

ORDINANCE NO. 17-2018

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW  
JERSEY AMENDING AND SUPPLEMENTING  
CHAPTER 166 OF THE CODE OF THE TOWNSHIP,  
ENTITLED LAND USE AND DEVELOPMENT LEGISLATION,  
BY AMENDING THE REGULATIONS FOR OUTDOOR STORAGE FOR  
NONRESIDENTIAL USES

**WHEREAS**, Chapter 166 of the Code of the Township entitled Land Use and Development Legislation, regulates the outdoor storage of materials, equipment and vehicles; and

**WHEREAS**, the Township Planning Board, in its December 2016 "Report on the Reexamination of the Master Plan and Development Regulations," recommended that the outdoor storage regulations be revised in order to better recognize the needs of businesses and to better achieve the original intent of the regulations; and

**WHEREAS**, the Township Committee has received the Planning Board's recommendations and desires to amend the regulations accordingly.

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

**Section 1.** Section 166-124., *Outdoor storage*, in Article XIX, *General Provisions*, is amended to read as follows:

**§ 166-124. Outdoor Storage.**

The following regulations shall apply to the placement of any object(s), material(s), equipment, vehicles or merchandise outside the confines of a building, unless specifically provided otherwise by this Chapter or by other applicable law, rule or regulation:

- A. Outdoor storage accessory to nonresidential uses. Outdoor storage accessory to nonresidential uses shall be subject to the following regulations:
- (1) Outdoor storage is only permitted as an accessory use to a use conducted in the principal building on the lot.
  - (2) Outdoor storage on a lot that does not contain a principal building is prohibited.
  - (3) Where outdoor storage is permitted, no article or material shall be kept, stored or displayed outside the confines of a building unless the same is reasonably screened by a building, wall or fence designed in accordance with §166-138.2., plant material, berm, building or other manner, as depicted on a site plan approved by the Planning Board. The intent of such screening is to minimize the view of such storage from any adjacent property or public street. The following shall be excluded from the foregoing screening requirement:

- (a) the parking of passenger vehicles in designated parking spaces and used by employees and patrons;
  - (b) the storage and display of vehicles for sale by automobile sales dealerships; and
  - (c) the display of merchandize for sale or rent when permitted by this Chapter.
- (4) Any fence or wall required to screen the outdoor storage as herein regulated shall have a height not exceeding six feet; provided, however, that the Planning Board may permit a wall or fence with a height of eight feet if the same is necessary to provide adequate screening of the outdoor storage; provided, however, that any wall or fence with a height exceeding six feet shall be set back at least five feet from any property line and supplemental plantings may be required by the Board to reduce the visual impact of the taller wall or fence. No wall or fence used to screen outdoor storage shall be permitted in any front yard.
- (5) Outdoor storage as herein regulated is only permitted to be located in the side and rear yards; provided that the following activities, when permitted by this Chapter, may be located in the front yard, as depicted on a site plan approved by the Planning Board:
- (a) the parking of passenger vehicles in designated parking spaces and used by employees and patrons;
  - (b) the storage and display of vehicles for sale by automobile sales dealerships in the same locations as permitted for parking of passenger vehicles in the front yard; and
  - (c) the display of merchandize for sale or rent when permitted by this Chapter.
- (6) Outdoor storage of any hazardous, toxic or corrosive substances, as defined in regulations promulgated by the United States Environmental Protection Agency or the New Jersey Department of Environmental Protection, is prohibited.
- (7) The overnight parking or storage of vehicles, other than passenger vehicles and small vans, accessory to a permitted nonresidential use on-site shall be located in a specific area in the side and/or rear yard(s) delineated on a site plan approved by the Planning Board and shall be situated to mitigate the visual adverse impact of said overnight storage upon abutting streets and residential properties and residential zones.
- (8) No outdoor storage shall be located in a manner that would obstruct or interfere with the movement of vehicles and pedestrians, including but not limited to passenger vehicles, delivery and shipping trucks, fire trucks, garbage trucks, as depicted on the approved site plan.

- (9) No outdoor storage shall be permitted to be located within designated parking or loading spaces; such spaces shall be limited to use on a short-term basis for parking and loading operations as depicted on an approved site plan.
- (10) No outdoor storage shall be located or stored in a manner that could reasonably be expected to result in littering, spillage or leakage of material; dispersion of materials by wind, rain, floodwater or animals; creation of offensive odors; creation of fire or explosion hazards; contamination of air, soil or water; or other similar adverse effects.
- (11) Outdoor storage shall be placed on a suitable surface such as pavement, crushed stone or other suitable material, and not on bare earth, grass, mulch or other similar surface.

B. Outdoor storage accessory to residential uses. Outdoor storage accessory to residential uses shall be subject to the following regulations:

- (1) The storage of any article in the front yard shall be limited to the following motor vehicles used on a daily basis by the residents of the dwelling on-site: noncommercial automobiles, pickup trucks and vans. Said motor vehicles, as herein regulated, are permitted to be parked in the driveway of a front yard as regulated in §166-167.B.
  - (a) For the purpose of administering this section, a "commercial vehicle" shall be defined as one that has painted or installed thereon a sign or logo or one that contains any visual evidence of said vehicle being used for commercial purposes.
  - (b) The maximum length of a van as permitted shall be 20 feet.
  - (c) The maximum length of the box in a pickup truck as permitted shall be eight feet.
- (2) Outdoor storage of any article in the side yard shall be limited to any use permitted in Subsection B.(1) above as well as one commercial pickup truck or van, one boat not to exceed 25 feet in length, exclusive of the accompanying boat trailer, one recreation vehicle, one camper, one camper-trailer and one mobile home not to exceed 25 feet in length. Any article stored in the side yard of any residential zone shall not be permitted closer to the side lot line than a distance that is equal to the height of said article; provided, however, that said article need not be set back from the side line a distance greater than the side yard setback requirement for a principal building on the same lot. Nothing contained herein shall be construed to prohibit any use permitted in the side yard from being stored in a garage.
- (3) (Reserved)
- (4) Outdoor storage of any article permitted in Subsection B.(1) and (2) above is permitted in the rear yard if said article does not exceed a maximum length of 28 feet and is not closer than 10 feet to the side and rear property lines of the lot containing said article.

- (5) Outdoor storage of any hazardous, toxic or corrosive substances, as defined in regulations promulgated by the United States Environmental Protection Agency or the New Jersey Department of Environmental Protection, is prohibited.

**Section 2.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 3.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

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

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

ATTEST:

  
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Ronald F. Francioli, Mayor

  
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Joseph A. Giorgio, Township Clerk


DATE OF INTRODUCTION: July 12, 2018

DATE OF ADOPTION: September 13, 2018

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CERTIFICATION

I, Joseph A. Giorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 13 day of Sept., 2018 at a meeting duly convened, of said Body.

  
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Joseph A. Giorgio, Township Clerk