

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
MAY 13, 2025**

5:30 P.M. (PREVAILING TIME) TWP. COMMITTEE REGULAR MEETING

The Deputy Mayor opened the meeting in compliance with the Open Public Meetings Act requirements.

The Deputy Mayor requested that the roll call and flag salute be carried over from the Board of Health Meeting (VanArtsdalen, Germanio, Cox and Turner were present, Mayor Matalucci was absent).

The Deputy Mayor asked for a motion to authorize the Township's support to Jersey Strong Coastal Coalition's letter to New Jersey Legislators opposing the New Jersey Energy Master Plan. Motion was made by Germanio, seconded by VanArtsdalen, with 4 ayes and 1 absent (Matalucci), the motion carried.

The Deputy Mayor asked if there were any questions, comments or concerns regarding the consent agenda.

There being no comment at this time, the Deputy Mayor asked for a motion adopting the consent agenda, motion was made by VanArtsdalen, seconded by Germanio, with 4 ayes and 1 absent (Matalucci), that the consent agenda be adopted.

The following minutes were approved as part of the Consent Agenda: 04/08/2025 Work Session & Regular Meeting.

The following resolution numbers 2025-78 thru 2025-89 were a part of the Consent Agenda:

RESOLUTION NO. 2025-78

**RESOLUTION AUTHORIZING VARIOUS REFUNDS OF
CONSTRUCTION PERMITS**

WHEREAS, the Construction Official has notified the Clerk of the cancellation of two Construction Permits; and

WHEREAS, the permits were issued for the installation of solar systems whose homeowner have since decided to cancel.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to refund the following cancelled permits to Trinity Solar, 2211 Allenwood Road, Wall, NJ 07719, ATTN: Barbara Martinez, Applications Specialist.

Permit # 2024-0318, 1934 Route 47
In the amount of \$684.00

Permit #2024-0308, 159 Petersburg Road
In the amount of \$436.00

ATTEST

Jacqueline B. Justice, RMC/Clerk

ATTEST

Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-79

**RESOLUTION AUTHORIZING THE HIRING OF A
SEASONAL LABORER FOR THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Dennis Township Public Works Department is in need of a Seasonal laborer; and

WHEREAS, the Administrator has received applications and made her recommendation to the Township Committee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the following be hired as a Seasonal Laborer for the Department of Public Works: William Wright, 447 Head of the River Road, Belleplain, NJ 08270 at the hourly rate of \$16.3269 per hour retroactive to 04/21/2025.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-80

**RESOLUTION PROVIDING FOR THE INSERTION OF A
SPECIAL ITEM OF REVENUE IN THE 2024 MUNICIPAL BUDGET**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Dennis will receive an additional \$2,250.00 from the Atlantic County Joint Insurance Fund (ACJIF) and wishes to amend its 2025 Budget to include this amount as a revenue.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2025 in the sum of \$2,250.00 which is now available as a revenue from:

- Miscellaneous Revenues:
 - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Off-Set with Appropriations:
 - ACM JIF Safety Incentive

BE IT FURTHER RESOLVED, that a like sum of \$2,250.00 be and the same is hereby appropriated under the caption of:

- General Appropriations:
 - (A) Operations Excluded from "Caps" - Public and Private Programs Off-Set by Revenues:
 - ACM JIF Safety Incentive

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to forward the necessary documentation to the Director of Local Government Services.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-81

**RESOLUTION ADOPTING THE OFFICIAL
OPEN PUBLIC RECORDS REQUEST (OPRA) FORM**

WHEREAS, the New Jersey Senate and General Assembly approved Public Law 2024, c.16 – Open Public Records Act Modernization on June 5, 2024 with the effective date of September 4, 2024; and

WHEREAS, P.L. 2024, c.16 requires municipalities to adopt the official Open Public Records Act Request Form (See Schedule A) established by the Government Records Council pursuant to subsection b. of section 8 of P.L. 2001, c404 (C.47:1A-7) for the use of any person who requests access to a government record held or controlled by the public agency.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the official OPRA request form is hereby adopted.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-82

**RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATOR TO SUBMIT A
DEVELOPMENT APPLICATION TO THE NEW JERSEY PINELANDS COMMISSION FOR
THE DEMOLITION OF BLOCK 24, LOT 1.01**

WHEREAS, the Township acquired Block 24, Lot 1.01 thru a recent In Rem Foreclose; and

WHEREAS, said property has a single family dwelling on it in extremely poor condition that the Township desires to demolish.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Mayor and Township Administrator are hereby authorized and directed to submit a Development Application to the New Jersey Pinelands Commission for the demolition of the structure on Block 24, Lot 1.01.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-83

**RESOLUTION PROVIDING FOR THE INSERTION OF A
SPECIAL ITEM OF REVENUE IN THE 2025 MUNICIPAL BUDGET**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Dennis will receive \$8,500.88 from the State of New Jersey and wishes to amend its 2025 Budget to include this amount as a revenue.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2025 in the sum of \$8,500.88 which is now available as a revenue from:

Miscellaneous Revenues:

Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Off-Set with Appropriations:
Recycling Tonnage Grant

BE IT FURTHER RESOLVED, that a like sum of \$8,500.88 be and the same is hereby appropriated under the caption of:

General Appropriations:
(A) Operations Excluded from "Caps" - Public and Private Programs Off-Set by Revenues:
Recycling Tonnage Grant

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to forward the necessary documentation to the Director of Local Government Services.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-84

RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Dennis is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Dennis to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12 b and designated below:

Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, assembled in public session on May 13, 2025, that an Executive Session closed to the public shall be held on May 13, 2025 prior to the close of the above night's meeting in the Dennis Township Municipal Complex, 571 Petersburg Road, Dennisville, New Jersey, for the discussion of matters relating to the specific items designed above.

BE IT FURTHER RESOLVED, that it is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-85

**RESOLUTION AUTHORIZING THE ISSUANCE OF A LICENSE TO CONDUCT
AMUSEMENT GAMES FOR JASEN TAYLOR MITCHELL
D/B/A MAGELLAN’S ARCADE, LLC**

BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

1. An application having been filed by Jasen Taylor Mitchell, D/B/A Magellan’s Arcade, LLC, to hold, operate and conduct amusement games under Certification No. 2 – ARCADE GAMES – at the premise known as 515 Corson Tavern Road, Ocean View, Dennis Township, a municipality which is resort and the premises are in an area thereof wherein amusement and entertainment are conducted (a campground).
2. It is hereby determined and declared that the application is in proper form and was accompanied by the license fee of \$250.00, and said application is hereby made a part hereof by reference and that the license be and the same hereby is granted and shall expire at the hour of midnight on the 31st day of December, 2025.

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to forward a certified copy of this resolution, together with a copy of the application and list of machines, to the State Commissioners of Amusement Games Control.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-86

RESOLUTION CERTIFYING REVIEW OF ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2024 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Dennis, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-87

**RESOLUTION AUTHORIZING THE REFUND OF A
PLANNING/ZONING ESCROW FEE**

WHEREAS, the Administrator to the Planning and Zoning Boards has requested the refund of a Planning/Zoning Escrow Fee; and

WHEREAS, said Planning/Zoning application project has been substantially completed or withdrawn and the escrow fund balance remains.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized and directed to refund the following Planning/Zoning Escrow balance:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Applicant</u>
88.01	29	\$ 558.11	Coastal Property Management, LLC 117 Cedar Lane East Cape May Court House, NJ 08210

BE IT FURTHER RESOLVED, that the Clerk forward a certified copy of this resolution to the Administrator to the Planning and Zoning Boards and the Chief Financial Officer.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-88

**RESOLUTION AUTHORIZING SUPPORT FOR CAPE MAY COUNTY'S
RECERTIFICATION APPLICATION TO THE UNITED STATES COAST
GUARD FOR OFFICIAL DESIGNATION AS A
"COAST GUARD COMMUNITY"**

WHEREAS, the United States Congress, through federal legislation, has enabled the United States Coast Guard to designate a community having a special relationship with the Coast Guard as a "Coast Guard Community"; and

WHEREAS, local Coast Guard command is empowered to recommend that the "Coast Guard Community" designation be awarded to a surrounding city, county or other juridical entity that meets rigorous application standards, with only 28 communities across the nation having received such designation; and

WHEREAS, the residents of Cape May County have enjoyed a unique relationship with Coast Guard personnel and their families for nearly a century, by virtue

of, among other things, the Coast Guard's ownership and maintenance of properties in municipalities throughout the County; and

WHEREAS, most notably, since as early as 1917 the Coast Guard has had a presence at what has grown into the 352-acre site in Cape May City, County of Cape May, now known as Training Center Cape May, or "TRACEN"; and

WHEREAS, Coast Guard personnel and their families reside in both on-base housing in Cape May City and in private housing located in municipalities throughout the County, which, by virtue of its unique geographic configuration as a peninsula surrounded by water, is comprised of 16 contiguous municipalities whose economic, social and civic structures are closely interdependent; and

WHEREAS, the Cape May County community members interact with and support Coast Guard personnel and their families in all aspects of community living; and

WHEREAS, the Coast Guard presence at TRACEN today includes approximately 600 permanent party staff consisting of active duty, reserve, civilian and contractor personnel. At any given time, 500 or more recruits are on base in training. From 2014 to present, TRACEN has trained approximately 3,000 recruits per year. Additionally, TRACEN provides officer training and education, vessel support, air/sea rescue, investigative services, communication facilities, and homeland security services, all in furtherance of the continuous coastal patrol and defense of our nation; and

WHEREAS, Coast Guard personnel and their families welcome over 41,000 visitors into Cape May County annually, with approximately 21,000 of those being for graduations. The rest are visitors for tours, sunset parades and other special events held on base; and

WHEREAS, Coast Guard families are an integral part of our Jersey Cape community who live and work in our neighborhoods. Their presence contributes to a vibrant and welcoming hometown which recognizes their service to both their nation and the community in which they live; and

WHEREAS, Cape May County residents and businesses have a longstanding history of recognizing and supporting their Coast Guard neighbors, and wish to formalize their continuing commitment to these men, women and children and make known to the public their commitment by retaining its designation of "Coast Guard Community"; and

WHEREAS, the County of Cape May has joined with its sixteen municipalities and a local nonprofit, the Cape May County Coast Guard Community Foundation, in this collaborative initiative as a "Coast Guard Community" for the past five years.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Dennis, County of Cape and State of New Jersey that:

1. The above recitals are incorporated herein by reference;
2. Dennis Township affirms its' lengthy and honored relationship with the United States Coast Guard, and pledges to continue its' long history of full and unwavering support for Coast Guard personnel and their families.
3. Upon adoption of this Resolution, Dennis Township hereby expresses support of the County of Cape May and Cape May County Coast Guard Community Foundation applying to the United States Coast Guard for official designation as a "Coast Guard Community".

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

ATTEST _____
Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2025-89

RESOLUTION APPROVING OF THE DISCHARGE OF FIREWORKS DURING THE ACTIVITIES AT NATIONAL NIGHT OUT IN AUGUST

WHEREAS, the Township scheduled its National Night Out Event for Tuesday, August 05, 2025 at the Recreation Complex located at 565 Dennisville Road, South Dennis; and

WHEREAS, a fireworks display has been scheduled for the event; and

WHEREAS, the a resolution authorizing the discharge of fireworks is required.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body hereby approves and authorizes the discharge of fireworks during the National Night Out Event scheduled for August 05, 2025.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

The following Ordinance Nos. 2025-04, 2025-05, 2025-06 & 2025-07 were introduced for first reading as part of the consent agenda:

TOWNSHIP OF DENNIS

**COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND STATE OF NEW JERSEY REVISING §185-7 DEFINITIONS, §185-33 FENCES AND WALLS, §185-43 SIGNS, AND §185-73 CONDITIONAL USES AS RECOMMENDED IN THE MASTER PLAN REEXAMINATION REPORT

BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey as follows:

SECTION 1. This section revises §185-7 Definitions as follows.

§ 185-7. Definitions.

Building Height - ~~The vertical dimension measured from the average elevation of the finished lot grade at the midpoint of the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs. Conventional accessory structures, such as chimneys, spires, aeriels and elevator enclosures, shall not be included in building height calculation.~~

- Co-Location – ~~The use of a single tower by more than one provider and/or the installation of several local communications facilities on an existing building or structure by more than one provider of wireless local communications.~~
- Fence or Wall - ~~A structure which permanently or temporarily prohibits or inhibits unrestricted travel between properties or portions of properties or between the street or public right-of-way and the property.~~
- Flat Roof - ~~A roof, the surface of which is generally parallel to the ground, with less than eighty percent (80%) of its projected horizontal area at a slope less than four (4) in twelve (12).~~
- Impervious Surface - Any surface that has been compacted or covered with a layer of material so that it prevents, impedes or slows infiltration or absorption of fluid, including stormwater directly

Deleted[Randall Scheule]: The height of a building shall be measured from the point from the mean elevation of the finished grade five feet away from the foundation along the side(s) of the building facing a street or to the street line, whichever is closer to the foundation. On a corner lot, the height shall be measured on the street having the greatest slope. In all cases where this chapter provides for height limitations by reference to a specified height and a specified number of stories, the intent is to limit height to the specified maximum footage and the specified number of stories within said footage.

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into the ground, and results in either reduced groundwater recharge or increased stormwater runoff sufficient to be classified as impervious in Urban Areas by the United States Department of Agriculture, Natural Resources Conservation Service Title 210 - Engineering, 210-3-1 - Small Watershed Hydrology (WINTR-55) Version 1.0. Such surfaces may have varying degrees of permeability.

- Local Communications Facility — An antenna and any support structure, together with any accessory facilities, which complies with the standards in N.J.A.C. 7:50-5.4 and which is intended to serve a limited, localized audience through point to point communication, including cellular telephone cells, paging systems and dispatch communications. It does not include radio or television broadcasting facilities or microwave transmitters.
- Marina – A waterfront establishment offering the sale or rental of boats and marine sporting equipment and the servicing, repair, or storage of same. Such establishments may also provide travel lift services, slip rental, gasoline, sanitary pump-out service, food, drink and transient lodging accommodations.
- Microbrewery – A facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail, or wholesale, on or off premise, with a capacity of not more than 15,000 barrels per year. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.
- Privacy Fence – A solid fence including any gate erected or constructed to prevent views across the fence line.
- Sidewalk Café – An area of a designated size used as a seating area with tables and chairs for the contiguous restaurant without a solid roof cover. This seating may be in addition to the indoor seating or it may be the only seating available for the restaurant.
- “Warehousing/distribution center” – A building used primarily for the storage (including cold storage), wholesale and distribution of manufactured products, supplies, equipment, which may include terminal facilities for handling freight, and related office space and maintenance facilities. All items shall be stored within a completely enclosed building, and storage of hazardous chemicals is prohibited.

Deleted[Randall Scheule]: (P)

SECTION 2. This section revises §185-33 Fences and Walls as follows.

§ 185-33. Fences and walls.

A. No fence shall be erected of barbed wire, topped with metal spikes or constructed of any material or in any manner which may be dangerous to persons or animals, except that these provisions shall not apply to farms, and except further that fences permitted for commercial and industrial uses may be topped by a barbed-wire protective barrier.

B. On any lot in any district, no wall or fence shall be erected or altered so that said wall or fence shall be over four feet in height in front yard areas, and six feet in height in side yard and rear yard areas except that: **[Amended 12-4-07 by Ord. No. 2007-13]**

(1) A privacy fence constructed on the property line, shall have a maximum height of six feet. If placed in front yards or along street lines, it must be installed so that there will be no obstruction of vision at intersections,

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(2) A private residential swimming pool area must be surrounded by a fence at least four feet but no more than six feet in height in accord with (§185-44.C of this ordinance. Swimming pool areas shall be located in rear and side yard areas only.

Deleted[Randall Scheule]: a fence of this nature shall be

Deleted[Randall Scheule]: of chain link or similar construction

(3) Buffer areas shall meet the requirements specified in Section 185-41.

Deleted[Randall Scheule]: , except fences of this nature that are to provide site buffers along street lines of existing campgrounds.

C. All supporting members of a fence or wall are to be located on the inside of the fence and all razor wire, cloth and canvas fences are prohibited. Permitted materials include wood, chain-link, wrought iron, stone, aluminum, vinyl and steel. **[Added 12-4-07 by Ord. No. 2007-13]**

Deleted[Randall Scheule]: These fences may be of campground uses.

SECTION 3. This section revises §185-43 Signs as follows.

§ 185-43. Signs.

A. General provisions. No billboards shall be erected except in the Pinelands Area as provided in Subsection A(12) below. No sign of any type shall be permitted to obstruct driving vision, traffic signals, traffic directional and identification signs, other places of business, other signs or windows of the building on which they are located. No sign shall be attached to trees, fence posts, stumps, utility poles or other signs, but they shall be freestanding or attached to buildings in an approved manner.

[Subsections (1)-(12) are unchanged]

(13) Electronic, LED, or digital signs having an electrically-activated display whose variable message and/or graphic presentation capability can be electronically programmed may be permitted, subject to the following limitations:

- a) Each electronic message that is displayed must be static and displayed for a minimum of fifteen (15) seconds before changing.
- b) Any change in an electronic message must be instantaneous, without scrolling, fading in, dropping in, or similar moving copy changes.
- c) Each display shall be equipped with automatic dimming photocell technology that automatically adjusts the sign's brightness based on ambient light conditions.
- d) A sign that displays electronic messages shall not be located within 200 feet of a Residential or Conservation zone.
- e) Any electronic message sign that is malfunctioning must be turned off.

B. Permitted signs. The following signs are permitted for uses as specified in Article IV of this chapter for the various zoning districts:

[Subsections 1-6 unchanged]

(7) Industrial and manufacturing plants, wholesale distribution centers and warehouses: one sign not exceeding 32 square feet in area. If attached to the building, the sign shall not be higher than the roof line; if freestanding, the sign shall not exceed a height of 25 feet, shall be set back from the street rights-of-way and driveways at least 50 feet and shall be set back from any property line a minimum of 10 feet. [Amended 1-12-1998 by Ord. No. 97-18]

(8) Industrial parks: one freestanding sign along each arterial or collector road which the tract in question abuts, provided that there exists at least 250 feet of unbroken frontage. Such sign shall not exceed a height of 25 feet, shall be set back from the street rights-of-way and driveways at least 50 feet, shall be set back from any property line a minimum of 10 feet and shall not exceed an area of 32 square feet. [Amended 1-12-1998 by Ord. No. 97-18]

[The remainder of Subsection (7) is unchanged]

Deleted[Randall Scheule]: , except for OVCC, OVC, CVC and VC Zoning Districts:

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C. Permitted signs in the OVCC, OVC and CVC Districts. The following signs in addition to those listed in §145-43B, are permitted for uses in the OVCC, OVC and CVC Districts:

[The remainder of this subsection is unchanged]

SECTION 4. This section revises §185-73 Conditional Uses as follows.

§ 185-73. Conditional uses.

D. Special requirements

(22) Small wind energy systems and solar energy systems. [Added 5-5-09 by Ord. No. 2009-01]

(f) Solar energy systems

[2] Solar panels shall be permitted as ground arrays in accordance with the following:

- [a] All ground arrays shall be set back a distance of 20 feet from all property lines in a residential zoning district or in conformance with the bulk standards for accessory structures in commercial districts as provided herein.
- [b] Ground arrays shall not be permitted within a required front yard setback.

[c] Ground arrays shall be located so that any glare is directed away from an adjoining property.

[d] Ground arrays shall not exceed a height of 15 feet

Deleted[Randall Scheule]: adjoining

[The remainder of Subsection D(22) is unchanged]

SECTION 5. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 6. This Ordinance shall become effective immediately upon passage and publication according to law.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas Van Artsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on May 13, 2025. Publication will be held on May 21, 2025 and a Public Hearing will be held at a meeting of the said Township Committee to be held on June 10, 2025 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

TOWNSHIP OF DENNIS

**COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 2025-05

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND STATE OF NEW JERSEY ADDING A REFERENCE FOR ACCESSORY BUILDING HEIGHT TO ALL ZONING DISTRICTS, REVISING: §185-31 ACCESSORY BUILDINGS, §185-25 (BUSINESS DISTRICT) AND §185-29 (MARINA DISTRICTS) REGARDING SIGNS, §185-37 NONCONFORMING USES AND STRUCTURES; AND ADDING §185-32.5 DESIGN STANDARDS FOR THE BUSINESS DISTRICT AS RECOMMENDED IN THE MASTER PLAN REEXAMINATION REPORT

BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey as follows:

SECTION 1. This section revises accessory building height controls in all zoning districts as follows.

§ 185-14. R-3 Rural Single Family Residential District

C. (2) Private residential tool sheds not to exceed 200 square feet in area. Refer to §185-31C for accessory building height controls.

§ 185-15. R-10 Low Density Single Family Residential District

C. (2) Private residential tool sheds not to exceed 200 square feet in area. Refer to §185-31C for accessory building height controls.

§ 185-16. VR Village Residential District.

C. (2) Garages, excluding commercial vehicles.

G. Refer to §185-31C for accessory building height controls.

§ 185-17. VC Village Commercial.

C. (3) Garages for commercial vehicles.

F. Refer to §185-31C for accessory building height controls.

§ 185-18. CR Clermont Residential District.

C. (13) Tool and storage sheds. Structure shall not exceed 150 square feet in floor area. Refer to §185-31C for accessory building height controls.

§ 185-19. CVC Clermont Village Center District.

C. (4) Garages for commercial vehicles.

H. Refer to §185-31C for accessory building height controls.

§ 185-20. CVR Clermont Village Residential District.

C. (3) Residential garages with no living space.

C. (10) Tool and storage sheds. Structure shall not exceed 150 square feet in floor area. Refer to §185-31C for accessory building height controls.

§ 185-21. OVR Ocean View Residential District.

C. (12) Tool and storage sheds. Structure shall not 150 square feet in floor area. Refer to §185-31C for accessory building height controls.

§ 185-22. OVCC Ocean View Center Core District.

C. (5) Garages for commercial vehicles.

H. Refer to §185-31C for accessory building height controls.

§ 185-23. OVC Ocean View Center District.

C. (5) Garages for commercial vehicles.

H. Refer to §185-31C for accessory building height controls.

§ 185-24. OVCR Ocean View Center Residential District.

C. (10) Tool and storage sheds. Structure shall not exceed 150 square feet in floor area. Refer to §185-31C for accessory building height controls.

C. (11) Residential garages with no living space. Refer to §185-31C for accessory building height controls.

§ 185-25. B-Business District.

D. Maximum building height. No principal building shall exceed 35 feet. Refer to §185-31C for accessory building height controls.

§ 185-26. PV Pinelands Village Districts.

C. (2) Private residential tool sheds. Refer to §185-31C for accessory building height controls.

§ 185-27. PR Rural Development Districts.

C. (2) Private residential tool sheds. Refer to §185-31C for accessory building height controls.

~~D. Maximum principal building height. No principal building shall exceed 30 feet in height and 2.5 stories, except that churches shall not exceed 55 feet in height and except further as allowed in Section 185-72.~~

Comment[Randall Scheule1]: May 20, 2025 – This section removed from this ordinance, to be addressed in Ordinance #4.

§ 185-28. PF8 Moderate-Density Forest and PF25 Low-Density Forest Districts.

C. (2) Private residential tool sheds. Refer to §185-31C for accessory building height controls.

~~D. Maximum principal building height. No principal building shall exceed 30 feet in height and 2.5 stories, except that churches shall not exceed 55 feet in height and except further as allowed in Section 185-72.~~

Comment[Randall Scheule2]: May 20, 2025 – This section removed from this ordinance, to be addressed in Ordinance #4.

§ 185-29. M Marina Districts.

D. Maximum principal building height. No principal building shall exceed 40 feet in height, except as allowed in Section 185-72.

H. Refer to §185-31C for accessory building height controls.

§ 185-30. C-Conservation District.

C. (2) Private residential tool sheds Refer to §185-31C for accessory building height controls.

D. Maximum principal building height. No principal building shall exceed 40 feet in height, except as allowed in Section 185-72.

SECTION 2. This section revises accessory building height controls as follows.

§ 185-31. Accessory buildings.

A. Any accessory building attached to a principal building shall be considered part of the principal building and the total structure shall adhere to the yard requirements for the principal building, regardless of the technique of connecting the principal and accessory buildings.

B. Distance between adjacent buildings. The minimum distance between an accessory building and any other building(s) on the same lot shall be as prescribed in Article IV, except that no poultry or livestock shelter shall be erected nearer than 50 feet to any dwelling on the same lot.

C. Height of accessory buildings.

- o Flat roof accessory buildings shall not exceed 15 feet in height.
- o Maximum height for pitched roof accessory buildings on lots up to one acre (1.0) in size shall be as follows:
 - Maximum height of 15' with minimum 20' setbacks from rear and side lines
 - Maximum height of 20' with minimum 25' setbacks from rear and side lines
 - Maximum height of 25' with minimum 40' setbacks from rear and side lines
- o Pitched roof accessory buildings on lots greater than one acre (1.0) in size shall not exceed 25 feet in height.

D. Location. An accessory building may be erected in side and rear yard areas only and shall be set back from side and rear lot lines as prescribed in Article IV, except that if erected on a corner lot, the accessory building shall be set back from the side street to comply with the setback line applying to the principal building for that side street, and except further that no poultry or livestock shelter shall be erected nearer than 50 feet to any lot lines.

§ 185-14. R-3 Rural Single Family Residential District .

D. Maximum building height. No building shall exceed 30 feet in height and 2.5 stories, except that churches shall not exceed 55 feet in height, and farm buildings on farms shall not exceed 50 feet in height.

§ 185-15. R-10 Low Density Single Family Residential District.

D. Maximum building height. No building shall exceed 30 feet in height and 2.5 stories, except that churches shall not exceed 55 feet in height and except as allowed in Section 185-72, and farm buildings on farms shall not exceed 50 feet in height.

§ 185-27. PR Rural Development Districts.

D. Maximum building height. No building shall exceed 30 feet in height and 2.5 stories, except that churches shall not exceed 55 feet in height and except further as allowed in Section 185-72, and farm buildings on farms shall not exceed 50 feet in height.

§ 185-30. C-Conservation District.

D. Maximum building height. No principal building shall exceed 30 feet in height, except that farm buildings on farms shall not exceed 50 feet in height. No accessory building shall exceed 15 feet in height.

SECTION 3. This section revises signs in commercial zones as follows.

§ 185-25. B-Business District.

C. Accessory uses. Accessory uses permitted in the B District shall be as follows:

- (5) Fences and signs in accord with §185-33 and §145-43, respectively.

[The remainder of Subsection 185-25.C is unchanged]

§ 185-29. M Marina Districts.

C. Permitted accessory uses in M Districts shall be as follows:

- (10) Fences and signs in accord with §185-33 and §145-43, respectively.

[The remainder of Subsection 185-29.C is unchanged]

SECTION 4. This section revises §185-37 Nonconforming Uses, Structures and Lots as follows.

§ 185-37. Nonconforming uses, structures and lots.

A. The lawful use of land or structures existing at the date of adoption of this chapter, as amended, may be continued although such use or structure is nonconforming to the provisions specified in this chapter, as amended, for the zoning district in which such use or structure is located, except as provided by law.

B. Any nonconforming use or structure which has been changed to a conforming use or structure shall not be changed back again into a nonconforming use or structure.

C. Any nonconforming use, structure or lot may change ownership and continue to function as the same nonconforming use, structure or lot, provided that all other

provisions of this chapter and other applicable laws are met.

D. Repairs and maintenance work required to keep a structure in sound condition may be made to a nonconforming structure or a structure containing a nonconforming use. However, no nonconforming structure or structure containing a nonconforming use shall be enlarged, extended, constructed, reconstructed or structurally altered in any manner.

E. Any lot upon which a nonconforming use or structure is located shall not be reduced in size, nor shall any lot already nonconforming be made more nonconforming in any manner.

F. Any vacant lot, or lot with a single-family residential structure, excepting those in the Pinelands Area, existing at the effective date of adoption or amendment of this section whose area or dimensions do not meet the requirements of the district in which the lot is located, may have a building permit issued, without variance approval, for a use permitted for that zoning district, provided that the building coverage limit will not exceed 20% of the lot area, parking requirements are met and the setback requirements are reduced by the same percentage that the area of such lot bears to the zoning district requirements, except that no side yard shall be less than 10 feet or half that required by the applicable zoning requirements, whichever is greater. Front yard depth and

setback shall conform to those of adjoining property owners. All other applicable provisions of this section shall hold.

G. Any vacant lot of one acre or more within the Pinelands Area, existing as a conforming lot as of February 7, 1979, which does not meet the requirements for the zone in which the lot is located may have a construction permit issued for the development of a single-family dwelling without an appeal for variance relief, provided that: **[Amended 2-24-97 by Ord. No. 97-01]**

- (1) The lot was not held in common ownership with any adjoining parcels on February 7, 1979, or since that date.
- (2) The yard requirements of the zone in which such lot is located are reduced by the same percentage that the lot area bears to the zoning district requirement, except that no yard shall be reduced to less than 50% of the requirement of this chapter and no side yard shall be reduced to less than 15 feet. No front or rear yard shall be reduced to less than 50 feet.
- (3) The development of any lot under this section shall comply with the other requirements of this chapter.

H. Any detached single-family dwelling existing as of August 12, 1996, located within a commercial zoning district may change ownership and continue to function as the same nonconforming use or structure. Enlargement or expansion of said detached single-family dwelling shall require variance approval pursuant to NJS 40:55D-70d(2). Additional development on these lots shall be subject to the zoning controls in the following table.

<u>Zoning Requirement</u>	
Principal Building Controls	
Minimum Front Setback	The average of the front yard setbacks of dwellings within 200' of the subject property.
Minimum Side Setback	15' each side
Minimum Rear Setback	50'
Maximum Building Height	2.5 stories, 35'
Maximum Building Coverage	10%
Accessory Building Controls	
Minimum Side Setback	5'
Minimum Rear Setback	5'
Maximum Building Height	25'
Maximum Building Coverage	3.5%
Maximum Impervious Coverage	60%

§ 185-25. B-Business District.

C. Accessory uses. Accessory uses permitted in the B District shall be as follows:

- (1) Administrative offices.
- (2) Out-of-door storage (with proper screening).
- (3) Motor vehicle and equipment storage garages.
- (4) Off-street parking.

- (5) Fences and signs.
- (6) Small wind energy systems and solar energy systems in accordance with the standards in Section 185-73D(22). [Added 5-5-09 by Ord. No. 2009-01]
- (7) Private residential swimming pools.
- (8) Garage.
- (9) Travel trailers and campers located in rear and side yards only.
- (10) Residential agriculture.
- (11) Home business.
- (12) Decks, patios, terraces, etc.
- (13) Home Occupation subject to §185-7.

§ 185-29. M Marina District.

C. Permitted accessory uses in M Districts shall be as follows:

- (1) Concession facilities for food, bait and tackle and boating supplies.
- (2) Operations and maintenance facilities.
- (3) Rest rooms and shower facilities.
- (4) Dry storage facilities.
- (5) Outdoor storage of boats and accessories.
- (6) Boat and motor sales.
- (7) Motor fuel sales.
- (8) One permanent residential unit per marina for management or security purposes.
- (9) Small wind energy systems and solar energy systems in accordance with the standards in Section 185-73D(22). [Added 5-5-09 by Ord. No. 2009-01]
- (10) Private residential swimming pools.
- (11) Garage.
- (12) Travel trailers and campers located in rear and side yards only.
- (13) Residential agriculture.
- (14) Home business.
- (15) Decks, patios, terraces, etc.
- (16) Home Occupation subject to §185-7.

SECTION 5. This section adds §185-32.5 Design Standards for the Business District as follows.

§ 185-32.5. Design Standards for the Business District.

A. Applicability.

The design standards in this section shall apply to *warehouses and similar industrial-style buildings having a gross floor area [100,000 square feet or more]*. The standards in subsections C.6-8 hereinbelow shall apply only to the façade of a building that faces a public street, which includes any façade for a building or lot with multiple street frontages (e.g., if a building is located on a corner lot fronting on two (2) streets then the standards provided in the aforementioned subsections shall apply to both street-facing facades).

B. Architectural Form and Detail.

1. To reduce the mass and scale of large buildings visible from a street, building facades shall include:
 - a. Architectural features such as reveals;
 - b. Windows and openings; and
 - c. Changes in color and either texture or material to add interest to the building elevation and reduce its visual mass.
2. Primary building entries shall be readily identifiable and well defined through the use of projections, recesses, columns, roof structures, or other design elements. The primary building entries shall be clearly articulated to indicate a transition from the exterior to the interior of the building. Every main

entrance shall have a special emphasis when compared to the other portions of the building. This shall be accomplished through the use of at least three (3) of the following near entrances:

- a. A prominent architectural feature that is unique to the overall building design;
 - b. Complementary yet differing building materials or colors;
 - c. Increased use of windows or glass;
 - d. Pedestrian amenities that may include patios, porches, special paving treatments, seating areas, or awnings; or
 - e. Increased landscaping.
3. All additions to existing buildings shall incorporate the predominant architectural features, materials, and colors of the existing building.

C. Colors And Materials.

1. A comprehensive material and color scheme shall be developed for each site. Material and color variations in multi-building complexes must be complementary and compatible among buildings.
2. A minimum of three (3) colors per elevation shall be required.
3. Color utilization should be sensitive to existing development within the vicinity and the natural landscape in which the project is situated.
4. Materials that contribute to the aesthetics of the community over the long term shall be required for all buildings. Permanence in design and construction will add to the overall value and sustainability of the community.
5. All projects shall submit a sample board containing actual samples of all exterior surface materials, including roofing materials, in all the colors that will be used.
6. Primary Materials: Each exterior wall facade facing a public street shall include two (2) of the following primary materials: brick, tilt-up concrete, architectural block, architectural metal panel, insulated metal panel, stone, or glass. Unfinished gray concrete block is not permitted. The use of non-insulated metal siding exclusively on any wall is prohibited. All finish material shall be durable to the effects of weather and soiling.
7. Expanses of primary materials, or any other uniform materials on exterior wall facades facing public streets shall be broken up with pop outs, recesses, awnings, staggered facades, metal structures, glass, change in material or texture, or the addition of other designed three (3) dimensional architectural features.
8. The ends or corners of buildings at the terminations of the facades facing public streets shall be articulated with one (1) prominent architectural feature such as a change in primary material (i.e. change from tilt-up concrete panel to brick), increased roof projection of parapet, increased transparency (i.e., glass/window panels) or change in color;
9. Bright, contrasting colors should be used for small areas of building and for accents only.
10. Design and colors of wall signs should be compatible with the main buildings on the site.
11. Materials, design, and colors of monument signs shall be compatible with the main buildings on the site.

D. Accessory Buildings.

1. The design of accessory buildings (e.g., security kiosks, maintenance buildings, and outdoor equipment enclosures) shall be incorporated into and be compatible with the overall design of the project and the main buildings on the site.
2. Temporary buildings shall not be located where they will be visible from adjoining public streets.
3. Modular buildings shall be skirted with material and color that is compatible with the modular unit and the main buildings on the site. All temporary and modular structures shall comply with all other applicable standards of this title for use and duration of use.

SECTION 6. This section corrects a type in §185-28B(8) as follows.

- (a) The parcel proposed for low-intensity recreational use has an area of at least fifty (50) acres.

[The remainder of this Subsection is unchanged]

SECTION 7. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 8. This Ordinance shall become effective immediately upon passage and publication according to law.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas Van Artsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on May 13, 2025. Publication will be held on May 21, 2025 and a Public Hearing will be held at a meeting of the said Township Committee to be held on June 10, 2025 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

TOWNSHIP OF DENNIS

**COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 2025-06

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND STATE OF NEW JERSEY ADDING A NEW SUBSECTION 185-73D(25) CONTAINING CONDITIONAL USE REQUIREMENTS FOR WIRELESS TELECOMMUNICATION FACILITIES AS RECOMMENDED IN THE MASTER PLAN REEXAMINATION REPORT

BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey as follows:

SECTION 1. This section adds conditional use requirements for Wireless Telecommunication Facilities as follows.

(25) Wireless telecommunication equipment and facilities on municipal property.

(a) Terms and definitions. As used in this section, the following terms shall have the meanings indicated:

Antenna — Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves,

digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communications signals.

Backhaul Network — Lines that connect a providers' towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

Cellular Antenna — Antennas which are used for the transmission and reception of wave frequencies for the purposes of telephone, radio, paging and/or television communication and which are permitted as "conditional uses" in accordance with the specific zoning conditions and standards for their location and operation within this section. For the purposes of this section "cellular antennas," as referred to in the 1996 Federal Telecommunications Act, shall not be considered to be a public utility.

FAA — The Federal Aviation Administration.

FCC — the Federal Communications Commission.

Public View — Visible from a public thoroughfare, public lands or buildings or navigable waterways.

Telecommunications Act — Federal Telecommunications Act of 1996 and amendments or modifications which may be made thereto.

Tower — Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communications purposes, including self-supporting lattice towers, guy towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures and the like. The term includes the structure and any support thereto.

Wireless Telecommunications Equipment Compound — A fenced in area which houses any combination of wireless telecommunications structures, buildings, antennas, equipment, and/or towers.

Wireless Telecommunications Structures, Antennas, Equipment, and/or Towers — Buildings and/or structures and equipment for the delivery of wireless telecommunications, except for satellite dish antennas. Wireless telecommunications tower means a vertical structure used for wireless telecommunications antennas.

- (b) Conditional use. Notwithstanding anything in Chapter 185 Zoning Ordinances of the Township of Dennis to the contrary, the installation of wireless telecommunications structures, antennas, equipment and/or towers and their respective locations shall be a conditional use on all properties and facilities owned by the Township of Dennis regardless of zoning district designation. They are prohibited at all other locations.
- (c) Maximum height. The maximum height of any proposed cellular antenna and any proposed new cellular tower shall be demonstrated by the applicant to be the minimum height necessary for the proposed installation to satisfactorily operate, but in no event in excess of the following standards for height, exclusive of lightning rods:

[i] Single vendor: 120 feet.

[ii] Two vendors: 120 feet.

[iii] Three or more vendors: 120 feet.

All tower footings shall be designed to permit future extensions to a maximum height of 120 feet.

(d) Area, setback and miscellaneous requirements

[i] If the proposed antennas will be attached to an existing tower or to an existing water tower or water stand pipe or other structure or building, no land area shall be required in addition to the land area upon which the existing structure or equipment is situated

[ii] The land area required to accommodate all telecommunication antenna, structures and equipment shall be approved by the Planning Board with consideration given to existing site conditions and surrounding land uses and shall be subject to a lease agreement between the applicant and the Township of Dennis.

[iii] The proposed antennas and proposed supporting tower and ancillary building enclosing related electronic equipment shall be located on a lot size in accordance with the following standards:

[a] The total enclosure, including the footprint, shall not be greater than 50 feet by 50 feet.

[b] The setback from the footprint to the property boundaries shall adhere to the applicable zone standards.

[iv] Excepting for any access driveway into the property, any required landscaping and any underground utility lines reviewed and approved by the Planning Board as part of the site plan submission, no building, structure and/or disturbance of land shall be permitted:

[a] Within a distance of 100 feet from the property line of any existing residence.

[b] Within a distance closer than 2,500 feet from another tower.

[c] Within a distance closer than 200 feet from a school property line.

[d] All utilities serving the site shall be underground where reasonably practicable.

[e] A wireless telecommunications equipment compound shall be unoccupied other than purposes of repair, maintenance and/or construction.

(e) Visual compatibility requirements (sound?).

[i] Wireless telecommunications antennas erected on existing buildings or structures, and wireless telecommunications compounds constructed in support of such antennas shall comply with the following requirements:

[a] Antenna arrays mounted on such existing buildings or structures, shall not extend beyond the overall height of any such building or structure by more than 10 feet.

[b] Wireless telecommunications equipment compounds shall be enclosed within a fence at least six feet to eight feet in height as approved by the Township Engineer which shall include a locking security gate.

[c] A wireless telecommunications equipment compound consisting of no more than 1,000 square feet may be erected in support of such antenna arrays provided:

i. It is situated behind existing structures, buildings or terrain features which shall shield the wireless telecommunications equipment compound from public view; or

ii. When a location out of public view is not reasonably practicable, a landscape buffer shall be provided outside the fence around the wireless telecommunications equipment compound to screen the facility from public view.

iii. Landscaping shall include native evergreen and deciduous trees at least eight feet high at the time of planting.

[d] Antennas installed according to these provisions shall be suitably finished and/or painted so as to minimize their visual impact on the landscape. Depending on the placement of this equipment, color shall be selected to be consistent with the color scheme of the building or structure on which they are mounted, in order to blend with their surroundings. When this is not reasonable or practicable, color selection shall be designed to minimize the visual impact of the antenna arrays.

[e] Where new wireless telecommunications towers or other antennas support structures are proposed, stealth designs where reasonably practicable shall be employed to camouflage their appearance, such as bell towers, silos, artificial trees and similar treatments. The degree and nature of such stealth designs shall depend upon the specifics of the site involved so as to provide the most appropriate designs under the circumstances presented.

(f) Design standards

[i] Any proposed building enclosing related electronic equipment shall not be more than 12 feet in height nor more than 300 square feet in area and only one such building shall be permitted on the lot for each provider of cellular communications services located on the site.

[ii] Any proposed new tower shall be a monopole unless the applicant can demonstrate and the Planning Board agrees, that a different type pole is necessary for the co-location of additional antennas on the tower.

[iii] No antenna shall be located on any tower in order to provide noncellular telephone service; such service shall be provided via existing telephone lines if available to the site, or by the underground extension of telephone lines to the site if necessary.

[iv] All proposed antennas, any proposed new tower and any proposed building enclosing related electronic equipment shall be colored to best blend with the surroundings, including any site vistas.

[v] Other than typical "warning," "emergency" and equipment information signs, no signs are permitted. Emergency signs shall be on plates attached to the tower or building and shall not exceed two square feet.

[vi] No lighting is permitted, except as follows, which shall be subject to review and approval by the Planning Board as part of the site plan application:

[a] The building enclosing electronic equipment may have one light at the entrance of the building, provided that the light is attached to the building, is focused downward and is switched so that the light is turned on only when workers are at the building. This shall be exclusive of lights equipped with motion detectors. To the extent these requirements are inconsistent with BOCA requirements, the BOCA requirements shall apply; and

[b] No lighting is permitted on a tower except lighting that is specifically as required by the FAA and any such required lighting shall be focused and shielded to the greatest extent possible so as not to project toward adjacent and nearby properties.

[ii] No cellular antenna and/or its related electronic equipment shall interfere with any public safety communications subject to FCC rules and regulations.

[iii] All equipment shall be designed and automated to the greatest extent possible in order to reduce the need for on-site maintenance and thereby, minimize the need for vehicular trips to and from the site.

[iv] Minimal off-street parking shall be permitted as needed and as approved by the appropriate Board having jurisdiction.

[v] All towers shall be designed with anti-climbing devices in order to prevent unauthorized access. Additionally, any tower supporting the cellular antennas and any building enclosing related electronic equipment shall be surrounded by a fence between six feet and eight feet in height. The fence shall be screened by a landscape buffer pursuant to Subsection (e).

[vi] Additional safety devices shall be permitted as needed and as approved by the appropriate Board having jurisdiction.

[vi] Between any existing or zoned residential property bordering the proposed lot and the location of any proposed new tower or any proposed building enclosing related electronic equipment, a landscaped buffer at least 20 feet deep shall be provided in accordance with the following:

[a] The landscaped buffer shall consist of a combination of existing and/or newly planted evergreen and deciduous trees of sufficient density to screen the view of the tower and building from the surrounding properties to the maximum extent possible.

[b] Any newly planted evergreen trees shall be at least eight feet high at time of planting and any newly planted deciduous trees shall be a minimum caliper of 2.5 inches at time of planting.

[vii] Towers and antennas shall meet the following requirements:

[a] Towers shall be subject to any applicable standards of the FAA and, to the extent reasonably practicable, be painted a neutral color so as to reduce visual obtrusiveness.

[b] At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and surrounding buildings.

[c] If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color such as sky blue that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as reasonably practicable.

[d] The applicant shall submit a report from a qualified expert certifying that the wireless telecommunications antenna and equipment facility comply with the latest structural and wind-loading requirements as established by applicable building and electrical codes. The applicant shall provide a description of the number and type of antennas that may be accommodated and the effect on structural integrity.

(g) Antenna modifications. Operators of wireless telecommunications towers shall provide to the Township of Dennis a report every three years from a licensed professional engineer certifying the structural integrity of the tower, together with all antennas mounted thereon and whether they remain in use, and that they meet applicable minimum safety requirements. Such report shall also be provided whenever antenna arrays are modified, and shall include a detail listing of all antennas and equipment so certified. Vendors shall also be required to notify the Township when the use of such antennas and equipment is discontinued. A satisfactory insurance company inspection report shall be deemed to meet the requirements of this section.

(h) Co-location required.

Authorization for the construction of a new wireless telecommunications tower shall be conditioned on agreement by the tower owner that other wireless telecommunication service providers will be permitted to co-locate on a proposed tower within the limits of structural and radio frequency engineering requirements and at rates which reflect a fair market price for such service. As part of the application for tower approval, the applicant shall document the extent to which additional equipment could be mounted on the tower, the extent to which the height of the tower could be increased and the type of equipment which could be accommodated.

(i) Restoration provisions.

The applicant shall provide a performance bond and/or other assurances satisfactory to the Planning Board in a form approved by the Township Attorney that will cause the antennas, the supporting tower, the ancillary building enclosing related electronic equipment and all other related improvements to the land to be removed at no cost to the Township, when the antennas are no longer operative. Any communication facility not used for its intended and approved purpose for a period of 12 months shall be considered no longer operative and abandoned and shall be removed by the applicant or their assigns within 60 days thereof. If the use of the tower is 10% or less of its maximum permitted capacity, it shall be considered no longer operative and therefore abandoned.

(j) Applicability.

[i] All new towers or antennas shall be subject to this article and to the jurisdiction of the Planning Board except as provided in Subsection iii hereinbelow.

[ii] Pre-existing towers and pre-existing antennas shall not be required to meet the requirements of this article, but shall be required to meet the requirements of all state and federal regulations on the subject including FCC, FAA and BOCA requirements. However, at time of submission of any application for site plan approval, such towers and antennas shall be brought into conformance with this ordinance where reasonably practicable.

[iii] Expansion of existing antennas, structures, towers or wireless telecommunications equipment compounds shall require variance approval pursuant to N.J.S.A. 40:55D-70(d)(2).

(k) Other requirements.

[i] All antennas, structures, towers, or wireless telecommunications equipment compounds shall be insured with liability coverage a minimum of \$1,000,000 with the Township named as co-insured. Evidence of such insurance coverage shall be submitted to the Township Attorney or his designee at the time of approval and each succeeding year by the anniversary date of the approval.

[ii] All other applicable requirements of this article contrary to the specific conditions and standards specified herein shall be met, but waivers and/or variances of all applicable requirements of this article may be granted by the Planning Board or Zoning Board of Adjustment.

SECTION 2. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 3. This Ordinance shall become effective immediately upon passage and publication according to law.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas Van Artsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on May 13, 2025. Publication will be held on May 21, 2025 and a Public Hearing will be held at a meeting of the said Township Committee to be held on June 10, 2025 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

TOWNSHIP OF DENNIS

COUNTY OF CAPE MAY
STATE OF NEW JERSEY

ORDINANCE NO. 2025-07

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND STATE OF NEW JERSEY REPEALING ARTICLE VII (PERFORMANCE GUARANTY; INSPECTIONS; CERTIFICATE OF OCCUPANCY) IN ITS ENTIRETY, AND ADDING SECTION 165-42 (GUARANTEES REQUIRED; SURETY; RELEASE) AND SECTION 165-43 (INSPECTION FEES AND ESCROWS) AS RECOMMENDED IN THE MASTER PLAN REEXAMINATION REPORT

BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey as follows:

SECTION 1. This section repeals Article VII Performance Guaranty; Inspections; Certificate of Occupancy in its entirety.

SECTION 2. This section adds § 165-42. Guarantees required; surety; release as follows.

§ 165-42. Guarantees required; surety; release.

A. Before final subdivision plats or minor subdivisions are signed by municipal officials or released for filing or recording, or as a condition of final site plan approval, or as a condition to the issuance of a zoning permit pursuant to subsection d. of section 52 of P.L.1975, c.291 (C.40:55D-65), or as a condition for issuance of a building permit for any development requiring site plan approval, or as a condition of any Redevelopment Approval or Redevelopment Agreement, the developer shall furnish pursuant to the provisions of this ordinance:

- (1) A Performance Guarantee;
- (2) A Perimeter Buffer Guarantee as either a line item in the Performance Guarantee or as a separate guarantee;
- (3) A Temporary Certificate of Occupancy Guarantee;
- (4) A Safety and Stabilization Guarantee;
- (5) A Maintenance Guarantee.

B. Performance Guarantee.

- (1) Dedicated Improvements. The developer shall furnish a Performance Guarantee in favor of the Township in an amount not to exceed 120% of the cost of installation of only those improvements required by an approval or developer's agreement, ordinance, or regulation to be dedicated to a public entity, and that have not yet been installed, which cost shall be determined by the municipal engineer, according to the method of calculation set forth in section 15 of P.L.1991, c.256 (C.40:55D-53.4), for the following improvements as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, as shown on the final map and required by "the map filing law," P.L.1960, c.141 (C.46:23-9.9 et seq.; repealed by section 2 of P.L.2011, c.217) or N.J.S.46:26B-1 through N.J.S. 46:26B-8, water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements.

(2) Perimeter Buffer. The Performance Guarantee shall include the cost of installation of perimeter buffer landscaping, within a privately owned approved phase or section of a development as required by local ordinance or imposed as a condition of approval. At the developer's option, a separate performance guarantee may be posted for the privately-owned perimeter buffer landscaping.

C. Temporary Certificate of Occupancy Guarantee. In the event that the developer shall seek a temporary certificate of occupancy for a development, unit, lot, building, or phase of development, as a condition of the issuance thereof, the developer shall furnish a separate guarantee, referred to herein as a "Temporary Certificate of Occupancy Guarantee," in favor of the Township in an amount equal to 120% of the cost of installation of those incomplete site improvements required by the site plan, subdivision or redevelopment approvals or as a requirement of any zoning or building requirements or which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of occupancy for the development, unit, lot, building or phase of development and which are not covered by an existing Performance Guarantee. Upon posting of a "Temporary Certificate of Occupancy Guarantee," all sums remaining under a Performance Guarantee, required pursuant to §145-62B, which relate to the development, unit, lot, building, or phase of development for which the temporary certificate of occupancy is sought, which have not been completed and which are included in the "Temporary Certificate of Occupancy Guarantee," shall be released. The scope and amount of the "Temporary Certificate of Occupancy Guarantee" shall be determined by the zoning officer, municipal engineer, or other municipal official designated by ordinance. At no time may a Township hold more than one guarantee or bond of any type with respect to the same line item. The "Temporary Certificate Of Occupancy Guarantee" shall be released by the zoning officer, municipal engineer, or other municipal official designated by the Township upon the issuance of a permanent certificate of occupancy with regard to the development, unit, lot, building, or phase as to which the temporary certificate of occupancy relates.

D. Safety and Stabilization Guarantee. A developer shall furnish to the Township a "Safety and Stabilization Guarantee," in favor of the Township. At the developer's option, a "Safety and Stabilization Guarantee" may be furnished either as a separate guarantee or as a line item of the Performance Guarantee. A "Safety and Stabilization Guarantee" shall be available to the Township solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstance that:

(1) site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure, and

(2) work has not recommenced within 30 days following the provision of written notice by the Township to the developer of the Township's intent to claim payment under the guarantee. A Township shall not provide notice of its intent to claim payment under a "Safety and Stabilization Guarantee" until a period of at least 60 days has elapsed during which all work on the development has ceased for reasons other than force majeure. The Township shall provide written notice to a developer by certified mail or other form of delivery providing evidence of receipt.

The amount of a "Safety and Stabilization Guarantee" for a development where the cost of required site improvements as determined by the municipal engineer or other municipal official designated by the Township is not more than \$100,000 shall be \$5,000.

The amount of a "Safety and Stabilization Guarantee" for a development where the cost of required site improvements as determined by the municipal engineer or other municipal official

designated by the Township exceeds \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows:

\$5,000 for the first \$100,000 of site improvement costs, plus two and a half percent of site improvement costs in excess of \$100,000 up to \$1,000,000, plus one percent of site improvement costs in excess of \$1,000,000.

The Township shall release a separate "Safety and Stabilization Guarantee" to a developer upon the developer's furnishing of a Performance Guarantee which includes a line item for safety and stabilization in the amount required under this paragraph.

The Township shall release a "Safety and Stabilization Guarantee" upon the municipal engineer's or other municipal official designated by the Township determination that the development of the project site has reached a point that the improvements installed are adequate to avoid any potential threat to public safety.

- E. Maintenance Guarantee. The developer shall post with the Township, prior to the release of any guarantee required pursuant to this ordinance, a Maintenance Guarantee in a form acceptable to the Township and in an amount not to exceed 15% of the cost of the installation of the Dedicated Improvements. The Maintenance Guarantee shall also include 15% of the cost of the installation of private site improvements for stormwater management basins, in-flow and water quality structures within the basins, and the out-flow pipes and structures of the stormwater management system. The amount of the Maintenance Guarantee for the private improvements to be included shall be calculated by the municipal engineer or other municipal official designated by the Township. No Guarantees shall be released until a Maintenance Guarantee in a form acceptable to the Township is posted.

The term of the maintenance guarantee shall be for a period not to exceed two years from the date of final acceptance of the improvement(s) by resolution of the Township Committee, after recommendation of acceptance by the Township Engineer and shall automatically expire at the end of the established term.

In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a Performance or Maintenance Guarantee to another governmental agency, no Performance or Maintenance Guarantee, shall be required by the Township for such utilities or improvements.

- F. Calculation of Performance Guarantee. The municipal engineer or other municipal official designated by the Township, shall prepare an itemized cost estimate of the improvements covered by any Guarantee to be furnished pursuant to this ordinance in accordance with the provisions of NJSA 40:55d-53.4.
- G. Extension of Time for Completion of installation of Improvements. The time allowed for installation of the improvements subject to any Guarantee furnished may be extended by the governing body by resolution. As a condition or as part of any such extension, the amount of any Performance Guarantee shall be increased or reduced, as the case may be, to an amount not to exceed 120% of the cost of the installation, which cost shall be determined by the municipal engineer or other municipal official designated by the Township according to the method of calculation set forth in section 15 of P.L.1991, c.256 (C.40:55D-53.4) as of the time of the passage of the resolution.
- H. Liability for Completion of Improvements. If any required improvements are not completed or corrected in accordance with any Guarantee furnished, the obligor and surety, if any, shall be liable thereon to the Township for the reasonable cost of the improvements not completed or corrected and the Township may either prior to or after the receipt of the proceeds thereof complete such improvements. Such completion or correction of improvements shall be subject to the public bidding requirements of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.).

- I. Release of Guarantee/Partial Release. Upon substantial completion of all required street improvements (except for the top course) and appurtenant utility improvements, and the connection of same to the public system, or the completion of any other required improvement for which any Guarantee has been furnished pursuant to the provisions of this ordinance, the obligor may request of the governing body in writing, by certified mail addressed in care of the municipal clerk, that the municipal engineer prepare, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the applicable Guarantee, a list of all uncompleted or unsatisfactory completed improvements. If such a request is made, the obligor shall send a copy of the request to the municipal engineer. The request shall indicate which improvements have been completed and which improvements remain uncompleted in the judgment of the obligor. Thereupon the municipal engineer shall inspect all improvements covered by obligor's request and shall file a detailed list and report, in writing, with the governing body, and shall simultaneously send a copy thereof to the obligor not later than 45 days after receipt of the obligor's request.

The list prepared by the municipal engineer shall state, in detail, with respect to each improvement determined to be incomplete or unsatisfactory, the nature and extent of the incompleteness of each incomplete improvement or the nature and extent of, and remedy for, the unsatisfactory state of each completed improvement determined to be unsatisfactory. The report prepared by the municipal engineer shall identify each improvement determined to be complete and satisfactory together with a recommendation as to the amount of reduction to be made in the applicable Guarantee relating to the completed and satisfactory improvement, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the Guarantee.

The governing body, by resolution, shall either approve the bonded improvements determined to be complete and satisfactory by the municipal engineer, or reject any or all of these improvements upon the establishment in the resolution of cause for rejection, and shall approve and authorize the amount of reduction to be made in the applicable Guarantee relating to the improvements accepted, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the Guarantee. This resolution shall be adopted not later than 45 days after receipt of the list and report prepared by the municipal engineer. Upon adoption of the resolution by the governing body, the obligor shall be released from all liability pursuant to the applicable Guarantee, with respect to those approved improvements, except for that portion adequately sufficient to secure completion or correction of the improvements not yet approved, provided that 30% of the amount of the total applicable Guarantee may be retained to ensure completion and acceptability of all improvements. If the sum of the approved improvements would exceed 70 percent of the total amount of the Guarantee, then the Township may retain 30 percent of the amount of the total Guarantee to ensure completion and acceptability of the required improvements. Any amount of the Performance Guarantee attributable to bonded improvements for which a "temporary certificate of occupancy guarantee" has been posted shall be released from the Performance Guarantee even if such release would reduce the amount held by the Township below 30 percent.

If any portion of the required bonded improvements is rejected, the approving authority may require the obligor to complete or correct such improvements and, upon completion or correction, the same procedure of notification, as set forth in this section shall be followed.

To the extent that any of the improvements have been dedicated to the Township on the subdivision plat or site plan, the municipal governing body shall be deemed, upon the release of any Performance Guarantee required pursuant to subsection a. of this section, to accept dedication for public use of streets or roads and any other improvements made thereon according to site plans and subdivision plats approved by the approving authority, provided that such improvements have been inspected and have received final approval by the municipal engineer. The Township may require, in addition to the foregoing, formal dedication documents in recordable form, and the developer/obligor shall be responsible for the recording of those documents, including the costs of recording thereof.

SECTION 3. This section adds 165-43 Inspection Fees and Escrows as follows.

§ 165-43 Inspection Fees and Escrows

The obligor of any Guarantee furnished pursuant to Section 165-42 shall reimburse the Township for reasonable inspection fees paid to the municipal engineer or other authorized municipal representative, for the inspection of improvements to be completed for which any Guarantee has been furnished. The Township may require the developer to post the inspection fees in escrow. The fees are as follows:

- (a) not to exceed, except for extraordinary circumstances, the greater of \$500 or 5% of the cost of improvements that are subject to any Guarantee; and
- (b) not to exceed 5% of the cost of private site improvements that are not subject to a Guarantee under which cost shall be determined pursuant to section 15 of P.L.1991, c.256 (C.40:55D-53.4).

For those developments for which the inspection fees total less than \$10,000, fees may, at the option of the developer, be paid in two installments. The initial amount deposited in escrow by a developer shall be 50% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the municipal engineer for inspections, the developer shall deposit the remaining 50% of the inspection fees.

For those developments for which the inspection fees total \$10,000 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited in escrow by a developer shall be 25% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the municipal engineer for inspection, the developer shall make additional deposits of 25% of the inspection fees.

If the Township determines that the amount in escrow for the payment of inspection fees, as calculated pursuant to subparagraphs (a) and (b) of paragraph (1) of this subsection, is insufficient to cover the cost of additional required inspections, the Township may require the developer to deposit additional funds in escrow provided that the Township delivers to the developer a written inspection escrow deposit request, signed by the municipal engineer, which: informs the developer of the need for additional inspections, details the items or undertakings that require inspection, estimates the time required for those inspections, and estimates the cost of performing those inspections.

In the event that final approval is by stages or sections of development pursuant to subsection a. of section 29 of P.L.1975, c.291 (C.40:55D-38), the provisions of this section shall be applied by stage or section.

SECTION 4. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 5. This Ordinance shall become effective immediately upon passage and publication according to law.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas Van Artsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on May 13, 2025. Publication will be held on May 21, 2025 and a Public Hearing will be held at a meeting of the said Township Committee to be held on June 10, 2025 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

The Deputy Mayor indicated that we were moving onto the regular portion of the agenda.

The Deputy Mayor asked for a motion authorizing the payment of the bills, providing that proper vouchers have been filed and that funds are available.

Motion was made by Cox, seconded by VanArtsdalen, with 4 ayes and 1 absent (Matalucci), that the payment of the following bills was approved:

GENERAL ACCOUNT:

049412-Acme (Supervalu)	\$	117.71
049413-Action Supply, Inc.		3,314.85
049414-Advantage Equipment Sales		3,206.98
049415-Atlantic City Electric		7,883.25
049416-Atlanticare Regional Medical		62,500.00
049417-Animal Control of South Jersey		700.00
049418-A.N.J.E.C.		450.00
049419-Clean Maxx Commercial Office		6,670.00
049420-Blaney, Donohue & Weinberg, PC		1,312.00
049421-Blaur Associates		1,500.00
049422-Cape May County M.U.A.		23,530.57
049423-Cape May County P.W.A.		857.48
049424-Cape May technical High School		300.00
049425-County of Cape May		704,605.27
049426-Cody's Power Equipment		35.05
049427-June Collins		249.83
049428-Comcast		702.91
049429-Nelson B. Creamer		185.00
049430-Crystal Springs		129.83
049431-Dennis Twp Board of Education		1,057,156.83
049432-Dennis Township Education		500.00
049433-Dennisville United Methodist		500.00
049434-Delta Dental of NJ		4,881.04
049435-Larry C. Dixon		275.50
049436-East Coast Distributors		462.97
049437-Joseph Fazzio, Inc.		1,848.68

049438-Ford, Scott & Associates, LLC	18,000.00
049439-FP Mailing Solutions	171.00
049440-Fralinger Engineering, PA	26,716.50
049441-F.R.A. Technologies, Inc.	1,350.00
049442-Gardner True Value Hardware	738.55
049443-Eric M. Krise Electrical	1,296.36
049444-The Gem Grocery & Gas	492.89
049445-General Code	3,545.00
049446-Georgia Golf Construction, Inc.	840.00
049447-Goldenberg Mackler Sayegh	816.70
049448-Gracetown Lumber Co.	156.83
049449-Scheule Planning Solutions, LLC	1,750.00
049450-Green Technology Services	4,666.21
049451-Global Document Services, LLC	950.00
049952-Cape May County Herald	28.16
049453-Home Depot Credit Services	227.44
049454-Roy J. Hope	442.91
049455-Napa Auto Parts	142.59
049456-JP Monzo Municipal Consulting	50.00
049457-K. Gannon Plumbing	120.00
049458-Lambs R Us 4-H Club	500.00
049459-Landberg Construction, LLC	38,710.00
049460-Edward F. Leith, Jr.	185.00
049461-Lorco Petroleum Services	260.00
049462-Middle Township High School	300.00
049463-Mariann Murphy	247.78
049464-NJ Pinelands Commission	250.00
049465-Nat. Alliance for Youth Sports	220.00
049466-John Pilieri	6,277.60
049467-Pinelands Construction LLC	74,361.12
049468-Eurofins Environment Testing	582.50
049469-Rubbercycle LLC	28,593.50
049470-Schaefer Fireworks	2,919.00
049471-Sea Isle City	9,583.33
049472-Cooltronics, Inc.	155.00
049473-Smeltzer & Sons Feed	94.90
049474-South Jersey Gas	718.16
049475-South Jersey Water Cond Serv	165.00
049476-S.S.C.I.	140.00
049477-Staples Advantage	1,227.34
049478-Suburban Propane – 2115	257.78
049479-Carolyn P. Swagler	185.00
049480-Lightning Prevention Services	1,150.00
049481-Tightlines 4-H Fishing Club	500.00
049482-Upper Township	2,790.99
049483-Vision Service Plan	760.72

CONSTRUCTION CODE:

1119-Amazon.com Services, Inc.	165.10
1120-Trinity Solar	1,120.00

GENERAL CHECKING WIRES:

80-NJSHBP	55,020.65
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DOG TRUST:

200-NJ Dept. Health/Senior Services	2.40
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FIRE SAFETY AND PREVENTION:

38-AT&T Mobility	259.58
39-New Jersey State Police	877.50

ESCROW OFFSHORE PROPERTY GROUP, LLC:

None.

ESCROW FRANCIS JOHN KLEBAUR:

57-Fralinger Engineering, PA 178.50

ESCROW PM POOLS AND SPAS LLC:

1-Fralinger Engineering, PA 950.00

ESCROW MATTHEW LINDEMON:

50-Fralinger Engineering, PA 1,330.00

ESCROW RYAN DEVELOPMENT:

None.

PLANNING ESCROW:

1148-Fralinger Engineering, PA 1,497.50

RECREATION TRUST:

1703-Acme (Supervalu)	203.59
1704-Amazon.com Services, Inc.	190.74
1705-Dennis Twp Basketball Assoc.	7,500.00
1706-The Final Touch	3,603.81
1707-The Funplex	3,675.00
1708-FunCity Adventure Park	950.00
1709-Seashore Food Distributors, Inc.	632.50
1710-BSN Sports, Inc.	992.06

The Township Engineer, Mike Fralinger, commented on: the Recreation ADA Playground Project punch list items; the Belleplaine Landfill survey project and the 2025 Capital Roadway Project. Committeeman VanArtsdalen commented on issues with the traffic during County Roadway Project for CR 605 and requested that the Engineer to get traffic plans for future County Roadway Projects.

The Township Administrator, Jessica Bishop, commented on: AtlantiCare's Cape May County Family Fun Day scheduled for 06/07/2025 at the Rec; the Municipal Court being with Sea Isle City's; Joining the County Dispatch in November and the online auction of surplus properties.

The Deputy Mayor asked for a motion to approve the Administrative Reports. Motion was made by Germanio, seconded by VanArtsdalen, with 4 ayes and 1 absent (Matalucci), that the following Administrative Reports were approved:

Municipal Clerk's Report	April, 2025
Registrar's Report	April, 2025
Tax Collector's Report	April, 2025
Construction Official's Report	April, 2025
Chief Finance Officer's Report	April, 2025

The Deputy Mayor asked if there were any comments from the public this evening.

John Carson of 322 Main Street in South Seaville, commented on the Resolution regarding the demo of the house on Chestnut Street and shared his concerns regarding 324 Main Street in South Seaville. Township Solicitor, Township Administrator and Committee explained the steps Code Enforcement has to take regarding unsafe properties.

Jasen Mitchell thanked the Committee for approving his Amusement Games License so that he can operate an arcade in Lake & Shore Resort.

The Deputy Mayor asked for comments from the Township Committee.

Committeeman VanArtsdalen commented on: Tuesday, August 05th at 6:30 pm being National Night Out, Baseball & Softball going on at the Rec almost every night, Summer Basketball starting up and he thanked the Municipal Engineer for his work regarding the new playground equipment at the Rec and indicated that it is packed.

Committeeman Germanio indicated that he had no comments at this time.

Committeeman Cox urged everyone to be safe on Memorial Day Weekend. The Committee echoed his comments.

Deputy Mayor Turner indicated that at this time the Committee would be going into an Executive Session and that no formal action is anticipated.

Motion was made by VanArtsdalen, seconded by Germanio, that the regular meeting be recessed and that the Executive Session be convened.

Motion was made by Germanio, seconded by Cox, that the regular meeting be reconvened.

No formal action was taken.

The Deputy Mayor asked for a motion to adjourn the Township Committee meeting.

Motion was made by Germanio, seconded by VanArtsdalen, that the meeting be adjourned. All in favor and the motion carried.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor