



BOROUGH COUNCIL WORK SESSION - AUGUST 31, 2026

AGENDA

Monday, August 31, 2026 at 7:00 PM

Online via Zoom

I. Call to Order

II. Roll Call - Borough Clerk - GP Caminiti

Angarone; Chandler; Kassler-Taub; Rubenstein; Stern; Valenza; Mayor Davy

III. Open Public Meetings Statement

Notice of this meeting has been posted on the bulletin board at Borough Hall at 30 North Main Street and on the Borough website according to the regulations of the Open Public Meetings Act.

IV. Open to the Public/ Public Comment

The Meeting is now open to the public for comment. In an effort to provide everyone interested an opportunity to address his or her comments to the Governing Body, a public comment time limit has been instituted for each speaker. Please raise your hand and when the Borough Clerk acknowledges you state your name and address for the record. Please limit comments to the Governing Body to a maximum of 2 minutes.

V. Resolution for Council Action:

1. Resolution 2026 - 8.8 - Resolution Authorizing Municipal Clerk to Endorse ABC Application by Druery Brewery, LLC for Concert-Related Event on the Property of Howe Commons on September 13, 2026

VI. Work Session Presentation:

1. Regional Stormwater Study - JoLynn Moloughney / Michael Pisauro, Watershed Institute

VII. Work Session Discussion Items:

1. Financial Assistance for Holiday Walk
2. Cashless Borough Hall
3. Yard Waste Ordinance
4. RFP Police Study
5. Ordinance for Lawn Mower and Backhoe

6. Update for Police Hire
7. Request for Planning Services for Affordable Housing - Dan Rubenstein

VIII. Review of Tentative Council Regular Agenda

1. Mayor Appointment of Caitilin Dodd - Economic Development Commission
2. Approval of Minutes
3. Introduction - Ordinance 2026-28 – Ordinance Modifying Requirements for Yard Waste Collection and Amending the Code of the Borough of Pennington
- [4.](#) Public Hearing and Adoption - Ordinance 2026-26 - An Ordinance Amending Chapter 215 "Zoning", to Implement Recommendations Contained in the Borough of Pennington Master Plan Adopted by the Planning Board on May 13, 2026
- [5.](#) Public Hearing and Adoption - Ordinance 2026-27 - Ordinance Requiring Escrow Fees from Potential Redevelopers in Connection with Redevelopment Matters Before Borough Council, and Amending the Code of the Borough of Pennington to Include a new Chapter 35 Concerning Redevelopment Matters
6. Resolution 2026 - 9.1 - Authorize Payment of Bills
7. Resolution 2026 - 9.2 - Resolution to Request Amendment of the 2026 Adopted Budget (Chapter 159) To Insert a Special Item of Revenue and Appropriation for ANJEC Grant
8. Resolution 2026 - 9.3 - Resolution to Request Amendment of the 2026 Adopted Budget (Chapter 159) to Insert a Special Item of Revenue and Appropriation for 2026 - Clean Communities
9. Resolution 2026 - 9.4 - Resolution to Request Amendment of the 2026 Adopted Budget (Chapter 159) to Insert a Special Item of Revenue and Appropriation for Recycling Tonnage Grant
10. Resolution 2026 - 9.5 - Resolution to Amend the 2026 Adopted Budget (Chapter 159) Special Items of Revenue and Appropriation for Alcohol Education, Rehabilitation and Enforcement Fund DWI
11. Resolution 2026 - 9.6 - Resolution Authorizing Refund
12. Resolution 2026 - 9.7 - Resolution Authorizing Refund of Electrical Permit Fee
13. Resolution 2026 - 9.8 - Resolution Authorizing Municipal Clerk to Endorse ABC Application Druery Syndicate, LLC for Concert-Related Event on the Property of Howe Commons on October 10, 2026
14. Resolution 2026 - 9.9 - Resolution Authorizing Municipal Clerk to Endorse ABC Application by The Pennington School for Reunion Event on the Property of First National Bank on October 10, 2026
15. Resolution 2026 - 9.10 - Police Personnel Resolution

16. Resolution 2026 - 9.11 - Resolution Authorizing Issuance of Request for Proposals for Spatial Needs Assessment and Feasibility Study to Resolve Space Needs of the Police Department in the Context of Overall Space Needs for Borough Operations

IX. Open to the Public/ Public Comment

The Meeting is now open to the public for comment. In an effort to provide everyone interested an opportunity to address his or her comments to the Governing Body, a public comment time limit has been instituted for each speaker. Please raise your hand and when the Borough Clerk acknowledges you state your name and address for the record. Please limit comments to the Governing Body to a maximum of 2 minutes.

X. CLOSED SESSION

AT, PM, BE IT RESOLVED, that Mayor and Council shall hereby convene in closed session for the purposes of discussing a subject or subjects permitted to be discussed in closed session by the Open Public Meetings Act, to wit:

Police Personnel

Personnel

Potential Litigation

Liquor License

XI. Return to Open Session

XII. Adjournment

**BOROUGH OF PENNINGTON
RESOLUTION 2026-8.8**

**RESOLUTION AUTHORIZING MUNICIPAL CLERK TO
ENDORSE ABC APPLICATION BY DRUERY SYNDICATE LLC
FOR A SEPTEMBER 13, 2026 COMMUNITY EVENT**

WHEREAS, the Borough of Pennington, through its Parks and Recreation Commission, is sponsoring an “End of Summer/Back to School Concert” on Sunday, September 13, 2026, from 4 to 9 PM;

WHEREAS, the event will be held on the lawn of Howe Commons, located at 65 South Main Street in Pennington, which is privately owned by Private Hayley Knopple Property Manager Pretium Property Management LLC, based in Haddonfield, New Jersey, which has given permission for the event;

WHEREAS, in conjunction with the event, food will be provided by the Pennington Fire Department and Rita’s, with the expectation that the Druery Syndicate LLC (“Druery”) will serve alcoholic beverages to persons 21years of age and older in a fenced-off restricted-access location on the lawn of Howe Commons;

WHEREAS, Druery Syndicate LLC is applying to ABC for a permit to conduct a Limited Brewery Off-Premises Event covering the sale of alcoholic beverages as described during the 4 to 9 PM Concert;

WHEREAS, Druery will have a cash bar and dispense malt alcoholic beverages in 16-ounce cups at the site depicted in the attached sketch;

WHEREAS, ABC has required Druery to address age verification to prevent underage consumption; security personnel; prevention of intoxication; and other subjects relevant to public health and safety;

WHEREAS, Druery represents that it will have a sign at the entrance to the fenced-in site stating that no drinks are allowed outside the fence; and it will have four (4) Tips-Certified employees on site, one near the front entrance to keep drinks inside the fenced-in area as well as watch for pass-offs, one stationed in the front/middle of the site to monitor for pass-offs and other prohibited behavior, and two booth attendants who will check id’s and apply wristbands to age-eligible customers for easy identification;

WHEREAS, approximately 100 people are expected to frequent the Druery site;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Borough Clerk is hereby authorized to endorse the above-described application of Druery Syndicate LLC on the following conditions:

1. that the application be endorsed by the Officer in Charge of the Pennington Police Department (Pennington’s highest ranking Police Officer), subject to assignment of such paid detail police personnel as may be designated by him;
2. that Druery provide to the Borough a certificate of liability insurance confirming adequate general liability, liquor law liability and automobile liability insurance with minimum limits of \$1 million per occurrence, employer’s liability insurance with minimum limits of \$500,000 per occurrence, and workers’ compensation coverage as required by law;

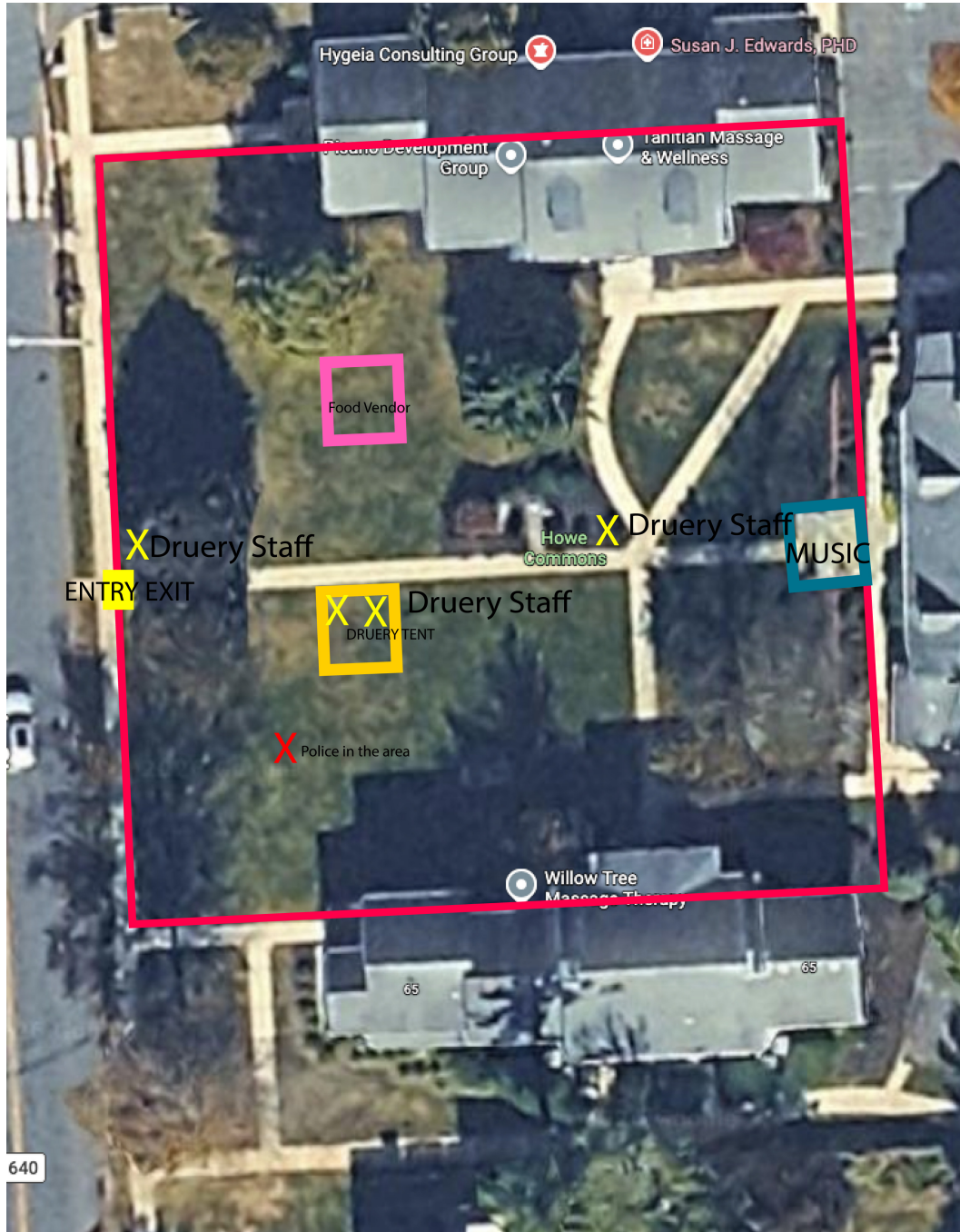
3. that Druery's application be approved by ABC; and
4. that Druery complies with all representations made in support of the application and such additional requirements as may be imposed by ABC, except the hours of operation shall be exclusively from 4 to 9 PM, and there shall be no sale of package goods.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Rubenstein				
Chandler					Stern				
Kassler-Taub					Valenza				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on August 31, 2026.

GP Caminiti, Borough Clerk



**BOROUGH OF PENNINGTON
ORDINANCE 2026-26**

**AN ORDINANCE AMENDING CHAPTER 215 “ZONING”, TO IMPLEMENT
RECOMMENDATIONS CONTAINED IN THE BOROUGH OF PENNINGTON MASTER PLAN
ADOPTED BY THE PLANNING BOARD ON MAY 13, 2026**

WHEREAS, the Borough of Pennington Planning Board, through a public process and in conformance with the requirements of the New Jersey Municipal Land Use Law, on May 13, 2026 adopted a new Master Plan; and

WHEREAS, the Land Use Plan Element adopted as part of the Borough Master Plan contained a number of recommendations for changes to zoning district boundaries, including the elimination of certain districts and overlay districts, the creation of new districts and amendments to existing zoning provisions; and

WHEREAS, the Mayor and Council desire to implement certain recommendations at this time.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Pennington, in the County of Mercer and State of New Jersey as follows:

Section I. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215-64 is hereby amended (with deletions crossed out and new language underlined) as follows:

§215-64 Zoning Map.

The boundaries of all zone districts shall be shown on a map attached to and made a part of this chapter and titled “Zoning Map”, dated ~~March 2026~~ July 2026. Said map and all notations and references thereon are hereby incorporated into and declared to be a part of this chapter.

Section II. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215.70 “O-R Office-Residence Zone” is hereby repealed in its entirety.

Section III. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215.71.1 “TCB Town Center Buffer Zone” is hereby repealed in its entirety.

Section IV. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215.73 “O-B Office (Building) Business Zone” is hereby repealed in its entirety.

Section V. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215.74 “P-O Professional Office Zone” is hereby repealed in its entirety.

Section VI. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215.77 “MU-1 Mixed Use Zone” is hereby repealed in its entirety and retitled “E-3 Education Zone” and is hereby amended (with deletions crossed out and new language underlined) as follows:

§215-77 E-3 Education Zone

A. Permitted primary uses. The permitted primary uses allowed in the E-3 Education Zone shall be as follows:

- (1) Public schools.
- (2) Administrative offices and facilities of the Hopewell Valley Regional School District.

B. Permitted secondary uses. The permitted secondary uses allowed in the E-3 Education Zone shall be as follows:

- (1) Garage and storage buildings necessary to store any vehicles, equipment or materials on the premises, in conjunction with a permitted primary use.
- (2) School-related off-street parking facilities, including those for the storage of school buses operated by the Hopewell Valley Regional School District.
- (3) School-related maintenance, utility and service facilities.
- (4) Playground equipment, sports courts and playing fields.
- (5) Signage.
- (6) Utility structures.
- (7) Fences.

Section VII. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215.78 “MU-2 Mixed Use Zone” is hereby repealed in its entirety and retitled “PR Parks and Recreation Zone” and is hereby amended (with deletions crossed out and new language underlined) as follows:

§215-78 PR Parks and Recreation Zone.

- A. Permitted primary uses. The permitted primary uses allowed in the PR Parks and Recreation Zone shall be as follows:
 - (1) Publicly owned park and recreation facilities.
 - (2) Cemeteries.
- B. Permitted secondary uses. The permitted secondary uses allowed in the PR Parks and Recreation Zone shall be as follows:
 - (1) Off-street parking facilities.
 - (2) Restroom facilities.
 - (3) Playing fields and sports courts.
 - (4) Playground equipment and fitness stations.
 - (5) Gazebos, pavilions and other shade structures.
 - (6) Amphitheater, band shell or stage structures.
 - (7) Gardens, community gardens and wildlife habitats.
 - (8) Tables, benches, bike racks, seating and other site furniture.
 - (9) Signage, including interpretive signage.
 - (10) Sheds or other storage structures for maintenance equipment.
 - (11) Other temporary uses approved by permit issued by the Borough, including but not limited to concerts, festivals, markets, vendors selling food or wares, concessions and food trucks.

Section VIII. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215.78.2 “Route 31 Corridor Business Overlay Zone”, is hereby repealed in its entirety.

Section X. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, section 215.72 “B-H Highway Business Zone”, is hereby retitled “C-B Crossroads Business Zone” and is hereby amended (with deletions crossed out and new language underlined) as follows:

§ 215-72 C-B Crossroads Business Zone. The purpose of the Crossroads Business Zone is to provide opportunity for a variety of commercial uses that are compatible with the goal of reducing congestion, improving pedestrian safety, minimizing access points to adjacent roadways through shared access and improving stormwater management to address flooding.

A. Permitted primary uses. The permitted primary uses allowed in the C-B Crossroads Business Zone shall be as follows:

(1) Retail business and personal service establishments which are clearly of a community service character, such as, but not limited to, the following:

- (a) Retail shops and markets, including the sale of food items or clothing.
- (b) Drug and pharmaceutical stores.
- (c) Barbers, beauty salons and nail salons.
- (d) Makerspace, art galleries and studios for photography and dance.
- (e) Restaurants without drive through facilities.
- (f) Business and professional offices, banks, and financial institutions.
- (g) Commercial schools conducted for profit.
- (h) Medical, dental, physical therapy office or urgent care.
- (i) Distillery or craft brewery.
- (j) Commercial and indoor recreation including virtual reality and sports simulators.
- (j) Fitness studios and gyms.

(2) Other business uses similar in scale and service nature to those permitted above.

B. Permitted secondary uses. The permitted secondary uses allowed in the C-B Crossroads Business Zone shall be as follows:

- (1) Off-street parking facilities for the use of customers and employees.
 - (2) Private garage space for the storage of commercial vehicles used in conjunction with a permitted business use.
- C. Conditional uses. The conditional uses allowed in the C-B Crossroads Business Zone shall be as follows and shall

be further subject to the provisions of Article VIII:

(1) Public utility uses.

(2) Cannabis retailers (without cannabis consumption areas).

[Added 8-9-2021 by Ord. No. 2021-9]

(3) Cannabis delivery services.

[Added 8-9-2021 by Ord. No. 2021-9]

(4) Medical cannabis dispensaries (without cannabis consumption areas).

[Added 8-9-2021 by Ord. No. 2021-9]

D. Prohibited uses. Any use not hereby specifically permitted in the C-B Crossroads Business Zone is prohibited. The following uses are hereby specifically prohibited:

[Added 8-9-2021 by Ord. No. 2021-9[1]]

(1) Cannabis cultivators, cannabis manufacturers, cannabis wholesalers, cannabis distributors, medical cannabis cultivators, medical cannabis manufacturers and clinical registrants.

(2) Gas stations, service stations or a gas or service station in combination with a convenience store.

[1]Editor's Note: This ordinance also provided for the redesignation of former Subsection D as Subsection E.

E. Other provisions and requirements.

(1) Off-street parking space for the use of customers and employees shall be provided as provided below. Shared parking strategies may be utilized and are encouraged.

(a) Retail : one space for each 250 square feet of floor area.

(b) Distillery, craft brewer, personal service, fitness studios, gyms, makerspace and studios: one space for each 300 square feet of floor area.

(c) Professional, medical and business offices: one space for each 200 square feet of floor area.

(d) Restaurants: one space for each four seats, plus one space for each two employees.

(e) Commercial and indoor recreation: one space for each 350 square feet of floor area.

(2) Truck loading and unloading facilities shall be provided on the property in other than the front yard area in sufficient amount to permit the transfer of goods in other than a public street. Such space shall not infringe upon area required for off-street parking.

(3) Parking areas may be located within any of the required yard areas, provided they are not within 25 feet of the boundary of a residence zone or 10 feet of a street line. Driveways shall be limited to the number that are required for safe and reasonable access and shall be in accordance with the standards specified in Figure 1, or in the case of State or County roads, in accordance with applicable standards of the reviewing agency.[2] Wherever practical, acceleration and deceleration lanes shall be provided. Shared access and cross access is encouraged.

[2]Editor's Note: Figure 1 is included as an attachment to this chapter.

(5) Crosswalks at driveways shall utilize high-visibility markings to enhance pedestrian safety.

(6) All sidewalks shall be separated from the curb by a minimum of three feet.

(4) As further provided in Article VIII, the operating hours of cannabis retailers and medical cannabis dispensaries shall be exclusively from 9:00 a.m. to 8:00 p.m. daily.

[Added 8-9-2021 by Ord. No. 2021-9]

Section XI. Chapter 215 of the Borough Code "Zoning", Article V "Nonconforming uses", section 215.52 "Continuation of use of existing buildings", is hereby amended (with deletions crossed out and new language underlined) as follows:

§ 215-52 Continuation of use of existing buildings.

Except as otherwise provided in this article, the lawful use of buildings existing at the date of the adoption of this chapter may be continued although such use or building does not conform to the regulations specified by this chapter for the zone in which such building is located; provided, however, that:

A. No nonconforming lot shall be further reduced in size.

B. No nonconforming building shall be enlarged, extended or increased, provided, however, that alterations or enlargements that do not increase the degree of nonconformity are permitted. Increasing the degree of nonconformity related to required front, side or rear yard setbacks shall be permitted so long as such alteration or enlargement represents a 25% or less increase as compared to the original length of the building plane or portion of the building plane that is nonconforming. Increasing the degree of nonconformity by construction or alteration is considered to be a further reduction of permitted front, side or rear yard setbacks or further increase over permitted lot coverage or further increase in building height..

Section XII. Chapter 215 of the Borough Code "Zoning", Article V "Nonconforming uses", section 215.57 "Alterations", is hereby amended (with deletions crossed out and new language underlined) as follows:

§ 215-57 Alterations.

A nonconforming building that is partially destroyed may be reconstructed to its original condition but not enlarged or extended unless in conformance with the requirements of §215-52.B. Nothing in this section shall limit the ability to reconstruct only a portion of a building that is partially destroyed provided previous nonconforming conditions that existed at the time of partial destruction are not exceeded.

Section XIII. Chapter 215 of the Borough Code “Zoning”, Article II “General Regulations”, is hereby amended to add new section 215-28.1 “Keeping of chickens” as follows:

§ 215-28.1 Keeping of chickens. The keeping of chickens shall be permitted on residential properties in the R-80 and R-100 zones that conform to the minimum lot area requirement for the zone in which the property is located subject to the following requirements:

- A. The keeping of chickens shall be prohibited on multiunit properties, including any property in common ownership as part of a homeowner’s association or owned or maintained by a management company or landlord.
- B. The keeping of chickens shall be prohibited on nonresidential properties and residential properties that do not meet the minimum lot size for the zone district in which the property is located.
- C. A maximum of nine (9) chickens may be kept on any one property.
- D. Roosters shall be prohibited.
- E. Chickens shall be provided an enclosure which is covered, ventilated, and predator/rodent resistant. Said enclosure shall provide a minimum of four (4) square feet per bird when outdoor space of equal or greater space is provided or ten (10) square feet per bird where outdoor space of equal or greater space is not provided. Enclosures shall be located within rear yards only and only one (1) enclosure shall be permitted on any property.
- F. Chickens and their enclosure shall be contained within an area completely enclosed by fencing a minimum of four (4) feet in height. Chickens shall not be permitted to roam freely outside of fenced areas.
- G. The enclosure and any fenced run shall be well drained so there is no accumulation of moisture. The floors and walls of the enclosure shall be kept in a clean and sanitary condition, with all droppings collected at least weekly. Animal solid waste shall be kept in a covered and secured container until composted, applied as fertilizer or transported off-premises.
- H. All enclosures shall be a minimum of 5 feet from a side or rear lot line.
- I. Any exterior lighting proposed shall be shielded so as not to shine on adjacent properties.

Section XIV. Chapter 215 of the Borough Code “Zoning”, Article VII “Zone Regulations”, Section 215-66 concerning the Schedule of Area, Yard and Building Regulations, is hereby amended (with deletions crossed out and new language underlined) as noted below. The referenced Schedule of Area, Yard and Building Regulations dated July 2026 in the form attached to this ordinance is hereby adopted and substituted for the previous Schedule.

§ 215-66 Schedule of Area, Yard and Building Regulations.

The Schedule of Area, Yard and Building Regulations dated July 2026 sets forth the regulations of this chapter with respect to minimum lot size, yard widths, maximum lot coverage, maximum height and minimum floor area for each of the various zones. Unless modified elsewhere in this chapter, such standards shall be deemed to be the minimum requirements or maximum intensity permitted to each of the several zones.^{[11](#)}

Section XV. Severability

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Pennington declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section XVI. Effective Date.

This ordinance shall take effect immediately upon passage and publication as prescribed by law.

Introduced: Aug. 3, 2026

Advertised: _____

Public Hearing: _____

Adopted: _____

Published: _____

ATTEST:

APPROVED:

Gian-Paolo Caminiti, Borough Clerk_____
James Davy, Mayor**RECORD OF COUNCIL VOTE ON INTRODUCTION**

COUNCILMAN	AYE	NAY	N.V	A.B	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Rubenstein	S			
Chandler	M				Stern	X			
Kassler-Taub				X	Valenza				X

RECORD OF COUNCIL VOTE ON ADOPTION

COUNCILMAN	AYE	NAY	N.V	A.B	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Rubenstein				
Chandler					Stern				
Kassler-Taub					Valenza				

BOROUGH OF PENNINGTON
ORDINANCE NO. 2026-27

ORDINANCE REQUIRING ESCROW FEES FROM POTENTIAL
REDEVELOPERS IN CONNECTION WITH REDEVELOPMENT
MATTERS BEFORE BOROUGH COUNCIL, AND AMENDING
THE CODE OF THE BOROUGH OF PENNINGTON TO INCLUDE
A NEW CHAPTER 35 CONCERNING REDEVELOPMENT MATTERS

WHEREAS, in planning and implementing the redevelopment of properties in the Borough, the governing body is required to retain professionals and incur administrative costs in responding to plans and proposals by potential redevelopers, including but not limited to related negotiation, preparation and adoption of redevelopment plans and agreements;

WHEREAS, Borough Council now seeks to require potential redevelopers to post funds in escrow to cover these costs;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that the Code of the Borough of Pennington (“Borough Code” or “Code”) is hereby amended and supplemented in Part I of the Code, Administrative Legislation, by the addition of a new Chapter 35, concerning Redevelopment Matters, and providing as follows:

1. Required Redevelopment Escrow Funding Agreements

In order for the governing body to carry out its powers under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., potential redevelopers in the Borough of Pennington shall be required to enter into an escrow funding agreement with the Borough to fund (a) the Borough’s administrative costs, (b) the cost and expense of evaluating redevelopment plans and proposals, (c) the cost and expense of negotiating and approving plans and agreements on behalf of the Borough, and (d) other costs of the Borough associated with the planning, implementation and administration of redevelopment projects. These costs and expenses shall hereafter be referred to as “Redevelopment Project Costs and Expenses” and shall include but not be limited to any such costs and expenses as may be necessary before the adoption of a formal redevelopment plan. This funding of costs and services shall also be independent of the funding of costs and services related to proceedings before the Pennington Planning Board and Board of Adjustment.

2. Contents of Escrow Funding Agreements

The Redevelopment Escrow Funding Agreement shall require the potential redeveloper to post and maintain an escrow with the Borough sufficient to pay the Borough's Redevelopment Project Costs and Expenses, including but not limited to all legal, engineering and planning costs associated with the redevelopment project. The Funding Agreement shall provide that the escrow deposit be held in trust by the Borough's Finance Department and disbursed according to the Agreement. The Agreement also shall include without limitation provisions identifying the designated redevelopment area and providing that (a) the money is to be held and expended in accordance with this ordinance, (b) the acceptance of deposit money does not ensure or imply that the governing body will authorize the documents or activity relating to the funded services, and (c) the acceptance of any such money does not by itself ensure or imply that the depositor shall be designated as the redeveloper of the designated redevelopment area.

3. Escrow Amounts

The amount deposited into the escrow account shall be as agreed upon by the governing body and the depositor and shall be replenished as needed or as otherwise specified by the parties, guided by the scope and complexity of the project.

4. Interest and Custodial Expenses

Interest on the deposited monies in an amount exceeding \$100 for the year shall be refunded to the depositor, except the Borough may retain each year for administrative expenses relating to the deposit a sum up to ten percent (10%) of the amount of the deposit.

BE IT FURTHER ORDAINED that this ordinance shall be effective upon passage and publication as provided by law.

**BOROUGH OF PENNINGTON
ORDINANCE 2026-27**

**ORDINANCE REQUIRING ESCROW FEES FROM POTENTIAL REDEVELOPERS IN CONNECTION
WITH REDEVELOPMENT MATTERS BEFORE BOROUGH COUNCIL, AND AMENDING THE CODE
OF THE BOROUGH OF PENNINGTON TO INCLUDE A NEW CHAPTER 35 CONCERNING
REDEVELOPMENT MATTERS**

RECORD OF COUNCIL VOTE ON INTRODUCTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Rubenstein				
Chandler					Stern				
Kassler-Taub					Valenza				

RECORD OF COUNCIL VOTE ON ADOPTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Rubenstein				
Chandler					Stern				
Kassler-Taub					Valenza				

Borough of Pennington – Schedule of Area, Yard and Building Regulations (1)

Item 5.

Zone		Minimum Lot Size				Minimum Yard Requirements (feet)					Maximum Building Height		Minimum Floor Area First Floor Multistory	Total
								Total Both Side Yards (9)		Maximum Lot Coverage (3)				
		Interior Lots		Corner Lot							Front Yard	Any Side Yard (2)(8)		
		Area (square feet)	Width (feet)	Area (square feet)	Width (feet)									
Column No.1		No. 2	No. 3	No. 4	No. 5	No. 6	No. 7	No. 8	No. 9	No. 10	No. 11	No. 12	No. 13	No. 14
AH-1 through AH-5	Affordable Housing Overlays	See Sections 215-78.3 through 215-78.7 for Standards.												
R-80	Residence Zone	12,000	80	15,000	100	40	15	30	25	See Note 4.	3.0	35	900	1,200
R-100	Residence Zone	20,000	100	24,000	120	50	15	40	30	25%	3.0	35	1,000	1,400
R-A	Apartment-Townhouse Residence Zone	As specified for the R-80 Residence Zone												
	Attached Dwelling Units	See Section 215-69D												
TC	Town Center Zone	See Section 215-71E												
C-B	Crossroads Business Zone	20,000	100	22,500	100	50	20	50	20	50%	2.0	35		
E-1	Education Zone	10 acres	100			50	20	50	50	30%	3.0	45		
E-2	Education Zone	5 acres	100			50	20	50	50	30%	2.5	35		
E-3	Education Zone	5 acres	100	5 acres	100	50	20	50	50	30%	2.0	35		
HMU	Highway Mixed Use Zone	20,000	100	N/A	N/A	See Note 5	30	60	25	60%	3.0	45		
MU	Mixed Use Zone	20,000	100	N/A	N/A	See Note 6	30	60	25	60%	3.0	45		
MR	Mixed Residence Zone	See 215-78.1												
PR	Parks and Recreation	None.												

Notes:

- (1) The requirements of this schedule shall apply to all uses within the respective zones, except for those specific uses enumerated thereunder.
- (2) Side yards of corner lots, adjacent to a side street, shall be equal to the required front yard, subject to note 7, below.
- (3) Total impervious surface.
- (4) Fifty percent of the first 6,000 square feet plus 30% of the next 6,000 square feet plus 20% of all area over 12,000 square feet.
- (5) Where parking is provided between a public street and principal building, the required front yard shall be 70 feet. Otherwise the required front yard shall be 25 feet. Where residential units are being added to existing buildings, the required setbacks shall be those that exist provided the footprint of the building is not expanded, in which case the setbacks noted above shall be applicable to the expanded part of the building.
- (6) Where parking is provided between a public street and principal building, the required front yard shall be 50 feet. Otherwise the required front yard shall be 10 feet but in any event must be consistent with the prevailing setback of buildings within 200’ of the site being developed. Where residential units are being added to existing buildings, the required setbacks shall be those that exist provided the footprint of the building is not expanded, in which case the setbacks noted above shall be applicable to the expanded part of the building.
- (7) The required front yard shall be the lesser of prevailing setback or the front yard otherwise required in column No. 6.
- (8) For attached dwellings, the side yard for the common property line where a wall is shared shall be 0 feet.
- (9) For attached dwellings, the total side yard required shall be equal to column number 7, Any Side Yard.

