

TOWNSHIP OF DENNIS
TOWNSHIP COMMITTEE
WORKSESSION AGENDA

SEPTEMBER 10, 2024

5:30 P.M. (prevailing time)

CALL TO ORDER:

Mayor's announcement: The notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given in Resolution No. 2024-11 entitled the Annual Meeting Notice which was adopted by the Dennis Township Committee on January 02, 2024. A meeting notice has been published and posted in accordance with the act.

FLAG SALUTE:

ROLL CALL OF MEMBERS PRESENT:

___ VanArtsdalen, T; ___ Germanio, F; ___ Cox, M; ___ Turner, S.; ___ Matalucci, Z

SPECIAL PRESENTATIONS OR DISCUSSIONS:

None.

DEPARTMENTAL REPORTS AND PROJECT UPDATES:

Administration & Finance:

Discuss the next step for Plan Endorsement – Appointing an Advisory Committee.

Legal:

None.

Public Buildings & Grounds:

None.

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Engineering:

Review Chapter 164, Article I – Openings and Excavations.

Review Chapter 165-29 Streets and Highways.

Construction/Plan/Zone:

None.

RESOLUTIONS:

None.

ORDINANCES:

None.

MOTION TO ADJOURN THE MEETING:

No.	Action	Timetable
Step 1: Prepetition		
a	Petitioner submits letter from Mayor requesting pre-petition meeting along with existing planning documents and a list of same.	Variable
b	OPA and State agencies review documents on preliminary basis. OPA and agencies conduct pre-petition meeting with at least one elected official from the municipality present.	Meeting scheduled within 30 days of submission.
Step 2: Plan Endorsement Citizens' Advisory Committee*		
a	Mayor appoints Advisory Committee by resolution at a public meeting of the governing body.**	Variable
Step 3: Municipal Self-Assessment*		
a	Petitioner conducts self-assessment and produces a Municipal Self-Assessment Report including any requests for waivers pursuant to N.J.A.C. 5:85-7.6(a).	Due within one year of pre-petition meeting See N.J.A.C. 5:85-7.7(d).
b	Petitioner presents findings and conclusions of self assessment at a public meeting of the governing body** and adopts a resolution to pursue Plan Endorsement.	Variable

STEP 2 - The Plan Endorsement Advisory Committee to guide the Plan Endorsement process and serve as a liaison between the petitioner and the OPA throughout the Plan Endorsement process. A primary purpose of the Advisory Committee is to gain a broad understanding of the needs, desires and intentions of the community with regard to land use, while also having the benefit of some planning expertise. For this reason, members of the public-at-large as well as members of the municipal planning board are included. A representative of the governing body is included to assure the governing body is aware of the issues being raised and to provide support from the community leadership in the efforts of the committee. The Mayor may serve on the Committee in his/her capacity as a member of the governing body. It is important to ensure that committee membership is representative of the whole of the community, serving without bias toward any one or more interest groups.

At a public meeting, the Mayor shall appoint the Advisory Committee with the advice and consent of the governing body by resolution. A model resolution is available on the Office of Planning Advocacy's official website at: <https://www.nj.gov/state/planning/assets/docs/pe-docs/pe-doc-sample-advisorycommittee-resolution-2007-1017.pdf>.

The Advisory Committee shall consist of between 5 and 10 people including:

- ☑ at least one representative of the governing body, of which the Mayor is considered a member for this purpose
- ☑ at least one Class IV1 member of the planning board
- ☑ at least one member of another local board, commission or committee (such as a representative from: the zoning board of adjustment, the Board of Education, the Chamber of Commerce, the Environmental and Historic Preservation Commissions, the Green Team, or the Agricultural Advisory Committee)
- ☑ at least two members of the public, who reside within the jurisdiction of the petitioner, and represent diverse interests, such as social, economic, housing, environmental, or agricultural interests. The public members may not hold an elected position or hold an appointment in or be employed by the municipality. Priority should be given to inclusion of underrepresented and vulnerable community residents

☐ a representative from the respective county planning department is also encouraged.

If a municipality has an appointed a Green Team, it could serve as the Advisory Committee.

STEP 3 - The Municipal Self-Assessment Report (MSA) is the means by which the municipality reviews its existing and future conditions. It identifies demographic trends, inventories natural and community resources, and assesses the consistency of current planning and zoning documents with the State Plan. The MSA provides status and trends as to key municipal characteristics such as population, housing, economy, transportation, water and sewer infrastructure, and natural, cultural and recreational resources. Specific submissions, if known, should include data on the square footage of commercial properties, number of households and acreage of vacant lands per the municipal tax assessment. By identifying existing conditions, the community can better understand its assets and challenges to inform its community visioning process.

In addition, the MSA should include:

- ☐ A statement addressing the level of consistency between municipal and county plans.
- ☐ Any requests for waivers of Plan Endorsement requirements, which must be accompanied by justification for same. (See N.J.A.C. 5:85-7.6 for waiver requirements.)
- ☐ Any proposed changes to the State Plan Policy Map, providing justification for same; for example, describing how those changes support both local and State objectives.
- ☐ A description of proposed future planning activities.
- ☐ A statement as to the benefits the municipality seeks and anticipates from Plan Endorsement.

In preparing the MSA, I will maximize use of information in existing planning documents and request waivers as appropriate. As indicated in the MSA guidelines, the required data will be updated where information is readily available to do so. Soon after the Advisory Committee is established, a meeting should be scheduled to review the PE process with them from start to finish.

Please let me know if you have questions.

Thank you
Randy

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Emergency openings

- 1.) No permit shall be issued for any street opening which would disturb the pavement of any road having been constructed, reconstructed or overlaid until a period of five years after the completion of said construction, reconstruction or overlay, except in the event of an emergency. The five-year period as articulated herein shall be calculated from December 31 of the year in which said road was constructed, reconstructed or overlaid and run five years thereafter. In the event that any entity shall be required to open a street and/or roadway as a result of an emergency, said emergency opening shall be reviewed by the Township Engineer or Township designee and if said Township Engineer or Township's designee shall determine that no such emergency existed, then the entity so opening the street and/or roadway shall have a fine imposed upon such entity in the amount of \$1,000 for the first nonemergency opening, \$5,000 for a second nonemergency opening and \$10,000 for a third nonemergency opening.
- 2.) In the event that an emergency requires the opening of a roadway that has been resurfaced by the Township during the previous five years, a full-width restoration will be required. The restoration will consist of a six-inch dense graded aggregate base course, and a six-inch hot mix asphalt base course, Mix 19M64, brought to existing grade, within the excavated area. A full width curb-to-curb milling two inches in depth to extend 20 feet beyond the limit of excavations will be performed after proper settlement in the trench area. The allowable time for the settlement shall be 45 days unless otherwise directed by the Township Engineer or Township's designee. The final surface course shall be a two-inch hot mix asphalt surface course, Mix 9.5M64.
- 3.) In the event that an emergency requires the opening of a roadway, the entity shall first notify the Dennis Township Public Works Department of the location and cause of the emergency before commencing any work.

Chapter 164. Streets and Sidewalks

Article I. Openings and Excavations

[Adopted 11-13-1990 as Ord. No. 90-200]

§ 164-1. Minimum standards for pavement.

The minimum standards for the construction of street improvements in reference to subgrade, gravel base and bituminous concrete pavement are as follows:

- A. Subgrade. Where fill is required, the underlying ground surface shall be stripped of all brush and trees before filling is commenced. The material used for fill shall be suitable therefor and shall be free from large or frozen lumps, wood and other extraneous material. All fill shall be within 3% of the optimum moisture content prior to backfilling, as determined by AASHTO T-99 Method C. The fill shall be formed in successive layers of not more than eight inches in depth after compaction, and each layer shall be thoroughly compacted by means of operating construction equipment over it, mechanical rammers or vibrators or by pneumatic tampers. All backfill materials shall be compacted to 98% of maximum dry density as determined by AASHTO T-99 Method C. Before construction of the gravel base is commenced, the subgrade shall be neatly dressed to the proper lines, grades and cross section.
- B. Gravel base. The gravel base course shall consist of six inches of compacted road gravel, Type I-5, conforming to the requirements of the New Jersey Department of Transportation Standard Specifications, as currently amended. The finished base shall be compacted to a density of not less than 95%, hard, smooth and even, free from defects and at the proper grade and contour.
- C. Bituminous concrete pavement. Streets shall be permanently paved with two-inch-thick bituminous stabilized base course Mix No. I-2 and a two-inch-thick bituminous concrete surface course of FABC-1 Mix No. I-5. The pavement shall be constructed in accordance with the requirements of the New Jersey Department of Transportation Standard Specifications, as currently amended.

§ 164-2. Permit required.

- A. It shall be unlawful for any person, firm or corporation to disturb the surface of or make any opening or excavations of any kind in any public street, avenue, road or highway, either paved or unpaved, for any purpose unless such person, firm or corporation shall have first obtained a street opening permit and paid the fees therefor.
- B. It shall be unlawful for any permit to be issued under the criteria as set forth in Subsection A or any following section for a period of five years after the resurfacing, repaving or reconstruction of any street in the Township of Dennis unless an emergency situation has been declared by the Township Committee of the Township of Dennis, New Jersey, which emergency shall require the street to be opened.

§ 164-3. Unlawful to fail to comply with permit.

It shall be unlawful for any person, firm or corporation having obtained a street opening permit to disturb a greater area of surface than specified in such permit or to leave open at any time any trench or excavation for a period longer than is specified in the permit, nor shall there be left open at any time any trench or excavation of a length greater than 100 feet. No trench or excavation shall be left open at any time after dusk.

§ 164-4. Duties of excavator.

- A. It shall be the duty of any person, firm or corporation making any excavation within any highway of said municipality to protect the paving upon either side of the opening, to use sheet piling or such other means as will prevent the escape of soil from under it and, in determining the number of square yards of paving disturbed, to include such area of the pavement adjoining the opening made as will, in the opinion of such person or persons in charge of the highways of the Township of Dennis, be required to be taken up and relaid by reason of such failure to properly protect the same.
- B. All openings and excavations shall be safely guarded by placing barricades and warning signs during the day and by barricades and lights from sunset to sunrise, and such other and further precautions shall be taken as may be necessary for the proper protection of life and property. If the entire excavation will exceed more than 1/2 of the width of the pavement, only 1/2 of the pavement shall be opened, and this is to be backfilled before the remainder of the excavation is opened, so as to permit the free flow of vehicular traffic. One lane for vehicular traffic shall be provided at all times. All signs shall conform to the Manual on Uniform Traffic Control Devices, as currently amended.
- C. The person, firm or corporation making such excavation shall fill up such excavation to within 11 inches of the existing surrounding finished surface before making any other excavations, said filling to be in accordance with the requirements for subgrade in § 164-1. He shall further fill up such excavation to within four inches of the existing surrounding finished surface, said filling to be in accordance with the requirements for gravel base in § 164-1. He shall further place two two-inch lifts of bituminous concrete pavement. Only if bituminous plants are closed and it is not possible to obtain bituminous concrete may cold patch be substituted for hot bituminous concrete with the approval of the person or persons in charge of the highways of the Township of Dennis. The bituminous concrete or cold patch material shall be placed, compacted and maintained until such time as the permanent repairs are made by the person, firm or corporation that had made the excavation causing the requirement of this repair. Said filling and paving is to be done and completed within the time designated in the permit for completing such excavation.

§ 164-5. Issuance of permit.

The Township Clerk of Dennis Township is hereby authorized to issue a street opening permit to make openings or excavations within public streets, avenues, roads or highways of Dennis Township to such person, firm or corporation as shall apply for and pay the fees therefor as hereinafter mentioned, which permit shall be valid for the period as stated thereon and shall designate the location and surface area of such excavation to be made, the period of time the excavation is to remain open, the name of the person, firm or corporation to whom such permit shall be issued and the fees and deposits paid therefor.

§ 164-6. Fees and deposits.

- A. To defray the expense of issuing the permit and inspection and replacing of the surface or paving of excavation made, any person, firm or corporation obtaining such permit shall pay to the Township Clerk for such permit the following fees:
 - (1) For every permit for making openings or excavations within any unpaved public street, avenue, road or highway: \$50. In addition to the fee for the permit, the applicant shall deposit with the Clerk of the Township of Dennis cash, a certified check or a money order to the order of the

Township of Dennis in the amount of \$10 per square yard of opening, but no less than \$50 for the purposes hereinafter expressed.

[Amended 11-24-1997 by Ord. No. 97-16]

- (2) For every permit for making openings or excavations within any public street, avenue, road or highway whose surface is paved or otherwise covered or treated: \$50. In addition to the fee for the permit, as herein provided, the applicant shall deposit with the Clerk of the Township of Dennis cash, a certified check or a money order to the order of the Township of Dennis in the amount of \$20 per square yard of opening, but not less than \$300, for the purposes hereinafter expressed.

[Amended 11-24-1997 by Ord. No. 97-16]

- (3) In lieu of said security deposit, any public utility corporation, as defined in Title 48, Chapter 2, Section 13, of the Revised Statutes of New Jersey, may file with the Township Clerk a bond to the township in the sum of not less than \$10,000, conditioned upon said utility's restoring to its original condition any public street, avenue, road or highway with the township opened or excavated by said utility, and otherwise complying with all provisions of this Article and further conditioned for the payment to the township of any moneys which said township is obligated to expend in order to restore such public street, avenue, road or highway to its original condition. Said bond shall not be considered to be filed unless approved by resolution of the Township Committee. In the event that, after a proper filing of bond by a utility, the utility shall fail to abide strictly by the provisions of this Article, the Township Committee may, by resolution, revoke the privileges granted under its bond, return the bond to the utility and require the security deposit specified above for all future road and street openings made by said utility. Nothing contained in this section shall be construed to relieve said utility of its obligation to obtain the permit provided for by this Article.

[Amended 11-24-1997 by Ord. No. 97-16]

- (4) In the case of an emergency involving any underground gas, water, sewer, telephone or electric facility where immediate repair is required to prevent loss or damage to streets or property, or to provide continuation of service, it shall not be necessary to obtain a permit before commencing such repair, but such permit shall be obtained within two days thereafter, and this subsection shall not be held or taken in any case to exempt the person, firm or corporation repairing said facility from any other of the provisions of this Article.

- B. The Township Clerk shall keep records of all permits issued by him and pay the fees therefor to the Township Treasurer, which fees shall be accounted for by him in his reports to the Township Committee.
- C. The Township of Dennis shall resurface or repave the street so opened or excavated at the expense of the permittee in those instances where the permittee has not completed, within 30 days, weather permitting, the proper refilling and/or resurfacing of such street opening. The refilling or resurfacing of street openings by the city shall be done in accordance with the following schedule:
 - (1) The cost of resurfacing the opening in an unpaved street with such material as is contained on the other portion of said street shall be \$10 per square yard or fraction thereof.
[Amended 11-24-1997 by Ord. No. 97-16]
 - (2) The cost of resurfacing the opening in a paved street shall be \$20 per square yard or fraction thereof.
[Amended 11-24-1997 by Ord. No. 97-16]
- D. A public utility company shall be entitled to permanently restore the surface of public streets, avenues, roads and highways. Said restoration shall be in conformance with § 164-1. Upon completion of said work, the Public Works Department of Dennis Township shall make inspection of the same and shall certify to the Township Clerk that the work has been completed in a satisfactory manner. In the event that the pavement or surface of the public street, avenue, road or highway shall not have been completed to the satisfaction of the Public Works Department of Dennis Township, the Public Works Department shall proceed to complete said work and relay the pavement or surface in a manner satisfactory to it. Upon completion thereof, the Public Works

Department shall certify to the Township Clerk the costs of so doing, and, in that event, the township shall charge to the public utility company said costs.

- E. The Township of Dennis shall retain, from the deposit money hereinabove referred to, the sum calculated as the cost of said resurfacing as hereinabove provided, and any sum remaining or unused from said deposit money shall be returned.

§ 164-7. Violations and penalties.

Any person, firm or corporation who shall violate any of the provisions of this Article shall, upon conviction thereof before the Mayor or other proper officer who shall try the same, be subject to a fine not exceeding the sum of \$500 or to imprisonment for a period not exceeding 90 days.

Chapter 165. Subdivision of Land

Article VI. Improvements and Design Standards

§ 165-29. Streets and highways.

[Added 8-9-1982 by Ord. No. 82-96]

- A. Subdivisions shall be served by paved public streets, and all new streets shall be graded and provided with an all-weather base and pavement with an adequate crown in keeping with township specifications and standards.
- B. The arrangement of streets shall be such as to provide for the appropriate continuous extension of existing, mapped or potential streets and the orientation of lots and buildings to be constructed thereon to benefit from solar access.

[Amended 12-27-1982 by Ord. No. 82-98]

- C. No subdivision showing reserve strips controlling access to another area, either developed or undeveloped, shall be approved except where the control and disposal of land comprising such strips has been given to the governing body after recommendation by the Planning Board.
- D. Subdivisions that adjoin or include streets that do not conform to widths as shown on the Master Plan, Official Map or the street width requirements of this chapter shall dedicate additional width along one or both sides of said road. If the subdivision is along one side only, 1/2 of the required extra width shall be dedicated.
- E. The pavement width of streets and the quality of surfacing and base materials shall adhere to the minimum standards set forth by the Township, County or State Engineers when said paving concerns roads under their jurisdiction and where such standards exist.
- F. Street intersections.
 - (1) Street intersections shall be as nearly at right angles as is possible and in no case shall be less than sixty degrees (60°).
 - (2) No more than two streets shall meet or intersect at any one point, and the center lines of both intersecting streets shall pass through a common point. Measuring from this common point, two intersections shall be spaced at a minimum of 300 feet.
 - (3) The block corners at intersections shall be rounded at the curbline with the street having the highest radius requirement as outlined below, determining the minimum standards for all curbines:
 - (a) Arterials: 40 feet.
 - (b) Collectors: 35 feet.
 - (c) Local streets: 30 feet.
 - (4) Sight triangle easements shall be dedicated as follows. The area bounded by the right-of-way lines and a straight line connecting sight points on street center lines which are the following

distances from the intersection of the center lines.

- (a) Where two arterial streets intersect, two overlapping sight triangles shall be required, formed by 300 feet and 90 feet on each arterial. These requirements shall also apply when a county road and state highway intersect.
 - (b) Where two collector streets intersect, two overlapping sight triangles shall be required, formed by 200 feet and 90 feet on each collector. These requirements shall also apply when two county roads intersect.
 - (c) Where two local roads intersect, 90 feet on both roads. At intersections, involving a combination of roads, sight triangles shall be designed according to the standards outlined above for the respective roads.
- G. Where streets have a reverse curve, a tangent of at least 100 feet in length shall be required.
- H. No street shall have a grade of less than one-half of one percent ($1/2$ of 1%), which shall be defined to mean a vertical rise of 0.5 foot for each 100 feet of horizontal distance.
- I. All changes in grade where the grade is 1% or greater shall be connected by vertical curves of sufficient radius to provide a smooth transition and proper sight distance but not so great as to create drainage problems. Sight distance shall be at least:
- (1) One thousand feet for arterial streets.
 - (2) Seven hundred fifty feet for all collector streets.
 - (3) Five hundred feet for local streets.
- J. Continuous open driveways in excess of 15 feet in width resulting in the elimination of curbing along township streets shall be prohibited.
- K. No street shall have a name which will duplicate or so nearly duplicate the name of an existing street that confusion results. The continuation of an existing street shall have the same name. Curvilinear streets shall change their names only at street intersections or in accordance with § 165-30 of this article. The Planning Board shall reserve the right to approve or name streets within the proposed subdivisions.
- L. The length, width or acreage of blocks shall be determined with due regard to the limitations and opportunities of topography and shall be such as to be sufficient to meet all the area, yard and parking requirements for such particular uses as expressed in the Zoning Ordinance as well as providing for convenient access, circulation control and safety to street traffic.
- M. Lot dimensions and area shall not be less than the requirements of the Zoning Ordinance of the township, and insofar as is practical, side lot lines shall be at right angles to straight streets and radial to curved streets.
- N. Where extra width has been dedicated for widening of existing streets, lots shall begin at such new line. All setbacks shall be measured from the street line, whether or not the extra width has been dedicated.
- O. Street specifications.
- (1) The minimum requirements of any new street shall be constructed according to the specifications and procedures as set forth in the New Jersey State Highway Department Standard Specifications, current edition, with addenda, except where noted in Section 165-29.2.
 - (2) The base course shall consist of six inches of soil aggregate Type 2, Class A or B, constructed according to State Highway Specifications.
 - (3) The surface shall consist of two inches of bituminous concrete, Type FABC-1, Mix 5, applied according to State Highway Specifications.

(4) The work shall be inspected through the course of construction by the Township Engineer or his duly authorized representative, who shall be notified 48 hours before any work is started or continued.

P. Within the Pinelands Area, each subdivision of 25 or more lots shall have two accessways.