board to insure safe and convenient pedestrian traffic.
4. A naturalized trail around the perimeter of the property shall be constructed by the developer and maintained and repaired by the HOA and such trail may be surfaced with wood chips or other suitable surface and need not be paved. A public access easement shall be provided allowing public access across the perimeter trail.
5. Effective screening by a fence or wall no less than five (5) feet nor more than seven (7) feet in height shall be provided to shield parking areas and other common facilities from view of adjoining residential properties, provided, however, screening by hedge or other natural landscaping may be substituted for the required fence or wall if approved by the Planning Board as part of the site plan.
6. Lighting. Adequate artificial lighting shall be provided in parking areas and along sidewalks, walkways and internal roadways. The source of lighting shall be directed downward, away from buildings and adjoining streets and property lines. Lighting fixtures shall be so arranged that the direct source of light is not visible from any adjacent residential property.
7. Additional Landscape Buffer. A landscape buffer from the adjacent property shall be provided where the physical height of the structure (post grade to highest point) exceeds thirty-five (35) feet. The buffer shall consist of plants that will screen the structure from neighboring properties year-round. The buffer shall be a combination of deciduous and conifer trees and shrubs.
8. Landscape Standards:
  - a. Deciduous trees shall have a minimum caliper of 3 to 3.5 inches. Species of trees shall be native to the region and shall have a mature height of 40 feet and up. Trees shall be planted a minimum of 15 feet from the building structure.
  - b. Conifer trees shall have a minimum height of 6 feet at the time of installation, with a mature height of 30 feet and up. Species of conifer trees shall be native to the region and shall be planted a minimum of 10 feet from the building structure
  - c. Shrubs shall be native to the region with a combination of heights to sufficiently screen the building.
  - d. All plant materials must meet minimum standards as set forth in the American Association of Nurserymen, Inc.
  - e. A sufficient number of trees and shrubs shall be provided to adequately shield the lower portion of the structure creating the height to exceed thirty-five (35) feet.
9. Landscape Plan. The site plan shall include a landscape plan which shall be prepared by a landscape architect or other professional thoroughly familiar with landscape plant materials and design. Said plan shall include and show, at a minimum:
  - a. Existing tree survey.
  - b. All trees proposed for removal.
  - c. All proposed vegetation with a planting schedule with the following information: species, size, and method of planting; with a distinct plant schedule for the planting for the building height variance buffer.
10. Guarantee. All elements of the landscape buffer shall be guaranteed by the applicant for the life of the development.

11. Maintenance. Any approved landscape plans are subject to being constructed and maintained as was presented for approval. This includes, but is not limited to, replacing dying or dead trees or shrubs, weeding landscape areas, mowing, etc.

(l) Utilities.

1. Adequate provision shall be made for storm water drainage, water supply and sewage treatment and disposal.
2. All telephone, electric and CATV service, including outdoor lighting on the property, shall be by underground conduit.
3. Fire Hydrants. Fire hydrants shall be installed at locations specified by the Township. Such hydrants shall be provided with appropriate water pressure and otherwise adequately maintained by the owner or owners of the dwelling units. All such hydrants shall conform to the standards of the National Board of Fire Underwriters or Township requirements, whichever is more restrictive.
4. Solid Waste, Including Recyclable Materials. Suitable provision shall be made for the orderly deposit and pick-up of solid waste, including recyclable materials. The locations and numbers of all facilities for such purposes shall be subject to approval by the Planning Board and shall meet all regulations of the Township Board of Health and applicable provisions of the Township Recycling Ordinance as well as the following:
  - a. Each receptacle shall be located in a completely enclosed building.
  - b. Buildings used solely for the purpose of housing receptacles shall be located at least five (5) feet from an internal roadway and shall otherwise meet the requirements for accessory buildings
  - c. Buildings used to house receptacles shall be so located as to permit convenient vehicular access.

(m) Roads on Master Plan

If a proposed road shown on the Township Master Plan is located on any property intended to be used for the development, the Planning Board may require that provision shall be made for the dedication and improvement of that portion of said road located within the property in question in accordance with Township road specifications. The area within the right-of-way of any such road may be included in the gross acreage of the property for the purpose of determining maximum density.

(n) Developer's Obligation to Provide Affordable Housing Development.

1. Prior to the issuance of any construction permit, or as a condition precedent to the grant of any approval of a development application by the Planning Board, Board of Adjustment or Zoning Officer, as applicable, a developer shall be required to enter into an agreement with the Township Committee to construct 24 low and moderate income, rental housing units at another site within the Township. The maximum number of market rate units on the site shall not exceed 54 units. At least 50% of the rental units shall be available to low income households with the remainder available to moderate income households. The required agreement shall make provisions for the developer's obligation to construct the affordable units at the other site and the phasing of construction of market units on the site shall provide for the construction of the affordable units in tandem with the market units according to the following phasing schedule: (a) the developer must submit a building permit application for the affordable housing at the other site by the time the first certificate of occupancy is issued for the market rate units on the site; (b) the developer must complete the foundation for the affordable housing at the other site by the time forty (40%) percent of the market rate units on the site are completed; (c) the certificate of occupancy for the affordable housing at the other site must be issued by the time seventy (70%) percent of the market rate units on the site are completed.

(o) Adaptive Reuse of Building.

1. The adaptive reuse of the existing residential structure shall meet the following standards to the maximum extent possible.

2. The existing residential structure has unique architectural features which shall be preserved through adaptive reuse of the structure.
3. The adaptive reuse of the structure shall consist of incorporating up to four (4) individual residential units on the second and third floors. The first floor of the structure shall be repurposed as a clubhouse.
4. The original elements of the front facade of the structure may not be substantially altered in size or appearance. Rehabilitation shall include restoring the building's front exterior facade to its original profile to the maximum extent reasonably feasible. Repairs should involve the least intervention possible, concentrating specifically on areas of deterioration. When repair is not possible, replacement in-kind is encouraged, reproducing by new construction the original feature exactly, including the original materials, finish, detailing and texture.
5. Remediation of hazardous material such as asbestos and lead, if present, shall be mitigated in accordance with federal and state requirements. The mitigation measures must incorporate the restoration of existing architectural features to pre-existing conditions to the maximum extent possible.

**SECTION 2.** All other Ordinances, part of Ordinances, or other local requirements that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this Ordinance apply.

**SECTION 3.** Notwithstanding that any provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.

**SECTION 4.** The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section 3, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

**SECTION 5.** After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Chatham for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**SECTION 6.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 7.** This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Introduced: November 8, 2018

TOWNSHIP OF CHATHAM, COUNTY OF  
MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**ORDINANCE 2018-24**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,  
AMENDING CHAPTER XXX, ARTICLE 2, SECTION 30-6, TITLED “DEFINITIONS”,  
TO ADD “SMOKE SHOP” AND “VAPE SHOP” AND ARTICLE 7, TITLED “ZONING  
REGULATIONS”, SECTION 30-96.9, TITLED “PROHIBITED USES”, OF THE  
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM  
PROHIBITING SMOKING AND VAPING SHOPS**

**WHEREAS**, the Township of Chatham has under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., and the police power, N.J.S.A. 40:48-1, et seq., the authority to regulate land uses within its municipal boundaries; and

**WHEREAS**, the Township Committee of the Township of Chatham believes that it is in the best interest of the health, safety and welfare of its residents that Chapter XXX of the Land Development Regulations of the Township of Chatham, Article 2, Section 30-6 titled “Definitions”, be amended to add definitions of smoke shop and vape shop, and Article 7, titled “Zoning Regulations”, Section 30-96.9, titled “Prohibited Uses”, be amended to prohibit smoking and vaping shops in all zone districts.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

Section 1. Chapter XXX of the Land Development Regulations of the Township of Chatham, Article 2, Section 30-6, titled “Definitions”, is hereby amended to add the following:

“Smoke Shop” shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia, including providing an area for smoking tobacco products, but excluding any grocery store, supermarket, convenience store or similar retail use that sells tobacco products shall not be included within the definition of smoke shop. An area for “smoking” shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

“Vape Shop” shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of electronic smoking devices, liquid nicotine, liquid nicotine containers or vapor product as defined by N.J.S.A. 26:3D-57, N.J.S.A. 2A:170-51.9(a)(2), N.J.S.A. 2A:170-51.9(a)(3) and N.J.S.A. 2A:170-51.9(a)(4), including an area for vaping. An area for “vaping” shall mean the inhaling or exhaling of smoke or vapor from any electronic smoking device.

Section 2. Chapter XXX of the Land Development Regulations of the Township of Chatham, Article 7, titled “Zoning Regulations”, Section 30-96.9, titled “Prohibited Uses”, is hereby amended to add a new subsection c as follows:

30-96.9 Prohibited Uses

- a. Where a use is not specifically permitted in a zone district, it is prohibited.

- b. Marijuana cultivation facilities, marijuana production or manufacturing facilities, marijuana testing facilities, and retail marijuana stores are prohibited in all zone districts.
- c. Smoke and vape shops are prohibited in all zone districts.

Section 3. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section 3, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 4. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Chatham for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 5. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Introduced: November 8, 2018

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2018-192**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS SELECTING AND DESIGNATING SOUTHERN BOULEVARD URBAN RENEWAL, LLC AS THE REDEVELOPER OF THE SKATE PARK**

**WHEREAS**, on December 13, 2018, the Township Committee of the Township of Chatham adopted Ordinance No. 2018-22 titled “AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, ADOPTING A REDEVELOPMENT PLAN FOR A 3.8 ACRE PORTION OF BLOCK 48.16, LOT 117.27 FOR THE DEVELOPMENT OF LOW AND MODERATE INCOME HOUSING AND REPEALING SECTION 30-79.1 TITLED ‘PURPOSE’, SECTION 30-79.2 TITLED ‘PERMITTED USES’, AND SECTION 30-79.3 TITLED ‘REQUIRED CONDITIONS FOR RESIDENTIAL DEVELOPMENT’ OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM”; and

**WHEREAS**, the Township is the owner of an area consisting of approximately 3.8 acre which is a portion of Block 48.16, Lot 117.27 (the “Property”); and

**WHEREAS**, the Property has been designated as an area in need of non-condemnation redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Township desires to conditionally select and designate Southern Boulevard Urban Renewal, LLC, as the redeveloper of the Property pursuant to N.J.S.A. 40A:12A-8(f) conditioned upon the Township and Southern Boulevard Urban Renewal, LLC, entering into a Redevelopment Agreement and a Financial Agreement (Payment in Lieu of Taxes (“PILOT”) Program) acceptable to both parties.

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

1. Southern Boulevard Urban Renewal, LLC, is hereby conditionally selected and designated as the Redeveloper of the Property.
2. That selection and designation is conditioned upon the Township and Southern Boulevard Urban Renewal, LLC, entering into a Redevelopment Agreement and a Financial Agreement (Payment in Lieu of Taxes Program), including the adoption of any authorizing Resolution or Ordinance, acceptable to both parties within ninety (90) days of the adoption of this Resolution.
3. This Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2018-193**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS RATIFYING AND CONFIRMING A SITE ACCESS AGREEMENT WITH SOUTHERN BOULEVARD URBAN RENEWAL, LLC, GRANTING ACCESS TO A PORTION OF BLOCK 48.16, LOT 117.27, THE SKATE PARK PROPERTY**

**WHEREAS**, the Township Committee of the Township of Chatham adopted Ordinance 2018-23, known as the Skate Park Redevelopment Plan; and

**WHEREAS**, the Township Committee adopted Resolution 2018-192 conditionally selecting and designating Southern Boulevard Urban Renewal, LLC, as the Skate Park Redeveloper; and

**WHEREAS**, the Redeveloper needs access to the Skate Park in order to perform certain due diligence before acquiring the Skate Park to develop it consistent with the Skate Park Redevelopment Plan; and

**WHEREAS**, the Township Committee desires to grant Southern Boulevard Urban Renewal, LLC, access to the Skate Park to perform due diligence.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham in the County of Morris, as follows:

1. The Mayor and Clerk are hereby authorized to sign the Site Access Agreement in substantially the form attached.
2. Any prior access to the Skate Park is hereby ratified and confirmed.
3. This Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

## RESOLUTION 2018-194

### RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS STATING THE REASONS FOR ADOPTING ORDINANCE NO. 2018-23

**WHEREAS**, the Township Committee of the Township of Chatham referred Ordinance No. 2018-23 to the Planning Board for statutory review pursuant to NJSA 40:55D-26; and

**WHEREAS**, the Township Committee recognizes that the Planning Board found Ordinance No. 2018-23, amending Ordinance 2017-23 which established a new R6-C Zone, to be inconsistent with the Land Use Plan designation of the property but to advance many of the objectives of the comprehensive zone plan, and

**WHEREAS**, Ordinance 2018-23 provides for a clarification of how building height is calculated in the new R6-C Zone, provides for perimeter landscape buffering and sets forth the construction phasing of the market rate units at the Dixiedale Farm and the low and moderate income units at the Skate Park; and

**WHEREAS**, the Planning Board recommended adoption of Ordinance 2018-23, notwithstanding such inconsistency, for the reasons expressed by the Planning Board, and

**WHEREAS**, the Township Committee concurs with the findings of the Planning Board that the following specific goals and objectives of the comprehensive zone plan, as expressed in the Land Use Plan are advanced by proposed Ordinance No. 2018-23 in a number of ways because the Goals of the 2011 Land Use Plan were designed to:

5. Preserve the desirability of the community and its neighborhoods by managing the scale of new and expanded buildings and alterations to their landscapes.
6. Promote a balance of housing types for all segments of the population.
7. Establish a Greenway system incorporating public and private open spaces and connect the Greenway with a pedestrian- and bicycle-friendly system of streets, sidewalks, paths, and bikeways to reduce traffic, ensure the safety of our children, increase the enjoyment of the walking and cycling public, and improve air quality.
8. Preserve links to our history and heritage by preserving the historic areas in the Township and promoting awareness of historical homes.
9. Protect and maintain the remaining rural ambiance and significant natural, cultural and scenic landscapes and identify and protect scenic vistas.
10. Limit development to densities and intensities that will retain the remaining natural areas of the Township and protect sensitive environmental areas; and

**WHEREAS**, these Land Use Plan objectives complement those of the 2005 Conservation Plan Element, which included, among others:

6. Preserving open space, scenic vistas and quality of life; and

**WHEREAS**, the proposed Ordinance will advance the objectives of the Housing Element and Fair Share Plan, which "... is designed to ensure the provision of the required affordable housing in the Township with a minimal impact on neighborhood character and community services"; and

**WHEREAS**, Ordinance No. 2018-23 advances the cited objectives of the comprehensive zone plan as follows:

Ordinance 2018-23 continues to promote design, density and coverage standards that will *preserve the desirability of the community and its neighborhoods by managing the scale of new and expanded buildings and alterations to their landscapes.*

Ordinance 2018-23 continues to provide for inclusionary residential development that will provide low and moderate income housing and *promote a balance of housing types for all segments of the population.*

Ordinance 2018-23 continues to promote *a Greenway system incorporating public and private open spaces and connect the Greenway with a pedestrian- and bicycle-friendly system of streets, sidewalks, paths, and bikeways to reduce traffic, ensure the safety of our children, increase the enjoyment of the walking and cycling public, and improve air quality* by providing a perimeter trail system on private property that is available to the public.

Ordinance 2018-23 continues to require the retention, exterior restoration and adaptive reuse of the Dixiedale Farm manor home, which will help to *preserve links to the Township's history and heritage and promoting awareness of historical homes.*

Ordinance 2018-23 continues to *protect and maintain the remaining rural ambiance and significant natural, cultural and scenic landscapes* and the development review process will allow the Planning Board to *identify and protect scenic vistas.*

Ordinance 2018-23 continues to promote conservation-based townhouse design and standards for *density and intensity* and provide for compact development that will help to *retain the remaining natural areas of the Township and protect sensitive environmental areas.*

**WHEREAS**, Ordinance 2018-23 continues to promote conservation-based townhouse design and standards for density and intensity that will retain most of the R6-C Zone in its natural state will *preserve open space, scenic vistas and quality of life*, advance the 2005 Conservation Plan Element objective #6, and

**WHEREAS**, the Housing Element and Fair Share Plan objective *to ensure the provision of the required affordable housing in the Township with a minimal impact on neighborhood character and community services* is advanced by the inclusionary housing requirements that will provide affordable housing.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

1. That Ordinance No. 2018-23 will substantially advance the objectives of the adopted Chatham Township Master Plan.
2. That the reasons stated in this Resolution are sufficient to enact Ordinance 2018-23 notwithstanding any inconsistencies with the Land Use Plan.
3. That the Township Committee hereby adopts Ordinance No. 2018-23.
4. That this Resolution be filed with the County of Morris Planning Board
5. This Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Curt Ritter, Mayor

DRAFT

**RESOLUTION 2018-195**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING PAYMENT OF BILLS, PAYROLLS, SCHOOL TAXES AND COUNTY TAXES**

**BE IT RESOLVED** that bills in the total amount of \$1,642,790.80 and the prior month's payroll of \$401,333.41 Current Fund, \$38,530.09 Sewer No. 1, \$20,181.81 Sewer No. 2, and \$23,481.79 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of December 2018, in the amount of \$4,085,379.00 be paid.

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for Added and Omitted Taxes for 2018, in the amount of \$81,717.55 be paid.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2018-196**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, ACKNOWLEDGING RECEIPT OF REPORTS**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following monthly reports of departments be acknowledged as received:

CFO – November  
Police Department – November  
Tax Collector – July, August, September  
Construction Official – November

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By: \_\_\_\_\_  
Curt Ritter, Mayor

DRAFT

**RESOLUTION 2018-197**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM APPROVING MINUTES OF MEETINGS**

**BE IT RESOLVED** that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meeting held on November 8, 2018.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

DRAFT

**RESOLUTION 2018-198**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF CHATHAM APPROVING EXECUTIVE SESSION MINUTES OF MEETINGS**

**BE IT RESOLVED** that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on November 8, 2018.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

DRAFT

**RESOLUTION 2018-199**

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, RELEASING DEVELOPER ESCROW ACCOUNT AND/OR PERFORMANCE BOND BALANCES**

**WHEREAS**, developers are required to deposit monies with the Township for the purposes of offsetting Township professional costs to review plans or to inspect approved development and for the purpose of ensuring the satisfactory completion of public or private improvements; and

**WHEREAS**, these deposited monies, following all necessary withdrawals to cover Township expenses or costs, may be released upon satisfactory completion of work, receipt of review board decisions, or completion of guaranteed work, upon passage of a Township resolution authorizing such release.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following guarantee amount or account balances, with interest adjustments as prescribed by state and local laws, may be released to the depositor of record:

<u>NAME</u>	<u>Project</u>	<u>A/C NUMBER</u>	<u>AMOUNT</u>
Suburban Consulting Engineers 96 US Highway 206, Suite 101 Flanders, NJ 07836	Perf Bond RO 18-019 Re: 55 Johnson Drive	7764943013	\$325.00
Suburban Consulting Engineers 96 US Highway 206, Suite 101 Flanders, NJ 07836	Perf Bond RO 18-015 Re: 170 Lafayette Ave	7764129035	\$100.00
Suburban Consulting Engineers 96 US Highway 206, Suite 101 Flanders, NJ 07836	Perf. Bond RO 18-014 Re: 11 Woodlawn Dr	7764129019	\$170.00
Suburban Consulting Engineers 96 US Highway 206, Suite 101 Flanders, NJ 07836	Perf Bond RO 18-013 Re: 12 Long Hill Ln	7764128996	\$225.00
Suburban Consulting Engineers 96 US Highway 206, Suite 101 Flanders, NJ 07836	Perf Bond RO 18-012 Re: 206 Lafayette Ave	7764128970	\$100.00
Suburban Consulting Engineers 96 US Highway 206, Suite 101 Flanders, NJ 07836	Perf Bond RO 18-007 Re: 78 Loantaka Ln	7764128871	\$180.00

Suburban Consulting Engineers 96 US Highway 206, Suite 101 Flanders, NJ 07836	Perf Bond RO 18-002 Re: Warwick Rd	7764128772	\$9035.61 Plus Interest
Thomas Nebus 250 Ridgedale Ave, J-3 Florham Park, NJ 07932	BOA 04-120-3 Re: 35 Sandy Hill Rd	7200013005	\$120.00
Sycamore Custom Living c/o Asset Management Consultants 12841 Fitzwater Drive Nokesville, VA 20181	EIF Re: Meyersville Road	7200038917	\$1429.17
Sycamore Custom Living c/o Asset Management Consultants 12841 Fitzwater Drive Nokesville, VA 20181	Perf Bond 03-38-42 Re: Sycamore Drive	7200012985	\$1017.02
Armstrong Excavating Inc 80 Magnolia Ave Long Hill, NJ 07980	RO 2017-03 Re: 42 Dellwood Ave	7764128334	\$711.11
Karla Kirby 282 Lafayette Ave Chatham, NJ 07928	RO 2017-42	7764128540	\$233.00
Edward Marcowitz 10 Runnymede Road Chatham, NJ 07928	RO 2017-51	7764128607	\$945.00

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2018-200**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING PERMIT FEE**

**WHEREAS**, the Township Committee has considered the request submitted by the Construction Official with regard to the fee that was paid for a permit that was submitted to the Township; and

**WHEREAS**, the project for which the permit was issued was cancelled; and

**WHEREAS**, the fee collected for the permit was \$232.00; and

**WHEREAS**, twenty percent (20%) of the total charge was for plan review, and is therefore being deducted from the refund;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following amount be refunded to the depositor of record:

<u>NAME</u>	<u>PERMIT #</u>	<u>AMOUNT</u>
Kope Electric PO Box 470 Lebanon, NJ 08833	18-0606	\$185.60

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2018-201**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY GRANTING TAXPAYERS THE OPTION TO APPLY EXCESS TAX PAYMENTS TOWARD SUBSEQUENT QUARTERS (BILLED OR UNBILLED) IN LIEU OF A REFUND**

**WHEREAS**, the governing body of a municipality may grant taxpayers the option to apply excess tax payments toward subsequent quarters (billed or unbilled) in lieu of a refund upon written request to the tax collector consistent with Local Finance Notice LFN 2018-17, issued on June 4, 2018.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that Township of Chatham taxpayers have the option to apply excess tax payments toward subsequent quarters (billed or unbilled) in lieu of a refund upon written request to the Township Tax Collector consistent with LFN 2018-17.

This Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2018-202**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE TAX AND SEWER COLLECTOR TO CANCEL OVERPAYMENT OR DELINQUENT BALANCES LESS THAN \$10.00**

**WHEREAS**, the governing body of a municipality may authorize a municipal employee to cancel property tax and sewer overpayment or delinquent amounts less than \$10.00 without further action of the governing body.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that the Township Tax and Sewer Collector is hereby authorized to cancel overpayments and delinquencies less than \$10.00, as permitted by applicable law.

This Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2018-203**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING RESOLUTION NO. 2018-007 AUTHORIZING INTEREST RATE/GRACE PERIOD/YEAR-END PENALTY**

**WHEREAS**, the governing body of a municipality may fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal charges; and

**WHEREAS**, on January 3, 2018, the Township Committee of the Township of Chatham adopted Resolution 2018-007; and

**WHEREAS**, the Township Committee desires to amend Resolution No. 2018-007 regarding the interest rate/grace period/year-end penalty.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that in addition to the interest provided in Resolution 2018-007, on all delinquencies in excess of Ten Thousand (\$10,000.00) Dollars and which are not paid prior to the end of the fiscal year, the tax collector shall also collect a penalty of six (6%) percent of the amount of the delinquency in excess of Ten Thousand (\$10,000.00) Dollars.

This Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

## **RESOLUTION 2018-204**

### **A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS AUTHORIZING THE MAYOR AND CLERK TO SIGN A SECOND LAND LEASE EXTENSION WITH NEW CINGULAR WIRELESS PCS, LLC (“AT&T”) FOR A PORTION OF THAT PROPERTY SHOWN AS BLOCK 13, LOT 26.**

**WHEREAS**, on May 10, 2012, the Township Committee of the Township of Chatham adopted Resolution 2012-088, titled “Resolution of the Township of Chatham, County of Morris, State of New Jersey, Awarding Temporary Communications Facility Lease to New Cingular Wireless PCS, LLC (“AT&T”) at the Municipal Building”; and

**WHEREAS**, on or about July 16, 2012, the Township of Chatham entered into a Land Lease Agreement with AT&T for a portion of that property shown as Block 13, Lot 26 on the Tax Map of the Township, and known as 58 Meyersville Road, Chatham, New Jersey (“Municipal Building”); and

**WHEREAS**, the purpose of the Lease Agreement was to allow AT&T to temporarily construct, install, maintain, repair, replace and operate federally licensed radio transmitting equipment during that period of the construction of the Public Service Electric and Gas Company 230kV North Central Reliability Project; and

**WHEREAS**, the Lease Agreement provided for an initial two (2) year term, with two (2) additional one (1) year terms; and

**WHEREAS**, because Public Service Electric and Gas Company has not authorized AT&T to return to the PSE&G transmission towers, AT&T remains at the Municipal Complex pending authorization to relocate; and

**WHEREAS**, AT&T informed the Township that removal of the temporary tower will result in the loss of service, including 911 service, to both AT&T and AT&T’s subtenant, T-Mobile Northeast LLC, and places the health, safety and welfare of Township residents in danger; and

**WHEREAS**, the Township Committee, in balancing requiring the removal of the temporary tower and the health, safety and welfare of Township residents, believes that it is in the best interests of Township residents to enter into a Land Lease Extension Agreement for a term not to exceed one (1) year to July 15, 2019 or as soon as PSE&G authorizes the relocation to a PSE&G transmission tower, whichever is earlier, provided that AT&T pay the back rent since July 16, 2018 to the expiration of the Lease Agreement; and

**WHEREAS**, the new annual rent is \$91,215.12 or \$7,601.26 per month from July 16, 2018 to July 15, 2019, representing a six (6%) percent increase over the prior rent; and

**WHEREAS**, in the event that AT&T requires an additional extension, AT&T will pay double the rent with the commencement of the new term.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

1. That the Mayor and Clerk are hereby authorized to sign the Second Lease Agreement in substantially the form attached.
2. That this Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Curt Ritter, Mayor

DRAFT

**RESOLUTION 2018-205**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS AUTHORIZING THE MAYOR AND CLERK TO SIGN A REIMBURSEMENT AGREEMENT WITH T-MOBILE NORTHEAST, LLC, FOR REPLACEMENT PROPERTY**

**WHEREAS**, Township of Chatham is the owner of two separate properties located at Colony Pool, School Avenue, Chatham Township, New Jersey (Block 105, Lot 6) (“Colony Pool”) and Esternay Field, River Road Rear, Chatham Township, New Jersey (Block 62.8, Lot 18) (“Esternay Field”) (collectively, the “Properties”); and

**WHEREAS**, the Township and T-Mobile Northeast, LLC, were parties to two (2) land leases for the Properties, specifically, the Land Lease Agreement, dated July 17, 2012 (“Colony Pool Lease”), and the Land Lease Agreement, dated March 1, 2012 (“Esternay Field Lease”) (collectively, the “Leases”), whereby the Township leased a certain portion of the Properties to T-Mobile for two (2) temporary telecommunications facilities (collectively, the “Temporary Communications Facilities”); and

**WHEREAS**, the Properties are under certain Green Acres regulations, and T-Mobile’s use of both Properties for temporary non-recreational use was approved by State of New Jersey, Department of Environmental Protection, Green Acres Program (“Green Acres”), but that approval expired in 2015; and

**WHEREAS**, as required by the New Jersey Department of Environmental Protection (“NJDEP”) in connection with T-Mobile’s continued use of the Properties, a Diversion Permit application is being prepared in order to legalize the past diversions created by the Temporary Communications Facilities (“Diversion Permit”); and

**WHEREAS**, on or about April 10, 2018, representatives of the Township and T-Mobile met with representatives from Green Acres to discuss the Diversion Permit and the resolution of T-Mobile’s use of the Properties during the Diversion Period for the Temporary Communications Facilities; and

**WHEREAS**, pursuant to a letter from NJDEP, dated May 23, 2018, and a second letter from NJDEP, dated October 23, 2018, the NJDEP confirmed that the diversion of the Properties would require certain compensation in the form of replacement land with a total market value of \$217,942.98 (“Total Compensation”); and

**WHEREAS**, the Township agreed to move forward with designating certain parcels as

replacement property with a total market value of not less than \$217,942.98, and in accordance with any additional requirements imposed by Green Acres; and

**WHEREAS**, the Township designated an undivided 0.86 acres of Block 62, Lots 93 and 94 as replacement property with a value of \$217,942.98; and

**WHEREAS**, T-Mobile agreed to reimburse the Township for the value of the replacement property in the sum of \$217,942.98; and

**WHEREAS**, the Township and T-Mobile desire to memorialize that reimbursement through the attached Reimbursement Agreement.

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

1. That the Mayor and Clerk are hereby authorized to sign the Reimbursement Agreement substantially in the form attached.
2. This Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2018-206**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLING VARIOUS UNEXPENDED BALANCES**

**WHEREAS**, The Report On Examination of Financial Statements (Audit) for the year ended December 31, 2017 revealed a number of miscellaneous items including unallocated receipts, appropriated reserves, reserves for special deposits, unexpended improvement authorizations, and state aid receivables and reserves, and

**WHEREAS**, The Chief Financial Officer has determined that these items may all be cancelled,

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby cancels the following items:

Current Fund Schedule of State Aid Receivable	
Municipal Alliance Program DEDR	\$538.66
Municipal Alliance Program Supplemental	\$226.68
Current Fund Appropriation	
Matching Funds for Grants	
-Municipal Alliance Program	\$740.88

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2018-207**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLATION OF STALE DATED CHECKS**

**WHEREAS**, there exist various reconciling items on the balance sheet of the Current Fund, Payroll, Municipal Alliance and General Capital; and

**WHEREAS**, the funds creating these reconciling items have been investigated and it has been determined that these reconciling items should be cancelled; and

**WHEREAS**, these cancelled funds will be returned to their respective funds and or accounts;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the following reconciling items are hereby cancelled:

<b><u>Current Fund</u></b>		
<b><u>Check #</u></b>	<b><u>\$ Amount</u></b>	<b><u>Date</u></b>
36730	\$19.70	14-Dec-17
	<u>\$19.70</u>	
<b><u>Payroll</u></b>		
<b><u>Check #</u></b>	<b><u>\$ Amount</u></b>	<b><u>Date</u></b>
61461	\$427.37	14-Jul-17
61577	\$344.01	30-Aug-17
	<u>\$771.38</u>	
<b><u>Municipal Alliance</u></b>		
<b><u>Check #</u></b>	<b><u>\$ Amount</u></b>	<b><u>Date</u></b>
3145	\$1,710.00	8-Mar-18
	<u>\$1,710.00</u>	
<b><u>General Capital</u></b>		
<b><u>Check #</u></b>	<b><u>\$ Amount</u></b>	<b><u>Date</u></b>
3632	\$8.00	21-Dec-17
	<u>\$8.00</u>	

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2018-208**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING SEWER LIEN**

**WHEREAS**, due to payment by property owner of the lien amount, a redemption of a sewer lien is appropriate; and

**WHEREAS**, the Tax Collector has recommended the refund of such sewer lien

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following refund be made as indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
60	18	<b>Lienholder:</b> US Bank Cust. For PC7 Firstrust 50 South 16 <sup>th</sup> St Suite 2050 Philadelphia, PA 19102  Certificate #17-00001 Doering, Dawn M.  694 Fairmount Ave	\$ 1,638.41-Certificate 700.00-Premium <hr/> 2,338.41-Total

**BE IT FURTHER RESOLVED** that the Tax Collector is authorized to prepare and sign a Discharge of Certificate 17-00001.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By: \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2018-209**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING BUDGET TRANSFERS**

**WHEREAS**, the Township Committee of the Township of Chatham, County of Morris has determined that certain appropriations, in the 2018 municipal budget, are not sufficient to meet anticipated expenses; and

**WHEREAS**, N.J.S. 40A: 4-58 authorizes the transfer from appropriations where excess exists to other appropriations that are anticipated to be insufficient.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris that the following transfers are hereby affected:

**Current Fund**

Appropriation	To	From
General Engineering	\$15,000	
Police OE	\$ 5,000	
Road Repairs OE	\$ 5,000	
Township Committee S&W		\$5,000
Bd of Adjustment OE		\$10,000
Colony Pool OE		\$10,000
Current Fund Total	\$25,000	\$25,000

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By: \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2018-P-16**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,  
AUTHORIZING CONFERENCE OF THE TOWNSHIP COMMITTEE WITH THE  
PUBLIC EXCLUDED**

**WHEREAS**, N.J.S.A. 10:4-12 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Township Committee of the Township of Chatham is of the opinion that such circumstances presently exist.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
  - a. Personnel
3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Committee will come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

Adopted: December 13, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By: \_\_\_\_\_  
Curt Ritter, Mayor