

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 12, 2002.

SECTION 1. Section 185-52 entitled “Garden apartments, attached single-family houses, zero-lot-line detached dwellings and multi-level housing units” is hereby deleted in its entirety and replaced with the following:

§ 185-52. Garden apartments, attached single-family houses, zero-lot-line detached dwellings and multi-level housing units. [Amended 10-5-1999 by Ord. No. 99-8]

A. Development standards.

Development Standard	Apartment Buildings and Garden Apartments	Attached Single-Family	Multi-Level Housing	Zero-Lot-Line Detached
Minimum tract area	40 acres	15 acres	N/A	40 acres and minimum of 4,000 square feet per individual lot
Maximum overall tract density	4-1/2 units per acre	4-1/2 units per acre	2 units per acre	4-1/2 units per acre
Maximum number of units/structures	12	8	16	N/A
Maximum length of structure	200 feet	200 feet	175 feet	N/A
Maximum building coverage	20%	20%	30%	30%
Maximum number of single units served by single common entrance	2	1	1	N/A

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 12, 2002.

Development Standard	Apartment Buildings and Garden Apartments	Attached Single-Family	Multi-Level Housing	Zero-Lot-Line Detached
Minimum number of entrance/exits per unit	2	1	1	N/A
Maximum height ⁴⁰	5 stories or 50 feet for apartment buildings; 2 stories or 35 feet for garden apartment	2 stories or 35 feet.	2-1/2 stories or 35 feet.	2-1/2 stories or 35 feet, whichever is less.

⁴⁰Note: No cellar or basement shall be used for living space except that in attached-single family dwellings where the basement or more than 1/2 thereof is at or above ground level, it may be used for a recreation room or similar purpose, but the building shall not exceed the specified height.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 12, 2002.

Development Standard	Apartment Buildings and Garden Apartments	Attached Single-Family	Multi-Level Housing	Zero-Lot-Line Detached
Minimum distance between groups of structures:				
End to end	35 feet	35 feet	35 feet	N/A
Rear to rear	60 feet	60 feet	60 feet	N/A
Front to back	75 feet	75 feet	75 feet	N/A
Front to front	75 feet	75 feet	75 feet	N/A
Front to side (except that buildings may join at corners)	50 feet	50 feet	50 feet	N/A
Minimum distance to public road	65 feet	50 feet	50 feet	50 feet
Minimum distance to private road	45 feet	25 feet	25 feet	25 feet
Minimum lot width at street	N/A	12 feet	N/A	40 feet
Minimum lot width at building front line.	N/A	18 feet	N/A	40 feet
Minimum lot depth	N/A	N/A	N/A	100 feet
Minimum distance to side property line	75 feet	25 feet	25 feet	12 feet, one side only. ⁴²
Minimum distance to rear property line	75 feet	25 feet	25 feet	25 feet

⁴² Note: Residential structures may be placed on any two lots contiguous to the interior property line common to their ownership. No openings of any kind shall be permitted in the interior property line wall. Further, eaves, roof overhangs, gutters, rainwater leaders and other similar structural fixtures may project up to 18 inches into any adjoining parcel, provided that the same are in accordance with appropriate architectural design for the zero-lot-line detached dwelling.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 12, 2002.

Development Standard	Apartment Buildings and Garden Apartments	Attached Single-Family	Multi-Level Housing	Zero-Lot-Line Detached
Minimum yard widths	N/A	N/A	N/A one side	12 feet, only
Minimum front yard	N/A	25 feet	N/A	25 feet
Minimum rear yard	N/A	25 feet	N/A	25 feet
Required off-set	Minimum of 4 feet every 50 feet	N/A	Minimum of 4 feet every 50 feet	N/A
Required off-parking spaces	2 per dwelling unit for first 100 units, thereafter 1/2 per unit	2 per dwelling unit	2.3 per dwelling unit	2 per street dwelling unit
Patios and decks	Not allowed outside the permitted building envelope.	Permitted in the rear yard if said yard abuts a golf course but not within 15 feet of the rear property line.	Not allowed outside the permitted building envelope.	permitted in the rear yard if said yard abuts a golf course but not within 15 feet of the rear property line.
Maintenance easements				Reciprocal easements shall be executed as to such units, for the benefit of each owner or eventual owner, for the purpose of maintenance of said unit which shall be at least 4 feet in width. Such easement shall be recorded in the public records. Preparation, execution and recording shall be the developer's responsibility and a condition of subdivision.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 12, 2002.

Development Standard	Apartment Buildings and Garden Apartments	Attached Single- Family	Multi- Level Housing	Zero-Lot-Line Detached
Deed restrictions				Reciprocal deed restrictions running with the land shall be contained in each unit deed restricting the owner from altering the windowless common zero- lot-line wall by creating or permitting openings thereon, except for temporary repair or maintenance of such windowless wall.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 12, 2002.

SECTION 2. Section 185-58.S(5) is hereby deleted in its entirety and replaced with the following:

Section 185-58.S(5) shall be deleted in its entirety and replaced with the following:

185-58.S(5) Single-family detached dwellings with zero-lot-line and single-family attached (duplex) dwellings with zero-lot-line shall meet the bulk requirements applicable to zero-lot-line detached dwellings in the R-4 Zone, except that the maximum tract density and minimum tract area specified for the R-4 Zone shall not apply and maximum building coverage shall be 40%. For single-family attached dwellings with zero-lot-line, the common wall and the lot line shall coincide and reciprocal easement shall be executed with respect to such dwelling units, for the benefit of each owner or eventual owner, for the purposes of maintenance of the attached structures.

SECTION 3. Severability.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 4. Repealer.

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

SECTION 5. This ordinance shall take effect within twenty (20) days of the date of adoption hereof.

A motion was made by Kievit to open the meeting to the public. No public comment. A motion was made by Kievit to close the meeting to the public. A motion was made by Ross to approve Ordinance #2002-14 as presented, seconded by Lasinski. All in favor. Motion carried.

NEW BUSINESS:

- A. Resolution accepting a maintenance bond in the amount of \$89,253.75 from The Danza Group VI, LLC, and authorizing release of performance bond #895700171 and cash bond for Block 60, Lot 5, Stonehedge at Hardyston and acceptance of Stonehedge Drive and Knollwood Lane and associated easements as depicted on Final Plat #1216

A motion was made by Hamilton to approve the resolution as presented, seconded by Armstrong. All in favor. Motion carried.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 12, 2002.

B. Resolution awarding bid for Emergency Medical Vehicle
Remount/Refurbish

A motion was made by Hamilton to reject the sole bid submitted, per attorney recommendation, due to failure in submitting a bid guaranty and consent of surety as required in the bid specifications, seconded by Armstrong. All in favor with Ross abstaining. Motion carried.

C. Correspondence

1. Beardslee Engineering Associates
2. EcolSciences, Inc.
3. Passaic River Coalition
4. Borough of Franklin
5. Frankford Township
6. Borough of Hamburg
7. Borough of Hamburg
8. Borough of Ogdensburg
9. Township of Sparta
10. Township of West Milford
11. Township of Vernon
12. Township of Vernon
13. Township of Vernon
14. Township of Vernon
15. Township of Vernon
16. County of Sussex
17. County of Sussex
18. NJ State League of Municipalities
19. NJ State League of Municipalities
20. NJ State League of Municipalities
21. NJ State League of Municipalities
22. NJ State League of Municipalities
23. NJ State League of Municipalities
24. NJ State League of Municipalities
25. NJ State League of Municipalities
26. NJ State League of Municipalities
27. NJ State League of Municipalities
28. NJ State League of Municipalities
29. NJ State League of Municipalities
30. NJ State League of Municipalities
31. Assemblyman Guy R. Gregg
32. E. Scott Garrett
33. E. Scott Garrett
34. E. Scott Garrett
35. E. Scott Garrett
36. State of NJ – DOT
37. State of NJ – DEP
38. State of NJ – DEP
39. Robert G. Torricelli
40. State of NJ
41. State of NJ
42. Roxbury Town Hall
43. State of NJ
44. State of NJ
45. State of NJ
46. State of NJ
47. State of NJ

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 12, 2002.

48. North Jersey Transportation Planning Authority, Inc
49. Council On Affordable Housing
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51. Upper Delaware Watershed Management Project
52. Center for Government Services – “Conspectus”
53. Winner Ford of Cherry Hill
54. Spectrum for Living Endowment, Inc.
55. Fairleigh Dickinson University
56. The Trust For Public Land
57. Sphere Construction Corporation
58. United Jewish Communities
59. Township of Green
60. Township of Green
61. New Jersey Future
62. North Jersey Municipal Employee Benefits Fund
63. NJ State League of Municipalities

A motion was made by Hamilton to approve the correspondence as presented, seconded by Armstrong. All in favor. Motion carried.

MANAGERS REPORT: Manager John Eskilson and Deputy Manager Marianne Smith gave a written and verbal report on the following:

- North Jersey Watershed Coalition
- 2002 Municipal Budget
- Leaf Collection Program
- NJDOT Municipal Aid – Big Spring Road

BILLS TO BE PAID: A motion was made by Lasinski to approve the bill list as presented, seconded by Ross. All in favor. Motion carried.

PUBLIC PORTION: A motion was made by Kievit to open the meeting to the public. Representatives of the Hardyston Soccer Club, Erica French and Bridget Timchak voiced some concerns regarding the use of the sportsfield on Wheatsworth Road by the various sports leagues. Manager John Eskilson and Deputy Manager Marianne Smith agreed to schedule a meeting between the league representatives and appropriate department heads within the next few weeks to go over the rules and regulations of the sportsfield again. A motion was made by Kievit to close the meeting to the public, seconded by Hamilton. All in favor. Motion carried.

EXECUTIVE SESSION: None.

ADJOURN: A motion was made by Hamilton to adjourn, seconded by Ross. All in favor. Motion carried.

Jane Bakalarczyk, RMC
Municipal Clerk

(All items discussed above may be heard in full on the tapes of the meeting on file in the Clerk's Office)