

ORDINANCE NO. 29-2021

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED AT 190 PARK AVENUE AND DESIGNATED AS BLOCK 4802 LOT 2 ON THE TAX MAP OF THE TOWNSHIP OF HANOVER AND AMENDING CHAPTER 166, "LAND USE AND DEVELOPMENT," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HANOVER IN ORDER TO CODIFY SAID REDEVELOPMENT PLAN

WHEREAS, on January 14, 2021, the Hanover Township Committee adopted a resolution authorizing the Planning Board of the Township of Hanover to conduct a preliminary investigation to determine if the parcel identified by Hanover tax records as Block 4802 Lot 2 (the "Study Area"), constitutes an "area in need of non-condemnation redevelopment" as defined under the New Jersey Local Redevelopment Housing Law (LHRL), and

WHEREAS, in order to accomplish this task, the Planning Board retained Burgis Associates, Inc. to undertake an investigation and prepare a report for the Planning Board's review, preliminary to the public hearing to be held on the matter, all of which were designed to inform the Planning Board's subsequent recommendation to the Township Committee, and

WHEREAS, Burgis Associates, Inc. produced a report, dated April 7, 2021, which provided detailed information regarding the Study Area and the applicable statutory criteria required to be evaluated, based on which information the Report concluded that the Study Area, in fact, exhibits characteristics which satisfy the LRHL criteria and enable the Board to recommend to the Township Committee that an Area in Need of Redevelopment designation was warranted; and

WHEREAS, the Board held its public hearing on May 18, 2021, at which the Board accorded to all members of the public the opportunity to offer their comments respecting the Study Area, which comments were made part of the public record; and

WHEREAS, by Resolution adopted May 18, 2021, the Board recommended to the Township Committee that, in accordance with the LRHL and consistent with the findings of the Burgis Report, the Study Area be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, the Township Committee received the resolution of the Board and the recommendations contained therein; and

WHEREAS, the Township Committee, via Resolution No. 105-2021, adopted on June 10, 2021, determined the Study Area to be a non-condemnation area in need of redevelopment and directed Burgis Associates, Inc., to prepare a redevelopment plan, and

WHEREAS, Burgis Associates, Inc., prepared a redevelopment plan for the area in need entitled "190 Park Avenue Redevelopment Plan" (the "Redevelopment Plan"), dated August 20, 2021, which is intended to be consistent with and to implement certain stipulated actions set forth in the Settlement Agreement between JMF Acquisitions, LLC, Hanover Towne Center, LLC, Cedar Knolls 1, LLC, and the Township of Hanover, executed on or about January 19, 2021, and a second amended agreement entered into between the Township of Hanover and Fair Share Housing Center on or about March 12, 2021; and

WHEREAS, after review of the Redevelopment Plan at a public meeting held on September 9, 2021, the Mayor and Township Committee desire to approve the adoption of the Redevelopment Plan and the Ordinance that has been prepared to codify the Redevelopment Plan, as set forth herein.

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

SECTION 1. The proposed redevelopment plan entitled "190 Park Avenue Redevelopment Plan," dated August 20, 2021, and prepared by Burgis Associates, Inc., a copy of which is annexed hereto as Exhibit A, is hereby adopted in accordance with N.J.S.A. 40A:12A-7 of the Local Redevelopment and Housing Law.

SECTION 2. The Revised General Ordinances of the Township of Hanover, Chapter 166 "Land Use and Development," Article XXIXD3 "RM-7 Residence District," Section 166-180.18.11 "Purpose and Intent" is hereby amended to read as follows:

The purpose and intent of the RM-7 Residence District is to facilitate the redevelopment of the site for age-restricted affordable housing units as part of an inclusionary multifamily residential development in recognition of the site's designation as an Area in Need of Redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law (LRHL), to satisfy the terms of settlement agreements authorized by Resolution 189-2020 of the Township Committee, and to assist in satisfying the Township's third-round affordable housing obligation.

SECTION 3. The Revised General Ordinances of the Township of Hanover, Chapter 166 "Land Use and Development," Article XXIXD3 "RM-7 Residence District," Section 166-180.18.17.B. "Signage" is hereby amended to read as follows:

B. Signage.

- (1) Freestanding signage shall be permitted in the RM-7 Residence District consistent with the requirements set forth in § 166-143.A. of the Township Code.
- (2) In addition, wall signage shall be permitted in the RM-7 Residence District consistent with the following requirements:

- (a) One (1) sign shall be permitted on the north façade of the principal building and one (1) sign shall be permitted on the east façade of the principal building. In addition to the foregoing, one sign shall be permitted at the main entrance to the building.
 - (b) The wall signs may either be mounted directly against the exterior wall of the building and/or mounted on a canopy attached to a building wall.
 - (c) No individual wall sign shall exceed 35 square feet in area and the total combined area of all permitted wall signs shall not exceed 75 square feet in area.
 - (d) Wall signs shall be erected no higher than the parapet of the façade for the principal building.
- (3) All signs in the RM-7 Residence District shall comply with § 166-140 (Measurement of sign area and height) and § 166-141 (Regulations applicable to all zones).

SECTION 4. All ordinances or parts of ordinances of the Township of Hanover which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.


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

SECTION 6. This Ordinance shall take effect upon (i) filing with the Morris County Planning Board in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey law.

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

ATTEST:


Joseph A. Giorgio, Township Clerk


John L. Ferramosca, Mayor

DATE OF INTRODUCTION: August 19, 2021
DATE OF ADOPTION: October 14, 2021