

**ORDINANCE NO. 10-2022**

**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 WITH A CHANGE IN THE TOWNSHIP'S ZONE MAP TO MODIFY THE BOUNDARY OF THE RM-7 RESIDENCE DISTRICT**

**WHEREAS**, the Township Committee has adopted Resolution 189-2020, which resolution authorizes the execution of various amended agreements with Fair Share Housing Center and JMF Acquisitions, et al.; and

**WHEREAS**, the aforesaid amended agreements are intended as part of the Township's efforts to satisfy its constitutional obligation to provide a reasonable opportunity for the creation of affordable housing, and specifically the Township's third round housing plan, presently before the Court In the Matter of Hanover Township, Superior Court, Morris County, Docket No. MRS-L-1635-15; and

**WHEREAS**, the aforesaid amended agreements include a requirement that the Township permit the development of 210 housing units, including 60 age-restricted affordable units, at Block 4802, Lot 2, located on Park Avenue; and

**WHEREAS**, the Township Committee adopted Ordinance No. 4-2021 on February 11, 2021, which ordinance created the RM-7 zone district and regulations; and

**WHEREAS**, preliminary and final site plan approval for the aforesaid multifamily housing development was granted by the Township Planning Board as set forth in a resolution dated November 23, 2021; and

**WHEREAS**, the developer of the multifamily housing development subsequently filed an application with the Planning Board seeking an amendment of the RM-7 zone boundary in order to enable the provision of additional site amenities and/or other improvements, but not additional housing units; and

**WHEREAS**, the Planning Board reviewed the application and has recommended a relocation of the RM-7 zone boundary;

**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.** Section 166-108, "*Map, schedule and appendices*," in Article XVIII, "*Districts; Map and Schedule*" shall be retitled "*Zoning Map*," and shall be amended to read as follows:

- A. The Zone Map delineating the zone districts within the Township, entitled "Zoning Map, Township of Hanover," dated April 2022, is hereby declared to be a part of this chapter.
- B. On the Zoning Map, the district boundary lines generally coincide with lot lines or the center lines of streams, streets or rights-of-way as they existed at the time of the adoption of this chapter or the present amendment thereto, or as designated on said map by figures or dimensions, or as set forth in the text of this chapter. In the case of uncertainty or disagreement concerning the true location of any zone district boundary line, the determination thereof shall lie with the Board of Adjustment, in accordance with the procedures set forth in § 166-21.

On the Zoning Map, the boundary of the RM-7 zone district shall be described as follows:

- (1) On the south, the shared municipal boundary with the Borough of Florham Park;
- (2) On the west, the shared municipal boundary with the Township of Morris;
- (3) On the north, the boundary between Lot 1 and Lot 2 in Block 4802 on the current Township tax maps, and the extension of such boundary along the same bearing west to the municipal boundary with the Township of Morris and east to the Route 24 right-of-way;
- (4) On the east, the Route 24 right-of-way.

**Section 2.** If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**Section 3.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Hanover, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Hanover are hereby ratified and confirmed, except where inconsistent with the terms hereof.

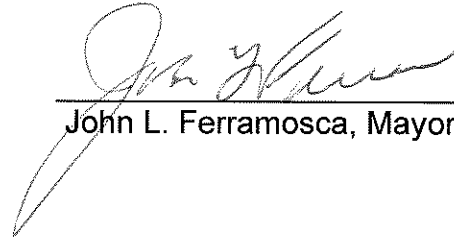
**Section 4.** The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63. Upon the adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

**Section 5.** This ordinance shall take effect in accordance with law.

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

ATTEST:

  
\_\_\_\_\_  
Krista M. DiGiorgio, Township Clerk

  
\_\_\_\_\_  
John L. Ferramosca, Mayor

DATE OF INTRODUCTION: March 10, 2022

DATE OF ADOPTION: APRIL 14, 2022

