

Minutes of the October 11, 2022 Township Committee Meeting of the Township of Hillsborough, in the County of Somerset, State of New Jersey, held in the Municipal Complex at 7:30 PM on October 11, 2022.

CALL OF THE ROLL

Upon call of the roll, the following Committee members were recorded present: Mayor Shawn Lipani, Committeeman Robert Britting, Committeeman Frank DelCore and Committeeman Doug Tomson. Also in attendance were Township Clerk Pamela Borek and Township Attorney William Willard. Deputy Mayor Janine Erickson and Township Administrator Anthony Ferrera were absent.

SALUTE TO THE FLAG

MAYOR STATES

Mayor Lipani advised that in accordance of section 5 of the Open Public Meetings Act, Chapter 231, of the Public Laws of 1975 that notice of this meeting was made by the posting on the bulletin board at the Hillsborough Township Municipal Complex and notifying the officially designated newspapers that this meeting would take place at the Hillsborough Township Municipal Complex at 7:30 p.m. on Tuesday, October 11, 2022.

APPROVAL OF MINUTES

None

REPORTS FROM COMMITTEE LIAISONS, AND RECEIPT OF REPORTS, PETITIONS OR COMMUNICATIONS

Committeeman Britting

Committeeman Britting reported that two young members of the Hillsborough community set up lemonade alfresco at a neighborhood stand so their neighbors could enjoy the fresh air while enjoying a cup of lemonade.

Committeeman Britting stated that Johnson & Johnson employees went apple picking and donated their harvest of 50 pounds of apples to the Hillsborough Township Community Assistance Network.

Committeeman Britting announced that the Hillsborough Township Social Services Department is providing nutritional assistance to residents who meet the below-income guidelines through a new program, the Food Security and Wellness Program. This program is open to Hillsborough residents age 62 and over and also residents who are disabled.

Committeeman Britting advised that members from Girl Scout Senior Troop 60143 generously donated First Aid Kits to the Parks and Recreation Department as part of a Take Action Project.

Committeeman Britting reported that October is National Women's Small Business Month. The Hillsborough Business Association has invited all Hillsborough women business owners to share a few details about their business by completing a questionnaire.

Committeeman Britting stated that he has been meeting with residents and has had numerous discussions regarding the warehouse proposals in town. Committeeman Britting stated the manner in which warehouses are used now has shifted during Covid and that the township should redefine how warehouses are viewed and decide if they belong in Hillsborough. Committeeman Britting announced he does not think warehouses belong in Hillsborough.

Committeeman DelCore

Committeeman DelCore advised that the 2022 General Election will be held on November 8th at polling locations

throughout Somerset County. The last day to register to vote for the General Election is October 18th. The Somerset County Clerk's Office will mail sample ballots to all registered voters on October 26th and in-person early voting begins on October 29th and lasts through November 6th.

Committeeman DelCore stated that this year's Project Graduation committee will sponsor a variety of events to fund Project Graduation for the Hillsborough High School Class of 2023 at Iron Peak Sports and Events.

Committeeman Tomson

Committeeman Tomson thanked Committeeman Britting for his comments regarding the warehouse proposals and stated he agrees whole heartedly.

Committeeman Tomson advised that if a furnace, water heater, or other HVAC units need to be replaced, work can begin after notifying the Building Department. The permit application needs to be submitted by the licensed contractor within 72 hours of the notification.

Committeeman Tomson reported that the Engineering Department and the Department of Public Works want to remind property owners that mailboxes are installed within the public right-of-way. This public right-of-way (ROW), which is typically 10-15 feet behind the curb line, is reserved for public use such as utility lines, sidewalks, etc. Mailboxes need to be installed per the post office requirements, thus the Township does not issue permits.

Committeeman Tomson invited residents to join Hillsborough Township Police Officers for Coffee With a Cop on Thursday, October 27th, from 12 pm to 2 pm, at Starbucks.

Mayor Lipani

Mayor Lipani asked residents to join him for the annual Mayor's Walk and Talk taking place on Sunday, October 23rd at Duke Farms.

Mayor Lipani shared information regarding some Rotary initiatives. He reminded residents that the Rotary Club of Hillsborough is organizing the "Flags for Heroes" field of honor at the Hillsborough Township Municipal Complex for Veteran's Day. Anyone can sponsor a flag for \$50 and the flags will be in position from November 5th through November 19th. Mayor Lipani announced the Rotary Club of Hillsborough is hosting its annual box of fresh fruit fundraiser. And finally, he advised that the Rotary Club of Hillsborough's operation shoebox is scheduled for December 10th and donations are being accepted now through November 6th at various locations including the Municipal Complex.

Mayor Lipani reported that Hillsborough Township is hosting Hillsborough Township Day at the Devils on November 26th.

Mayor Lipani invited residents to view the scarecrows on display at the 2nd annual Scarecrow Festival at the Municipal Building.

Mayor Lipani stated that the Neshanic Garden Club will host a youth program on October 19th.

Mayor Lipani announced he participated in the Red Ribbon Week ceremony at the High School football game on September 30th.

PROCLAMATIONS / APPOINTMENTS

1. SANAV SATHISH - EAGLE SCOUT

WHEREAS, Sanav Sathish, a Somerset County Vocational and Technical High School junior in the Mechatronics, Engineering, and Advanced Manufacturing Program, and member of Boy Scout Troop 89 has earned the rank of

Eagle Scout; and

WHEREAS, the Hillsborough Township Committee recognizes the many hours Sanav devoted to achieving the rank of Eagle Scout, working with diligence and making sacrifices in order to reach this highly coveted accomplishment; and

WHEREAS, Sanav's Eagle Scout project consisted of building and installing a wooden bike rack at Ann Van Middlesworth Park. The project took 30 hours with the assistance of seven volunteers; and

WHEREAS, Sanav served as Quarter Master, Patrol Leader, Assistant Patrol Leader and Instructor; and

WHEREAS, Sanav has served the Boy Scouts in an exemplary manner and is deserving of the honor bestowed upon him; and

WHEREAS, Sanav volunteers in the Civil Air Patrol as a Cadet and swims for Bridgewater Tide Swim Team; and

WHEREAS, Sanav serves as an example to the youth of Hillsborough Township through his high level of leadership and community service, and we are very proud that he is a member of our community.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Hillsborough Township Committee, do hereby recognize and extend our sincere congratulations to Sanav Sathish for having achieved the rank of Eagle Scout, an honor for both himself and for those who guided him, with best wishes for a bright future.

2. DOWN SYNDROME ACCEPTANCE MONTH

WHEREAS, October is National Down Syndrome Acceptance Month, and approximately 1 in every 700 children is born with Down Syndrome, representing an estimated 6,000 births per year in the United States; and

WHEREAS, there are over 450,000 individuals living with Down Syndrome in the United States. People with Down Syndrome contribute to their families, schools, co-workers and society. They have hopes and dreams, and make a difference in this world; and

WHEREAS, GiGi's Playhouse is a National Down Syndrome Achievement Center serving children and adults of all ages, while providing educational and therapeutic programs at no charge, in a format that individuals with Down Syndrome learn best. Their mission is to change the way the world sees Down Syndrome through national campaigns, educational programs, and by empowering individuals with Down Syndrome, their families and the community; and

WHEREAS, GiGi's Playhouse in Hillsborough has successfully supported families in New Jersey since opening in January 2015; and educates others through community support and outreach; and

WHEREAS, GiGi's Playhouse's vision is to maximize self confidence and empower individuals to achieve their greatest potential. Its goal is to create a world where individuals with Down Syndrome are accepted and embraced by their families, schools and community; and

WHEREAS, GiGi's Playhouse Hillsborough is continually supported by the local community through third party fundraisers, and promoting awareness of people with Down Syndrome and their extraordinary capabilities.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby declare October as National Down Syndrome Acceptance Month. We ask all citizens to join us in celebrating the abilities and accomplishments of those with Down Syndrome.

3. ITALIAN AMERICAN HERITAGE AND CULTURE MONTH

WHEREAS, Hillsborough Township's Italian American community has contributed greatly to the cultural landscape since its earliest days; and

WHEREAS, Italians began migrating to the United States in the 1880's and today there are more than 26 million Americans of Italian descent in this country; and

WHEREAS, Italian Americans have flourished in all areas of public and economic life while preserving their proud Italian traditions and heritage; and

WHEREAS, UNICO, Italian American Club was founded in 1922 nationally. Unico is the Italian word for unique and the acronym stands for Unity, Neighborliness, Integrity, Charity and Opportunity; and

WHEREAS, the Hillsborough chapter of UNICO was founded in 2009 as an Italian American service organization committed to charitable works, supporting higher education, and performing patriotic deeds under the motto "service above self"; and

WHEREAS, the Hillsborough chapter of UNICO annually award the Brian Piccolo Scholarship to two Hillsborough

High School students, award a scholarship to Miss UNICO, support the Rotary Fair's Family Fun Day, and donated a new bench in honor of Andrew Pantano to be used at the Italian Bocce Court at Ann Van Middlesworth Park. Hillsborough UNICO participated in the 1000 pounds of pasta project again in 2022 donating 650 pounds of pasta to the Hillsborough Community Assistance Network (C.A.N.), and has engaged in many fundraising events to support the community and continues to do so; and

WHEREAS, during Italian American Heritage and Culture Month, we recognize the rich heritage of Italian Americans and celebrate their immeasurable contributions to Hillsborough and our nation.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Hillsborough Township Committee, do hereby recognize October 2022 as Italian American Heritage and Culture Month and encourage all residents to join in celebrating the many contributions of Italian Americans.

4. HMS GIRLS LACROSSE

WHEREAS, the 2022 Hillsborough Middle School Girls Lacrosse Team had a very successful season because of their hard work and dedication; and

WHEREAS, the 2022 Hillsborough Middle School Girls Lacrosse Team had the greatest season in school history with an undefeated season, winning the Championship against Montgomery; and

WHEREAS, eleven different players scored for the team and six players had more than twelve goals; and

WHEREAS, the 2022 Hillsborough Middle School Girls Lacrosse Team included the following young athletes: Julia Brouillette, Victoria Byra, Sienna Church, Morghan DiGanci, Jules DiNuzzo, Alexa Gaspar, Brianna Gibson, Ava Heinrichs, Jayla Hidalgo, Vanessa LaMotta, Isabella Lods, Nevyia Loniewski, Jessica McKelvey, Jeeya Patel, Devin Redziniak, Evelyn Reese, Paige Romano, Sydney Russo, Sienna Russo, Summer Smith, Elizabeth Stroka, Riley Sutton, Sara Thompson, MaryKate Toth, Madelyn Weber, and Bailee Wolfe; and

WHEREAS, the team was led by Head Coach Chris Gibson.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby commend the Hillsborough Middle School Girls Lacrosse Team, coaches, and parents, not only for their successful season, but for their hard work, dedication, and commitment to the sport and to those principles of good sportsmanship, teamwork, and academic achievement which the team strives to achieve.

PRESENTATIONS

NEW BUSINESS

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Frank DelCore, consent agenda #1 was approved upon the call of the roll.

On behalf of Township Administrator Ferrera, Township Clerk Borek welcomed Joe Gonzales aboard and stated the township is happy to fill this critical position for the senior community.

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Township Clerk Pamela Borek stated the following. The Township Committee welcomes input from the public.

Please state your name and address and please spell your name for the record. You will be given one three minute allotment for your comments. Please understand that this public forum is not structured as a question and answer session. Comments are to be addressed to the Mayor. Again, please keep your comments to three minutes. Thank you.

No comments.

PUBLIC HEARINGS

1. 2022-15 AN ORDINANCE AMENDING CHAPTER 169 "FIRE ZONES", SECTION 169-5 "FIRE

ZONES DESIGNATED" OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, TO INCLUDE ADDITIONAL AREAS AS DESIGNATED FIRE ZONES.

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

Section 1. Chapter 169 "Fire Zones", Section 169-5 "Fire zones designated" of the Code of the Township of Hillsborough is hereby amended as follows to include additional areas as designated fire zones:

§ 169-5. Fire zones designated.

A. The following areas are hereby designated as fire zones:

- (78) 211 Route 206 (Block 141, Lot 31.01)
 - (a) Beginning 63 feet north from the northwest corner of the building and extending 87 feet northeast, continuing 100 feet east and continuing 73 feet southwest.
- (79) 6 Dickerson Road (Block 58, Lot 67)
 - (a) Beginning 25 feet east of the southeast corner of the building and extending 110 feet east.
- (80) 351 Route 206 (Block 182, Lot 37)
 - (a) Beginning at the northwest corner of building extending 369 feet east and continuing 112 feet south.
- (81) 3 Jill Court (Block 200.05, Lot 14)
 - (a) Beginning at the southwest corner of building extending 54 feet south.
 - (b) Beginning at the southeast corner of building extending 54 feet south.
 - (c) Beginning at the northwest corner of building extending 103 feet east.
- (82) 4 Jill Court (Block 200.05, Lot 7)
 - (a) Beginning at the northwest corner of building extending 51 feet north.
 - (b) Beginning at the northeast corner of building extending 51 feet north.
 - (c) Beginning at the southwest corner of building extending 101 feet east.
- (83) 5 Jill Court (Block 200.05, Lot 13.)
 - (a) Beginning at the southwest corner of building extending 54 feet south.
 - (b) Beginning at the southeast corner of building extending 54 feet south.
 - (c) Beginning at the northwest corner of building extending 98 feet east.
- (84) 6 Jill Court (Block 200.05, Lot 14)
 - (a) Beginning at the northwest corner of building extending 74 feet north.
 - (b) Beginning at the northeast corner of building extending 74 feet north.
 - (c) Beginning at the southwest corner of building extending 104 feet east.
- (85) 1 Housel Circle (Block 178, Lot 4.01)
 - (a) Beginning at the northwest corner of building extending 88 feet south.
- (86) 2 Housel Circle (Block 178, Lot 4.01)
 - (a) Beginning at the southwest corner of building extending 20 feet northwest.
- (87) 6 Housel Circle (Block 178, Lot 4.01)
 - (a) Beginning at the southeast corner of building extending 20 feet north.
- (88) 2 Dally Road (Block 178, Lot 4.01)
 - (a) Beginning at the southwest corner of building extending 20 feet east.
- (89) 384 Amwell Road (Block 200.01, Lot 4.01)
 - (a) Beginning at the northeast corner of building 1, extending 75 feet south.
 - (b) Beginning at the northwest corner of building 4, extending 93 feet south.
 - (c) Beginning at the southwest corner of building 5, extending 70 feet southeast.
 - (d) Beginning at the southwest and southeast corners of building 7, extending 128 feet north.
 - (b) Beginning at the northwest and northeast corners of building 8, extending 80 feet south.
 - (c) Beginning at the northwest and northeast corners of building 9, extending 82 feet south.
- (90) 1 Treeman Lane (Block 141, Lot 30)

- (a) Beginning at the southwest corner of building extending 95 feet east.
- (91) 2 Treeman Lane (Block 141, Lot 30)
 - (a) Beginning at the southwest corner of building extending 230 feet south.
 - (b) Beginning across from the southwest corner of the building extending 83 feet west.
 - (c) Beginning at the southwest corner of building extending 101 feet east.
- (92) 6 Treeman Lane (Block 141, Lot 30)
 - (a) Beginning at the southwest corner of building extending 244 feet northeast.
- (93) 7 Treeman Lane (Block 141, Lot 30)
 - (a) Beginning at the northeast corner of building extending 220 feet west.
- (94) 9 Treeman Lane (Block 141, Lot 30)
 - (a) Beginning at the southeast corner of building extending 109 feet northeast.
- (95) 10 Treeman Lane (Block 141, Lot 30)
 - (a) Across from the southeast corner of building extending 94 feet north.
- (96) 15 Treeman Lane (Block 141, Lot 30)
 - (a) Beginning at the southeast corner of building extending 128 feet northwest.
- (97) 6 Shell Court (Block 141, Lot 30)
 - (a) Beginning at the northeast corner of building extending 127 feet southwest.
- (98) 6 Woodruff Boulevard (Block 141, Lot 30.02)
 - (a) Beginning at the southwest corner of building extending 62 feet northwest.
- (99) 32 Falcon Road (Block 141, Lot 16.02)
 - (a) Access driveways east and west side of property, beginning at a point 40 feet to the south of the building and extending 68 feet south.

Section 2. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. In the event of any inconsistencies or conflicts between this Ordinance and existing ordinances of the Township, the provisions of this Ordinance shall apply.

Section 3. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

Section 4. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Frank DelCore, to open the public hearing on Ordinance 2022-15, the motion was unanimously approved upon the call of the roll.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Frank DelCore, to close the public hearing and adopt Ordinance 2022-15, the motion was approved upon the call of the roll.

2. 2022-16 AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, TO CHANGE THE ZONE DESIGNATION FOR CERTAIN LOTS FROM CDZ CORPORATE DEVELOPMENT AND/OR O-5 OFFICE/RESEARCH TO R RESIDENTIAL AND/OR RA RESIDENTIAL/AGRICULTURAL. NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

Section 1. Purpose.

An analysis of the CDZ Corporate Development and O-5 Office/Research zoning districts conducted by the Planning and Zoning Department illustrated that both districts have been systematically reduced in size and geometry over the years resulting in several disconnected parcels that are no longer reflective of the surrounding land uses or the Township Master Plan. The purpose of this ordinance is to rezone those properties to be consistent with the surrounding land uses and incorporate them into the adjoining zones.

Section 2. Zoning Map Amendment.

The Zoning Map of the Township of Hillsborough, Somerset County, New Jersey, is hereby amended to change the zone designations for the following tax lots as illustrated on the attached map:

In Block 183 – Rezone Lots 27 and 29.01 from CDZ Corporate Development to RA Residential/Agricultural.

In Block 183.01 – Rezone Lots 1.01, 39 and 40 from O-5 Office/Research to R Residential.

In Block 183.05 – Rezone Lot 35 from O-5 Office/Research to R Residential.

In Block 183.06 – Rezone Lot 1 from O-5 Office/Research to R Residential.

In Block 200.10 – Rezone Lot 17 from CDZ Corporate Development to RA Residential/Agricultural.

Section 3. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law.

The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. In the event of any inconsistencies or conflicts between this Ordinance and existing ordinances of the Township, the provisions of this Ordinance shall apply.

Section 4. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

Section 5. After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board 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 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. After introduction, the Township Clerk is hereby directed to provide by personal service or certified and regular mail, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-62.1 to: (1) the owners of the properties affected by this Ordinance; (2) the owners of all properties within 200 feet of the boundaries of the affected properties; (3) the Office of Planning Advocacy; and (4) any military facility commander who has registered with the municipality.

Section 7. After introduction, the Township Clerk is hereby directed to provide by personal service, certified mail or email with confirmation that the email was delivered, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-15 to: (1) the clerk of any adjoining municipalities located within 200 feet of the boundaries of the affected properties; and (2) the County Planning Board.

Section 8. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Mayor Lipani stated Ordinance 2022-16 would rezone certain parcels from CDZ and O-5 to R- Residential and RA- Residential/Agriculture. These amendments to the zoning map address the first of three recommendations found in a recently conducted analysis of the CDZ and O-5 districts in the general vicinity of the Central Jersey Airport, Royce Brook Gold Course, and the Mindel Tract. The analysis illustrated how the CDZ and O-5 districts have been systematically reduced in size and geometry over the years resulting in several disconnected parcels that are no longer reflective of the surrounding land uses or the Township Master Plan. This Ordinance addresses the first recommendation in the CDZ/O-5 report, which is to change the zone designations for eight properties in the study area from either CDZ or O-5 to the R-Residential District and RA- Residential/Agricultural District. The intention is

to rezone the properties to be consistent with the surrounding residential land uses and incorporate them into the adjoining residential zones. The remainder of the CDZ and O-5 zones would be addressed in future amendments as outlined in the CDZ/O5 report.

Upon a motion by Committeeman Frank DelCore, seconded by Committeeman Robert Britting, to open the public hearing on Ordinance 2022-16, the motion was unanimously approved upon the call of the roll.

Upon a motion by Committeeman Robert Britting, seconded by Committeeman Frank DelCore, to close the public hearing and adopt Ordinance 2022-16, the motion was approved upon the call of the roll.

3. 2022-17 AN ORDINANCE AMENDING CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE I “TITLE; PURPOSE; DEFINITIONS”, SECTION 188-3 “WORDS AND TERMS DEFINED” AND ARTICLE V “DISTRICTS AND STANDARDS”, SECTION 188-107.1 “LI LIGHT INDUSTRIAL DISTRICT”, OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 188 “Land Use and Development”, Article I “Title; Purpose; Definitions”, Section 188-3 “Words and terms defined” and Article V “Districts and Standards”, Section 188-107.1 “LI Light Industrial District”, of the Code of the Township of Hillsborough, Somerset County, New Jersey, is hereby amended as follows: **New language is underlined thus and deletions are indicated with strikethroughs ~~thus~~.**

Section 1. Chapter 188 “Land Use and Development”, Article I “Title; Purpose; Definitions”, Section 188-3 “Words and terms defined” is amended to add Large Format Supermarket to the list of defined phrases and words.

B. Certain phrases and words are herein defined as follows:

LARGE FORMAT SUPERMARKET

A retail establishment devoted principally to the sale of food as well as other convenience and household goods containing a minimum gross floor area of 75,000 square feet.

Section 2. Chapter 188 “Land Use and Development”, Article V “Districts and Standards”, Section 188-107.1 “LI Light Industrial District” is amended as follows:

§ 188-107.1 LI Light Industrial District.

A. Purpose. The purpose of the LI Light Industrial District is to provide areas where a wide range of office, industrial and other nonresidential uses are permitted within the limits of design and environmental regulations. This district is located conveniently to the Route 206/freight rail corridor, where some industrial parks and scattered industry now exists but where the potential for industrial growth is good due to convenient transportation routes, utility services and population proximity. Transportation routes into and out of this district will improve because of the planned construction of the Route 206 Bypass with intersections at Hillsborough Road and at existing Route 206 and Mountain View Road.

B. Permitted principal uses. All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one permitted principal use or structure on a lot, subject to compliance with § 107.1B to H below.

(1) Research and product development laboratories mainly devoted to research, design, and testing or experimentation, including processing or fabricating that is clearly subordinate to the principal uses, and specifically excluding the manufacturing, distribution or fabricating on the premises of materials or finished products for sale directly to the general public.

(2) Offices, including medical offices and veterinary hospitals.

(3) Computer centers, data processing and communications facilities.

- (4) Pharmaceutical research and development operations, which includes discovery through clinical trials.
- (5) Pilot plants, which are facilities used to test concepts and ideas and to secure other information prior to full-scale production.
- (6) Solar, wind and other alternative energy research and development facilities.
- (7) Warehousing, shipping and receiving located completely within an enclosed building.
- (8) The manufacturing, processing, finishing and assembly of products completely within an enclosed building.
- (9) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.
- (10) Public playgrounds, conservation areas, parks and other public gathering places.
- (11) Agriculture support service, subject to site plan review and the following specific requirements:
 - (a) Any fertilizers, pesticides, soil conditioners or other bulk chemicals not in individual containers or bags shall be housed in a secure, dry storage facility.
 - (b) Any mixing of dry agricultural chemicals and a solvent shall take place in a structure sufficiently large to securely contain the maximum amount to be mixed.
- (12) Garden centers or plant nurseries.
- (13) Home improvement centers.
- (14) Farm markets.
- (15) Contractor facilities.
- (16) Industrial or office park, subject to site plan review and the following special requirements:
 - (a) A minimum tract area of 20 acres.
 - (b) No individual lot shall contain less than one acre.
 - (c) All individual lots must comply with the area, yard and bulk requirements contained in § **188-106** for the I-1 District.
- (17) Commercial instructional activities.
- (18) Retail sales of goods and services limited to products manufactured by that company, such as a service center for office computers or copying machines, or the retail sale of secondhand, damaged or rejected products produced by the company, such as an outlet store, and which shall not exceed 5% of the gross floor area.
- (19) Fiduciary institutions.
- (20) Indoor recreation facilities and wellness centers.
- (21) Freestanding restaurants and restaurants located in multi-use buildings, not including drive-through facilities.
- (22) Large Format Supermarkets.

C. Permitted accessory uses and structures.

- (1) Uses customarily associated with the above permitted uses, provided that such uses are subordinate to the principal use, do not change the character of the principal use and serve only the principal use.
- (2) Restaurants or cafeterias supplying meals only to employees and guests of a permitted use; as well as newsstands, post offices, health clubs, copy centers, credit unions and banking facilities and similar conveniences serving only employees and guests of the permitted uses.
- (3) Conference center and in-service training school for on-site employees.
- (4) Indoor and outdoor corporate recreation facilities, such as tennis courts, basketball courts, jogging paths and exercise stations and ball fields, provided that such uses, including any accessory buildings associated therewith, shall be planned as an integral part of the site and as a direct support to the permitted principal uses.
- (5) Maintenance, utility and storage facilities subordinate to any permitted use.
- (6) Surface parking and loading provided in conjunction with a permitted use.
- (7) Bus stop shelters, bike racks, mailboxes, phone booths, waste receptacles, gatehouses, benches, kiosks, drinking fountains, art sculptures, plazas, water features and other pedestrian and transit amenities.
- (8) Trash and garbage collection areas which are fully screened and constructed of materials that are compatible with the structure to which they are associated.
- (9) Loading areas which are fully screened such that the screening materials are compatible with the structure to which they are associated.

(10) Outdoor storage may be provided in the side and/or rear yard in conjunction with a permitted use, such that a minimum twenty-foot buffer is required, except that a minimum sixty-foot buffer is required where located adjacent to any residential zone boundary or residential lot line. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.

D. Conditional uses. Any buffer, bulk and parking requirements not specifically enumerated in this section for any conditional use shall be as required in Subsections E and F below.

(1) Automobile service facility.

(a) All lubrication, repair or similar activities shall be performed within a building or enclosed structure, and no dismantled parts shall be stored or displayed outside of a building or enclosed structure.

(b) No junked motor vehicle or part thereof, or such vehicles incapable of normal operation upon a roadway, shall be permitted on the premises of the automobile repair facility.

(c) There is one parking space required for each employee plus two spaces for each service bay.

(d) The minimum building setback is 75 feet to any residential zone boundary or residential lot line.

(e) A minimum sixty-foot buffer from any land disturbance shall be provided to any adjoining property line. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.

(2) (Reserved)

(3) Gasoline service stations.

(a) Must be located at least 75 feet from any residential zone boundary or residential lot line.

(b) A minimum sixty-foot buffer from any land disturbance shall be provided to any adjoining property line. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.

(c) There is one parking space required for each employee plus two spaces for each service bay.

(d) A retail convenience store may be provided in conjunction with a gasoline service station, provided that the following standards are followed:

{1} A minimum of 3.5 parking spaces is provided per 1,000 square feet of gross floor area.

{2} A screened trash enclosure must be located at least 75 feet from any property line.

(e) All lubrication, repair or similar activities shall be performed within a building or enclosed structure, and no dismantled parts shall be stored or displayed outside of a building or enclosed structure.

(f) No junked motor vehicle or part thereof, or such vehicles incapable of normal operation upon a roadway, shall be permitted on the premises of the gasoline service station.

(g) Auto repair may be provided in conjunction with a gasoline service station, provided that all repairs are conducted inside a building.

(4) Outside manufacturing operations:

(a) Minimum lot size: five acres.

(b) Minimum lot width: 300 feet.

(c) A minimum sixty-foot buffer is required to any adjoining property line, except that a minimum one-hundred-foot buffer is required to any residential zone boundary or residential lot line.

(5) Private recreation complex.

(a) Minimum lot size: 10 acres.

(b) Minimum lot width: 300 feet.

(c) Minimum buffer: 100 feet from any residential zone boundary or residential lot line.

(6) Self-service storage facilities.

(a) One ten-foot-wide parking and loading zone shall be provided adjacent to each bay of storage buildings, exclusive of required aisle widths.

- (b) The minimum aisle width for access to storage units shall be a minimum of 24 feet for two-way travel and 15 feet for one-way travel, exclusive of parking and loading zones.
- (c) An on-site office for the management of the facility is provided.
- (d) Off-street parking shall be provided in the vicinity of the office at a ratio of one space per 50 units or part thereof.
- (e) The storage facility shall not exceed one story in height or 15 feet, whichever is less.
- (f) The storage facility shall be so designated so that no entryway into a storage unit shall face a public right-of-way.
- (g) A minimum sixty-foot buffer is required to any adjoining property line. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.
- (7) Off-street parking in multistory structures, subject to the following standards:
 - (a) A parking structure no taller than 20 feet (i.e., on grade plus one elevated level) shall be a permitted conditional use if such structure is set back at least 100 feet from any tract boundary line. The parking garage may be higher in order to accommodate a roof with solar energy panels.
 - (b) Parking structures shall be architecturally compatible with primary on-site buildings and structures. The location of parking structures shall be limited by minimum setback requirements to assure adequate shielding from off-site views from surrounding residential neighborhoods. Ample landscape screening shall be provided by the applicant to soften visual impacts associated with the construction of parking structures.
 - (c) Parking structures shall be included as part of the building coverage calculation but shall not be included in the calculation of floor area ratio.
 - (d) The development phasing schedule shall include the construction of parking structures in one of the early phases and prior to the issuance of a certificate of occupancy for any of the last 50% of the associated land uses.
- (8) Freestanding restaurants with drive-through facilities subject to the following conditions:
 - (a) Frontage must be located along and access provided from Route 206. A drive-through service window shall not be located on the street side of the building or in front of the front building line and shall not encroach on any required buffers.
 - (b) There shall be a minimum sixty-foot buffer adjacent to any residential zone boundary or residential lot line, unless otherwise indicated. Such buffer shall be reviewed by the appropriate board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing, and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area subject to the approval of the Township Attorney and recorded prior to the issuance of a certificate of occupancy. A drive-through facility shall be limited to two service lanes and one bypass lane.
 - (c) Drive-through facilities shall not be located within 500 feet of any other permitted use with a drive-through facility, public or private school or house of worship. A drive-through facility and associated signage shall be provided with landscaping to visually enhance views of the facility, signage and driveway as seen from the surrounding area.
 - (d) The stacking driveway for the drive-through window shall provide room for at least five automobiles and shall be separated from any off-street parking areas and their access aisles, loading areas or trash enclosures.
 - (e) A drive-through facility shall not adversely impede or conflict with pedestrian and/or vehicular circulation in the area.
 - (f) A drive-through service window shall be set back a minimum distance of 50 feet from the property line of any adjoining residential use or zone.
 - (g) Minimum parking shall be one space per 3 seats.
- (9) Dispatch services.
 - (a) Minimum lot size: two acres.
 - (b) Minimum lot width: 200 feet.
 - (c) Minimum front yard: 50 feet.
 - (d) Minimum side yard: 25 feet.

- (e) Minimum rear yard: 150 feet.
- (f) Maximum impervious coverage: 60%.
- (g) Maximum building height: 35 feet.
- (h) Minimum buffer: 20 feet, except that a minimum fifty-foot buffer is required where located adjacent to a residential zone boundary or to an existing residence lot line.
- (i) The minimum number of off-street parking spaces for dispatch services shall be 3.5 spaces per 1,000 square feet of usable floor area.

10) Retail sales of goods and personal service establishments not otherwise permitted in §188-107.1.B. subject to the following conditions:

(a) The building(s) housing the retail sales and personal service establishments must be associated with and built in conjunction with a large-format supermarket as defined in Section 188-3 and have direct pedestrian and vehicular connections to the supermarket.

(b) The maximum gross floor area of space dedicated to retail sales and personal service establishments shall be 20,000 square feet.

(c) The building(s) housing the retail sales and personal service establishments must have direct access to and/or frontage on Route 206.

(d) Minimum parking shall be three spaces per 1,000 square feet of gross floor area.

E. Area, yard, bulk and site perimeter requirements.

(1) Buffer requirements. A minimum twenty-foot buffer is required, except that a minimum sixty-foot buffer is required where adjacent to any residential district or existing residential use included as part of this requirement, unless otherwise indicated. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation provides a sufficient year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or a fence or berm. Once all screening/landscaping improvements are completed, a conservation easement shall be established by the applicant for the buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.

(2) Fencing requirements. Fencing may be provided on the perimeter of the tract, or within the tract, provided that the fencing is of an architecturally compatible design and consistent throughout the tract. No fence shall exceed a height of five feet above finished grade.

(3) Area, yard and bulk regulations.

(a) Minimums:

{1} Lot area: two acres.

{2} Lot width: 200 feet.

{3} Lot depth: 250 feet.

{4} Front yard: The minimum front yard shall be 40 feet.

{5} Side yard: The minimum side yard shall be 20 feet. There shall be no internal side yard setback where multiple buildings occur on one lot.

{6} Rear yard: 75 feet.

(b) Maximums:

{1} Floor area ratio: 0.30.

{2} Total impervious coverage: 60%.

{3} Building height: three stories or 60 feet.

F. Off-street parking requirements.

(1) The minimum number of required off-street parking spaces for the permitted uses in the LI District is as follows:

(a) Office: three spaces per 1,000 square feet of usable floor area.

(b) Medical office, veterinary hospital: four spaces per 1,000 square feet of usable floor space.

(c) Child-care center: one space per employee plus one space per 10 children enrolled.

- (d) Public uses, including municipal, county and state-owned facilities: four spaces per acre or portion thereof.
- (e) Research and development facilities, computer centers, data processing and communications facilities and pilot plants: 2.5 spaces per 1,000 square feet of usable floor area.
- (f) Catering facilities: four spaces per 1,000 square feet of usable floor area.
- (g) Indoor recreation/wellness facilities and private recreation complexes: 3.5 spaces per 1,000 square feet of usable floor area.
- (h) Contractor facilities: 2.5 spaces per 1,000 square feet of usable floor area.
- (i) Manufacturing uses: one space per 1,500 square feet of usable floor area.
- (j) Warehousing uses: one space per 5,000 square feet of usable floor area.
- (k) Large Format Supermarkets shall have four spaces per 1,000 square feet of gross floor area.

G. Supplemental regulations to the LI District.

(1) The requirements contained in §§ **188-167** to **188-175L** of the Architectural and Site Design Overlay Zone shall apply, except as otherwise provided in the LI District requirements.

(2) Site building standards.

(a) Building placement, front setback.

{1} Service areas and any new parking shall be located in the side or rear yards with the exception that a portion of the required parking for a large-format supermarket may be located in the front yard. The maximum amount of front-yard parking will be determined by the reviewing board during the site plan review process based on circulation patterns and the project's adherence with other applicable Architectural and Site Design Overlay standards.

(b) Building placement, orientation.

{1} Buildings and site improvements shall be designed to minimize changes to existing topography and mature vegetation.

{2} The primary entrance of each building shall accommodate pedestrian access from the streets as well as from the parking lots.

{3} Secondary public entrances, if provided, shall be designed in a manner consistent with primary entrances if visible from public streets or parking lots.

(c) Vehicular and pedestrian access.

{1} A maximum of one curb cut shall be allowed for lots with street frontage less than or equal to 500 feet. One pair of one-way curb cuts shall count as one curb cut.

{2} For lots with street frontage greater than 500 feet, one additional driveway opening per 250 feet of street frontage shall be allowed.

{3} The maximum width of curb cuts shall be 12 feet for one-way drives and 24 feet for two-way drives. Wider curb cuts with landscaped medians may be allowed for multidirectional traffic on lots with street frontage greater than 250 feet or for shared driveways.

{4} Shared driveways that serve more than one property may be provided where deemed appropriate by the Planning Board or Board of Adjustment. Cross-access shall be required between adjoining properties.

{5} Bicycle connections to the primary public entrance of the building shall be provided where a public sidewalk or bikeway is adjacent to the property.

{6} To the greatest extent possible, all portions of the development shall be linked via a sidewalk and pathway network as approved by the Planning Board or Board of Adjustment; the site shall be pedestrian-oriented, with a design that enables and encourages pedestrian and bicycle circulation, with linkages to surrounding areas. The applicant shall utilize the Master Plan in developing a pedestrian and bicycle pathway network. Bicycle storage facilities shall be provided.

(3) Route 206 right-of-way. The following are specific requirements for the property fronting along Route 206:

(a) The right-of-way shall be at least 86 feet.

(b) A five-foot-wide sidewalk and ten-foot-wide planting strip between the sidewalk and right-of-way, with street trees and curbing, shall be provided along property frontage.

(c) On-street parking is prohibited.

(4) Landscaping.

(a) A landscape plan shall be provided for the entire site and shall be prepared by a licensed landscape architect.

- (b) All trees planted in front of the front building line shall be at least three inches in diameter for single-stemmed trees, or 10 to 12 feet in height for multistemmed trees, at the time of planting. All other trees shall be 2 1/2 inches in diameter at the time of planting, unless otherwise provided by these standards.
- (c) Existing trees having a DBH (diameter at breast height, measured at 4 1/2 feet above ground level) over six inches shall be preserved unless removal is approved by the Planning Board or Zoning Board of Adjustment. If a preserved tree dies, it must be replaced with a two-and-one-half-inch-diameter tree of the same or similar tree species, subject to approval by the Township Planning Department.
- (d) Impervious materials shall not be placed over the critical root zone of a preserved tree. The critical zone is a ratio of one inch DBH to one foot radius around the tree.
- (e) All exposed soil areas shall be covered with bark, mulch, or other weed-control measures.
- (f) A single row of canopy trees shall be planted along property lines abutting a street at a ratio of one tree for every 40 linear feet within a minimum ten-foot-wide planting strip.
- (g) Canopy trees shall be planted within the front yard setback area.
- (h) In addition to the required street trees, the front yard of any nonresidential or mixed property shall be landscaped with appropriate plantings in order to provide a green strip along the Route 206 frontage. This shall include appropriate plantings as part of any stormwater management facility that may be located in the front yard. The use of stone similar to that incorporated into the wall found along the Route 206 frontage of the Duke Estate is encouraged to be likewise utilized as part of any low screening wall, fence, sign base or similar feature intended to supplement the landscaping in the front yard, as appropriate.
- (5) Off-street parking site design.
 - (a) Parking areas shall be designed as a series of smaller lots that provide space for no more than 20 cars for double-sided parking and 10 cars for single-sided parking. The small parking lots shall be separated by minimum five-foot-wide internal planting areas that feature trees planted in grass or other approved landscape material.
 - (b) Parking areas shall be located in the side or rear yards and not in front of the buildings.
 - (c) All parking areas, where visible from a public street, shall be screened by a five-foot-high solid wall, architectural fence and/or solid evergreen hedge.
 - (d) One canopy tree shall be provided at a ratio of one tree to every four parking spaces in that area.
 - (e) Each parking space shall be within 50 feet of the trunk of a planted or retained tree.
 - (f) Where slopes over 5% exist, parking bays shall be terraced, with planting between changes in level.
 - (g) Where over 50 parking spaces are provided, pedestrian pathways identified with smaller-scale pavement (pavers or scoring) oriented toward the principal building entrances shall be provided.
 - (h) Each separate planting area shall have a minimum of 150 square feet per tree and shall have a minimum dimension of at least five feet.
 - (i) In addition to required trees, planting areas shall be landscaped with shrubs, ground cover, or other approved landscaping material not exceeding 3 1/2 feet in height.
 - (j) Where parking is adjacent to a public right-of-way, a ten-foot-wide landscape buffer shall be provided between the edge of the right-of-way and the edge of the parking lot. In addition to the required trees, the buffer shall consist of one of the following:
 - {1} One shrub per every three linear feet.
 - {2} Berm with a three-foot minimum height, which shall be planted with ground cover, shrubs and trees.
 - (k) Parking areas shall be designed to be interconnected with adjacent properties and shall utilize common entrances and exits where feasible to minimize access points to the street. Such interconnections shall be established through an appropriate cross-access easement. The use of rear lanes or commercial service roads is encouraged to avoid individual curb cuts onto Route 206.
 - (l) Shared parking shall be encouraged. The Planning Board or Board of Adjustment, as appropriate, may approve an equivalent parking ratio based upon shared parking and use of cross-access easements with the off-street parking of an adjacent tract within the ASD Overlay Zone.
 - (m) Large undivided parking areas are prohibited. Large parking areas should be functionally divided by internal circulation corridors or aisles to establish several smaller lots to prevent random or high-speed movements and to provide for the planting of street trees and other landscaping. The recommended maximum number of spaces within such a subplot, or lots separated by an island or planting strip, shall be 100 spaces, with 50 or fewer preferred. End aisles should be delineated by a landscaped island, not by painted asphalt.

- (n) There shall be a comprehensive network of sidewalks and front, sides and rear of the buildings. The sidewalks and passageways shall be linked to other off-site pedestrian connections where appropriate based on proximity to existing residential areas, proposed intended use of the building, and provision of existing or planned pedestrian or bicycle improvements.
 - (o) Pedestrian passageways shall connect rear parking lots between buildings with textured walking surfaces, street furniture and landscaping. In addition, the design of the building may incorporate window displays, side door entrances, or other interesting features along the passageway. Lighting should be provided for all parking facilities and sidewalks.
 - (6) Pedestrian circulation.
 - (a) Paving materials shall identify pedestrian circulation areas within the parking lots.
 - (b) Pedestrian walkways, at least five feet in width, shall be provided from public sidewalks adjoining the property to a principal public/customer entrance.
 - (c) Along facades with a public/customer entrance and along any facade abutting public parking areas, sidewalks, at least five feet in width, shall be provided along the full length of the facade.
 - (d) Walkways shall have at least two of the following:
 - {1} Landscaped areas along at least 30% of their length;
 - {2} Use of smaller-scale pavement (pavers or scoring);
 - {3} Pedestrian scale lighting; and
 - {4} Rain protection (awnings, arcades).
 - (e) Common areas shall be accessible from all buildings and connected by a comprehensive, on-site pedestrian circulation system. Clearly defined buffers enhance the attractiveness of the streetscape and promote pedestrian safety. Sidewalks and plazas should be made comfortable for use by pedestrians through the use of landscaping, overhangs and canopies in order to provide shade and non-heat-absorbing materials. Pedestrian circulation layout on any development site should take into account on-site generators of pedestrian movement, such as open spaces, schools, retail centers, and bus stops.
 - (7) Decorative walls, fences and screening design.
 - (a) Decorative walls and fencing may be required by the Planning Board or Board of Adjustment, as appropriate, to compliment the structure style, type and design of the principal structure.
 - (b) Walls and fencing are allowed only in side and rear yards and in the front yard behind the front building line, with the exception of outdoor eating and play areas.
 - (c) Walls and fencing shall be constructed of durable high-quality materials and shall display a high quality in finish and detail; made of masonry, ornamental metal, wood, stucco, or a combination of these materials.
 - (d) Walls and fencing greater than 50 feet in length shall have a change in plane, height, material, or material texture, or significant landscape massing.
 - (e) Planting shall be considered as part of any wall or fence plan.
 - (f) Walls, hedges, and picket fences in front yards shall be limited to a maximum of 3 1/2 feet in height. Wrought-iron fences may be up to five feet in height. Entrances, gates, and corners should be specifically treated to define their function.
 - (8) Loading, outdoor storage, and service areas.
 - (a) Where these areas face adjacent residential uses or public rights-of-way, an earthen berm, no less than six feet in height, containing, at a minimum, evergreen trees planted at intervals of 20 feet on center and seven evergreen shrubs per tree, shall be provided.
 - (b) No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 35 feet of any public street or public sidewalk.
 - (c) Materials, colors, and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the principal building.
 - (d) Service functions shall be incorporated into the overall design of the building and landscaping, so that they are fully contained and out of view from adjacent properties and rights-of-way.
 - (e) Truck delivery and circulation routes shall be separated from customer circulation where possible.
 - (9) Affordable housing shall be provided in accordance with the New Jersey Council on Affordable Housing (COAH) Round 3 Regulations for Nonresidential Development.
- H. Architectural standards.

- (1) Exterior building design shall be coordinated with regard to color, types of materials, architectural form, and detailing. Multiple buildings on the same site shall be designed to create a cohesive relationship between the buildings. The requirements in the Architectural and Site Design Overlay Zone, as contained in §§ **188-167** to **188-175L** shall apply, except as otherwise provided in the LI District requirements, as indicated herein.
- (2) Building orientation should respect climatic conditions by minimizing heat gain and considering the impact of shade on adjacent land uses and areas. Buildings should maximize public comfort by providing shaded public outdoor areas, minimizing glare, and facilitating breezes.
- (3) Buildings should be oriented to allow for the use of common driveways, where a reduction in the number of curb openings will enhance the streetscape and promote traffic safety.
- (4) Buildings on corner lots and end buildings shall be considered significant structures, because they have at least two facades exposed to the street. As such, specialized facade treatments and appropriate embellishments, such as corner towers, shall be integrated into the design to mark their prominence. Additionally, pedestrian flow can be emphasized by arcades or chamfered corners.
- (5) Focal points or points of visual termination along the corridor shall generally be occupied by more-prominent structures that employ enhanced height, massing, distinct architectural treatments or other distinguishing features.
- (6) Backs of buildings may face a parking lot. However, the rear of the building shall be treated to be compatible with the overall design of the building. Access from the front and rear of buildings is encouraged.
- (7) Buildings shall avoid long, monotonous, uninterrupted walls and/or roof planes. Individual buildings within the ASD Overlay Zone shall not exceed 100 feet in length along any wall, roof or footprint plane. Building fronts wider than 40 feet as viewed from the public realm shall be modulated to break the facade to give the appearance of several buildings or through the use of building wall offsets, including projections, recesses and changes in cap line, wall height, and floor level. The total measurement of such offsets shall equal a minimum of 10% of the building wall length. The minimum projection or depth of any individual offset shall be not less than four feet.
- (8) Roofline offsets, cross-gables and dormers shall be provided along any roofline measuring longer than 75 feet, in order to provide interest and variety to the massing of the building roofline.
- (9) Signs. A signage program shall be established as part of the development review and approval process pursuant to the requirements contained in § **188-83K**.
 - (a) There shall be a consistent sign design theme throughout the development. A unifying design theme shall include style of lettering, method of attachment, construction, material, size, proportion, lighting, position and day/night impacts. Color of letters and background shall be carefully considered in relation to the color of the material of the building(s) or where the signs are proposed to be located. Signs shall be a subordinate rather than predominant feature of any building. The lettering and sign shall be compatible with the architecture of the building.
 - (b) A comprehensive signage plan shall be provided which covers overall project identification, window signage and lettering, individual building/tenant identification, traffic regulations, pedestrian crossing, street identification, parking and directional instructions. A signage hierarchy shall be established governing the above signage categories.
 - (c) All permanent signage shall be affixed to a building facade, canopy, arcade or freestanding structure and be visible to both pedestrians and drivers.

Section 3. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. In the event of any inconsistencies or conflicts between this Ordinance and existing ordinances of the Township, the provisions of this Ordinance shall apply.

Section 4. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

Section 5. After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board 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 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. After introduction, the Township Clerk is hereby directed to provide by personal service or certified and regular mail, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-62.1 to: (1) the owners of the properties affected by this Ordinance; (2) the owners of all properties within 200 feet of the boundaries of the affected properties; (3) the Office of Planning Advocacy; and (4) any military facility commander who has registered with the municipality.

Section 7. After introduction, the Township Clerk is hereby directed to provide by personal service, certified mail or email with confirmation that the email was delivered, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-15 to: (1) the clerk of any adjoining municipalities located within 200 feet of the boundaries of the affected properties; and (2) the County Planning Board.

Section 8. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Mayor Lipani stated the proposed ordinance amends Section 188-3 of the Hillsborough Development Regulations Ordinance (HDRO) by defining a large format supermarket and amends Section 188-107.1, Light Industrial (LI) District, by adding large format supermarkets to the list of permitted principal uses along with related bulk and design standards. Additionally, the LI District is proposed to include standards for freestanding restaurant drive-through facilities and add retail sales of goods and personal service establishments to the list of permitted conditional uses.

Upon a motion by Committeeman Frank DelCore, seconded by Committeeman Doug Tomson, to open the public hearing on Ordinance 2022-17, the motion was unanimously approved upon the call of the roll.

Committeeman DelCore stated this was discussed at the Planning Board.

Joyce Hollowell, 318 Homestead Road stated this ordinance is a drastic change in the zoning and believes the property is inappropriate for a large supermarket considering the businesses on adjoining properties.

Ken Worden, representing Mr. Ron Tobia, 739 Route 206 stated he has been trying to sell a property for over a year across the street from the proposed supermarket and has wanted a drive through option that is provided in this zone change for the supermarket.

Committeeman Tomson stated if anyone has a problem with their zoning they should contact the Planning and Zoning Department.

Frances Papera, 778 US Route 206 stated she lives directly across from the parcel of land. She is concerned about kids walking to the high school and the permitted use that is to be added is going to cause a lot of traffic back on 206. Ms. Papera questioned the need and use of the bypass to reduce traffic.

Mayor Lipani stated the zone exists already and a Lowe's could be built for example. This is just adding a conditional use.

Committeeman Tomson stated what concerns him more are the other permitted uses for the property in question such as a warehouse or medical research facilities.

Upon a motion by Committeeman Frank DelCore, seconded by Committeeman Doug Tomson, to close the public hearing and adopt Ordinance 2022-17, the motion was approved upon the call of the roll.

4. 2022-18 AN ORDINANCE APPROPRIATING CERTAIN MONIES HELD BY THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, FOR THE PURCHASE

OF VARIOUS CAPITAL IMPROVEMENTS IN THE AMOUNT OF \$270,000.00 IN AND FOR THE TOWNSHIP OF HILLSBOROUGH.

WHEREAS, there are funds available in the Hillsborough Township Capital Improvement Fund in the amount of \$270,000.00; and

WHEREAS, the Hillsborough Township Committee has determined there is a need to appropriate the aforesaid Capital funds for the following purposes and amounts:

1	Remediation & Demolition of Old Municipal Building	\$125,000.00
2	Resurfacing/Ramp Removal of AVM Skate Park	\$ 45,000.00
3	Resurfacing of AVM Basketball Courts	\$100,000.00
		\$270,000.00

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the aforementioned sums are hereby appropriated.

This ordinance shall take effect upon final adoption and publication according to law.

Mayor Lipani stated this action will fund renovation to park facilities at AVM Park, more specifically the Skate Park and Basketball courts as well as proceed with the demolition of the old municipal building.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, to open the public hearing on Ordinance 2022-18, the motion was unanimously approved upon the call of the roll.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, to close the public hearing and adopt Ordinance 2022-18, the motion was approved upon the call of the roll.

Committeeman Tomson expressed a desire to preserve items from the old Municipal Building.

INTRODUCTION OF NEW ORDINANCES

None

CONSENT

1. RESOLUTION AUTHORIZING THE HIRING OF JOSEPH GONZALEZ FOR THE POSITION OF FULL-TIME BUS DRIVER IN THE HILLSBOROUGH TOWNSHIP SOCIAL SERVICES DEPARTMENT

WHEREAS, there exists a need for a full-time Bus Driver in the Township of Hillsborough Social Services Department; and

WHEREAS, the Director of Social Services recommends the hiring of Joseph Gonzalez as a full-time Bus Driver in the Township of Hillsborough Social Services Department effective October 12, 2022 at an annual salary of \$45,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Director of Social Services is authorized to hire Joseph Gonzalez as a full-time Bus Driver in the Township of Hillsborough Social Services Department effective October 12, 2022, at an annual salary of \$45,000.00.

2. RESOLUTION APPOINTING ZUZANA KARAS AS DEPUTY ZONING OFFICIAL AND TO SEAT 5 ON THE ECONOMIC AND BUSINESS DEVELOPMENT COMMISSION

WHEREAS, there exists a need for Hillsborough Township to appoint an additional Deputy Zoning Official; and

WHEREAS, there is also a vacancy on the Economic and Business Development Commission due to the promotion of David Kois from Director of Economic and Business Development to Interim Director of Planning; and

WHEREAS, the Township Administrator recommends the appointment of Zuzana Karas as Deputy Zoning Official; and

WHEREAS, the Township Administrator also recommends the appointment of Zuzana Karas to Seat 5 on the Economic and Business Development Commission for the term expiring on December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Zuzana Karas is hereby appointed as Deputy Zoning Official and that Zuzana Karas is appointed to Seat 5 on the Economic and Business Development Commission for the term expiring on December 31, 2024.

3. RESOLUTION DESIGNATING PAMELA BOREK AS THE FILM READY LIAISON AND COMMUNITY AFFILIATE FOR HILLSBOROUGH TOWNSHIP

WHEREAS, Film Ready is a designation by the New Jersey Motion Picture and Television Commission (NJMP TVC) that connects film and TV productions with skilled liaisons across the state to provide local expertise and support to local resources and location information for potential filming; and

WHEREAS, Hillsborough Township wishes to become a designated Film Ready location; and

WHEREAS, it is a requirement of all Film Ready locations to designate a Film Ready Liaison and Community Affiliate; and

WHEREAS, the Township Administrator recommends designating Pamela Borek as Hillsborough Township's Film Ready Liaison and Community Affiliate.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendation of the Township Administrator to designate Pamela Borek as Hillsborough Township's Film Ready Liaison and Community Affiliate is hereby accepted and approved.

4. RESOLUTION APPROVING CARNIVAL LICENSE APPLICATION SUBMITTED BY MELISSA'S CJ, LLC, FOR CHRISTMAS CRAFT MARKET EVENTS TO BE HELD ON NOVEMBER 25-27, 2022 AND DECEMBER 10-11, 2022, AT THE FLOUNDER BREWING COMPANY PROPERTY LOCATED AT 2 CLERICO LANE, HILLSBOROUGH, NEW JERSEY

WHEREAS, Melissa's CJ, LLC, submitted an Application for a Carnival License for Christmas Craft Market events to be held on November 25-27, 2022 and December 10-11, 2022, at the Flounder Brewing property located at 2 Clerico Lane, Hillsborough, New Jersey; and

WHEREAS, the submitted Application has been deemed complete.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby approves the Application submitted by Melissa's CJ, LLC, for a Carnival License for Christmas Craft Market events to be held on November 25-27, 2022 and December 10-11,

2022, at the Flounder Brewing property located at 2 Clerico Lane, Hillsborough, New Jersey.

5. RESOLUTION AUTHORIZING THE INSTALLATION OF CELL PHONE BOOSTERS AT THE MUNICIPAL COMPLEX

WHEREAS, the the Chief of Police and the Technology Director have requested authorization for the installation of cell phone boosters for the municipal complex which will increase cell phone service capabilities, particularly in the event of an emergency; and

WHEREAS, the equipment and services will be provided by PMC Associates through New Jersey State Contract #83900 in an amount not to exceed \$19,582.58; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer through Account #G-02-40-381-381.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby authorizes and approves the installation of cell phone boosters for the municipal complex by PMC Associates in an amount not to exceed \$19,582.58 through New Jersey State Contract #83900.

6. RESOLUTION AWARDING A CONTRACT TO JML LANDSCAPING, INC., FOR THE GREEN HILLS DEVELOPMENT DRAINAGE CHANNEL CLEANING PROJECT

WHEREAS, the Township publicly advertised for sealed bids for the Green Hills Development Drainage Channel Cleaning Project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq; and

WHEREAS, sealed bids were opened on October 5, 2022, at 10:30 a.m., in the Municipal Building Court Room, which was the time and place provided for the Notice to Bidders; and

WHEREAS, the Township received only one (1) bid in response to its solicitation as follows:

JML Landscaping, Inc.	\$274,595.00
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WHEREAS, the Township Administrator and Assistant Township Engineer recommend a contract in an amount not to exceed \$274,595.00 be awarded to JML Landscaping, Inc., for the Green Hills Development Drainage Channel Cleaning Project; and

WHEREAS, funds are available for this project as certified by the Township's Chief Financial Officer from account #G-02-40-650-000.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that a contract in an amount not to exceed \$274,595.00 is hereby awarded to JML Landscaping, Inc., for the Green Hills Development Drainage Channel Cleaning Project.

7. RESOLUTION AUTHORIZING RELEASE OF CASH ESCROW PROVIDED TO THE TOWNSHIP FOR ISSUANCE OF A CONDITIONAL CERTIFICATE OF OCCUPANCY FOR 4 DANBURY COURT, BLOCK 175.17, LOT 15.02

WHEREAS, a cash escrow in the amount of \$1,500 was provided to the Township for issuance of a Conditional Certificate of Occupancy for 4 Danbury Court, Block 175.17, Lot 15.02; and

WHEREAS, the Assistant Township Engineer certifies all work has been satisfactorily completed and recommends the Township Committee authorize release of the cash escrow in the amount of \$1,500.00 to Faisai Zaidi.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendation of the Assistant Township Engineer is hereby accepted and approved.

8. RESOLUTION AUTHORIZING RELEASE OF APPLICATION FEE, GIS FEE, AND DEVELOPMENT REVIEW ESCROW DEPOSIT TO HENRY AND JOHANNA RZEMIENIEWSKI FOR BA-22-11

WHEREAS, on August 19, 2022, Henry and Johanna Rzemieniewski submitted Application BA-22-11 to the Board of Adjustment seeking approval of an addition to their residence located at 82 Meadowbrook Drive; and

WHEREAS, in connection with the Application, Henry and Johanna Rzemieniewski provided the Township with the following funds: (a) Application Fee \$250.00; (b) GIS Fee \$25.00; and (c) Development Review Escrow Deposit \$1,000.00; and

WHEREAS, the Zoning Officer determined variance relief and Board of Adjustment approval was not required for the proposed addition; and

WHEREAS, the Township Planning Director recommends the Township Committee authorize the release of the: (a) Application Fee \$250.00; (b) GIS Fee \$25.00; and (c) Development Review Escrow Deposit \$1,000.00 to Henry and Johanna Rzemieniewski.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendation of the Township Planning Director is hereby accepted and approved.

9. RESOLUTION ACKNOWLEDGING RECEIPT OF RESOLUTION 22-021 PROPOSED TO BE ADOPTED ON OCTOBER 11, 2022, BY THE HILLSBOROUGH BOARD OF FIRE COMMISSIONERS ESTABLISHING THE COMPENSATION FOR THE MEMBERS OF THE BOARD OF FIRE COMMISSIONERS

WHEREAS, pursuant to N.J.S.A. 40A:14-88, each member of the board of fire commissioners shall receive as compensation such amounts as the board shall fix subject to review by the governing body wherein the fire district is located; and

WHEREAS, on October 11, 2022, the Commissioners of Fire District No. 1, in the Township of Hillsborough, County of Somerset, is scheduled to propose Resolution 22-021 establishing the compensation for the members of the Board of Fire Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township Committee acknowledges receipt of Resolution 22-021, proposed on October 11, 2022, by the Commissioners of Fire District No. 1, in the Township of Hillsborough, County of Somerset, establishing the compensation for the members of the Board of Fire Commissioners.

10. RESOLUTION AUTHORIZING THE TOWNSHIP OF HILLSBOROUGH TO SUBMIT AN APPLICATION TO THE NJDOT TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM FOR THE TRIANGLE ROAD MISSING LINK PROJECT

WHEREAS, the Township of Hillsborough ("Township") supports policies and programs that focus on pedestrian and public safety and healthier community environments; and

WHEREAS, the Township desires to further the public interest by making an application to the New Jersey Department of Transportation ("NJDOT") Transportation Alternatives SetAside Program ("TAP") to support the

Triangle Road Missing Link Project; and

WHEREAS, the Township understands the TAP grant does not require a specific match commitment; however, the Township is prepared to fund costs associated with the project not covered by the award; and

WHEREAS, maintenance of facilities, once constructed, will be assumed by the Township where applicable, with exception of any (1) local ordinances that place maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways; and

WHEREAS, the Township of Hillsborough through its Department of Public Works will assume all responsibility with regard to the maintenance and upkeep of this project; and

WHEREAS, the Township of Hillsborough will assign the Administrator to serve as the responsible charge for the project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Hillsborough that it hereby authorizes and supports the submission of electronic grant application "TA-2023-Triangle Road Missing Link Project-00016" to NJDOT TAP and authorizes the Mayor, Administrator, and Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Frank DelCore, the consent agenda resolutions 2-10 was unanimously approved upon the call of the roll.

Mayor Lipani stated that resolution 6 pertains to the cleaning up of the Green Hills area.

CLAIMS LIST

1. CLAIMS LIST 2022-16

Mayor Lipani asked to approve Claims List 2022-16.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, Claims List 2022-16, was approved upon the call of the roll.

EXECUTIVE SESSION

ADJOURNMENT

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Frank DelCore, the meeting duly adjourned at 8:48 pm. Said motion was unanimously carried upon voice vote.

Attested:



Pamela Borek
Township Clerk