

**ORDINANCE 2020-13**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING ORDINANCE 2020-11 CREATING A NEW “R-3 AFFORDABLE HOUSING RESIDENCE DISTRICT (R-3 AH)” BY CLARIFYING THAT THE GROUP HOME LOT WILL BE CLEARED AND LEVELED TO ALLOW FOR THE CONSTRUCTION OF A GROUP HOME ON THE LOT**

**WHEREAS**, on July 9, 2020, the Township Committee of the Township of Chatham adopted Ordinance 2020-11; and

**WHEREAS**, the purpose of this Ordinance is to amend Section 4 of Ordinance 2020-11 to clarify that the group home lot will be cleared and leveled to prepare it for the construction of a group home; and

**WHEREAS**, Section 4 of Ordinance 2020-11 is amended to delete the last sentence: “The lot is to be conveyed with a foundation pad ready for a ranch home, with utilities available in the street, a sidewalk which lot shall be conveyed to the group home developer or the Township of Chatham for \$1”; and

**WHEREAS**, the deleted portion of Section 4 of Ordinance 2020-11 is replaced with: “The lot is to be conveyed cleared and leveled with a flat surface achieved by bulldozing and installing retaining walls to create the flat surface, including a driveway cut and a tracking pad, ready for the construction of a ranch style group home, with utilities, including sanitary sewer and water, available in the street, and a sidewalk, which lot shall be conveyed to the group home developer or the Township of Chatham for \$1 at the Township’s option.”

**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 4 of Ordinance 2020-11 adopted on July 9, 2020, the last sentence, is hereby amended to delete: “The lot is to be conveyed with a foundation pad ready for a ranch home, with utilities available in the street, a sidewalk which lot shall be conveyed to the group home developer or the Township of Chatham for \$1” and replaced with: “The lot is to be conveyed cleared and leveled with a flat surface achieved by bulldozing and installing retaining walls to create the flat surface, including a driveway cut and a tracking pad, ready for the construction of a ranch style group home, with utilities, including sanitary sewer and water, in the street, and a sidewalk, which lot shall be conveyed to the group home developer or the Township of Chatham for \$1 at the Township’s option”.

Section 2. 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 2 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 3. 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 the Municipal Land Use Law. As provided in N.J.S.A. 40:55D-26, the

ordinance shall be referred to the Planning Board for a Master Plan inconsistency determination and within thirty-five (35) days after referral, the Planning Board shall issue a report determining whether the Ordinance is inconsistent with the Township Master Plan.

Section 4. 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 5. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. 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: July 9, 2020

Adopted: August 13, 2020

Attest:

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

BY: \_\_\_\_\_  
Michael J. Kelly, Mayor

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Gregory J. LaConte, Clerk