

**BOROUGH OF SOMERVILLE  
EXECUTIVE SESSION / WORKSHOP SESSION / COUNCIL MEETING  
AGENDA**

**Monday, June 5, 2023  
Executive Session 6:30 P.M.  
Public Portion 7:00 P.M. (estimate)**

LOCATION: COUNCIL CHAMBERS – POLICE HEADQUARTERS  
24 SOUTH BRIDGE STREET, SOMERVILLE, NJ 08876

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- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES- EXECUTIVE SESSION**
  - a. May1, 2023
  - b. May 15, 2023
- 4. RESOLUTION 23-0605-180 TO ENTER INTO EXECUTIVE SESSION**

**EXECUTIVE SESSION AGENDA**

- a. Litigation- Mediation-Desapio Properties
- b. Redevelopment
- c. Personnel
- d. DPW -site considerations

**COUNCIL MEETING AGENDA**

- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**
- 4. APPROVAL OF MINUTES**
  - a. May 15, 2023
- 5. DEPARTMENTAL REPORTS & NOTICES**
  - a. Election Day June 6, 2023  
Polls open at 6:00 a.m. & close at 8:00 p.m.

**6. PROCLAMATION**

- a. LGBT Pride Month

**7. COMMITTEE REPORTS**

**8. PRESENTATION CHECK FOR 2023 FOODSTOCK CHALLENGE**

- a. Bob Swisher

**9. ORDINANCE FOR INTRODUCTION**

2710-23-0605

AMENDING CHAPTER 102-104 OF THE BOROUGH CODE TO PERMIT TWO FAMILY RESIDENCES IN THE PROFESSIONAL OFFICE-RESIDENTIAL "PO-R" ZONE

**10. ORDINANCE FOR PUBLIC HEARING AND ADOPTION** (full copy is available at the end of this agenda)

2709-23-0515

RESCINDING ORDINANCE #2695-23-0221 AND ADOPTING THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE KIRBY AVENUE REDEVELOPMENT AREA, SPECIFICALLY APPLICABLE TO BLOCK 50, LOTS 2, (50 JAMES STREET) AND 2.01, (82 FAIRVIEW AVENUE) PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

**11. MEETING OPEN TO THE PUBLIC**

(Motion and 2<sup>nd</sup> needed and roll call vote to open and close the meeting to the public. Regulations that apply during public meetings also apply during electronic meetings. Comments may be submitted prior to the meeting and maybe summarized during the meeting)

**12. CONSENT RESOLUTIONS** (ANY ITEMS PULLED OFF CONSENT AGENDA ARE REQUIRED TO HAVE A MOTION AND ROLL CALL VOTE)

**(RESOLUTIONS 23-0605-181 THRU 23-0605-197)**

(Resolutions may be pulled off consent agenda for discussion and roll call vote. Resolutions may be removed or added to the agenda)

- 23-0605-181      AWARDING A CONTRACT TO AA BERMS LLC FOR THE CONSTRUCTION OF VETERANS MEMORIAL DRIVE PLAZAIN THE AMOUT OF \$130,365.00
  
- 23-0605-182      APPROVING EVENT PERMIT FOR JUST ANOTHER DAY TO USE CAROL PAGER PARK FOR ADULT KICKBALL TOURNAMENT AND GIVE AWAYS ON JULY 29, 2023 (RAIN DATE AUGUST 5TH) FROM 11:00 A.M.TO 5:00 P.M.
  
- 23-0605-183      APPROVING EVENT PERMIT FOR SOMERVILLE ELKS TO USE CAROL PAGER PARK FOR JACK'S KIDS SOFTBALL

TOURNAMENT ON JULY 8, 2023 FROM 7:00A.M.TO  
3:00P.M.

- 23-0605-184 ACCEPTING A GRANT AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AGREEMENT FROM THE STATE OF NEW JERSEY SOLID WASTE ADMINISTRATION FOR FY2023 CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$27,740.21.00
- 23-0605-185 ACCEPTING A GRANT AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AGREEMENT FROM THE STATE OF NEW JERSEY WATER RESOURCES PLANNING MANAGEMENT STORMWATER ASSISTANCE GRANT IN THE AMOUNT OF \$15,000.00
- 23-0605-186 AWARDDING A CONTRACT TO BADGER ROOFING COMPANY FOR ROOF REPLACEMENT AT WEST END HOSE FIREHOUSE BASE BID \$97,000.00 AND ALTERNATE BID \$10,000.00 TOTAL AMOUNT OF \$107,000.00
- 23-0605-187 APPROVING CHANGE ORDER #1 (FINAL) TO A CONTRACT WITH D'AVELLINO CONSTRUCTION, INC. FOR MICHAEL LEPP PARK POOL IMPROVEMENTS
- 23-0605-188 PURCHASING A 2014 CHEVY CAPRICE VIN # 6G3NS5U22EL952290 FOR THE SOMERVILLE FIRE DEPARTMENT FROM BOROUGH OF MIDDLESEX IN THE AMOUNT OF \$500.00
- 23-0605-189 ACCEPTING A GRANT AND AUTHORIZING THE CLERK TO EXECUTE AGREEMENT AND ALL RELATED DOCUMENTS FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR LOCAL RECREATIONAL IMPROVEMENT GRANT IN THE AMOUNT OF \$70,000.00
- 23-0605-190 APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY CLEAN COMMUNITIES GRANT
- 23-0605-191 APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY WATER RESOURCES PLANNING MANAGEMENT STORMWATER ASSISTANCE GRANT
- 23-0605-192 APPROVING CHAPTER 159 FOR FUNDING THROUGH THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE AWARD
- 23-0605-193 ACCEPTING A GRANT OF \$529,642 FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND

(HDSRF) PROGRAM THROUGH THE NEW JERSEY  
ECONOMIC DEVELOPMENT AUTHORITY AND THE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

- 23-0605-194 AUTHORIZING RETURN OF ESCROW FUNDS TO LINDA LEE, LLC IN THE AMOUNT OF \$3,150.00 FOR THE WITHDRAWEL OF ZONING BOARD APPLICATION 2023-001Z
- 23-0605-195 RESCINDING RESOLUTION 23-0515-177 WHICH AUTHORIZED APPLICATION OF MEMBERSHIP TO THE SOUTHERN SKYLAND REGIONAL HEALTH INSURANCE FUND-PLAN INFORMATION ON RESOLUTION WAS INCORRECT
- 23-0605-196 AUTHORIZING APPLICATION OF MEMBERSHIP TO THE SOUTHERN SKYLAND REGIONAL HEALTH INSURANCE FUND
- 23-0605-197 APPROVING JASON THOMPSON TO BE HIRED AS SEASONAL RECREATIONAL PROGRAM ASSISTANT AT \$17 PER HOUR FROM JUNE 6, 2023 - AUGUST 18, 2023

**13. BILLS AND VOUCHERS**

**14. ADJOURNMENT**

KEVIN SLUKA, MUNICIPAL CLERK

Ordinance scheduled for Adoption

**ORDINANCE #2709-23-0515**

**RESCINDING ORDINANCE #2695-23-0221 AND ADOPTING THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE KIRBY AVENUE REDEVELOPMENT AREA, SPECIFICALLY APPLICABLE TO BLOCK 50, LOTS 2, (50 JAMES STREET) AND 2.01, (82 FAIRVIEW AVENUE) PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

**BE IT ORDAINED** by the Borough Council of the Borough of Somerville, in the County of Somerset and State of New Jersey, as follows:

**SECTION I** Pursuant to the "Local Redevelopment and Housing Law," N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), by adoption of a resolution on July 17, 2006, the Borough Council of the Borough of Somerville designated Tax Block 1, Lots 3, 4.01 & 4.02 and Block 50, Lots 1, 2 & 3 as the Kirby Avenue Redevelopment Area (the "Redevelopment Area").

**SECTION II** Pursuant to the Redevelopment Law, on May 19, 2008, the Borough Council adopted the Kirby Avenue Vision and Redevelopment Plan, which was last amended on or about August 21, 2017 (the “Redevelopment Plan”).

**SECTION III** Pursuant to the Redevelopment Law, on January 17, 2023, the Borough Council expanded the redevelopment area to include Block 50, Lot 2.01, also known as 82 Fairview Avenue.

**SECTION IV** The Borough Council proposes to amend the Redevelopment Plan, specifically applicable to Block 50, Lots 2 and 2.01, as follows:

- a. Block 50, Lot 2.01, as part of the Redevelopment Area is subject to the amendments to the Redevelopment Plan herein.
- b. Multi-family residential shall be a permitted use.
- c. Parking is a permitted accessory use.
- d. Minimum lot size shall be three (3) acres.
- e. Maximum permitted residential density shall be twenty-five (25) units per acre.
- f. Maximum floor area ratio shall be 0.85, excluding any basement, which basement shall not be habitable.
- g. Building height shall be a maximum of four (4) stories and fifty (50) feet. The height shall be measured to the midpoint of pitched roof, and highest point of flat roof. Stair and elevator bulkheads and HVAC equipment are excluded from height requirements.
- h. Minimum lot frontage shall be eighty (80) feet.
- i. Minimum yard setbacks:
  - i. Minimum front yard setback shall be twenty (20) feet.
  - ii. Minimum side yard setback shall be eight (8) feet on one side and twenty (20) feet total for both side yards.
  - iii. Minimum rear yard setback shall be thirty-five (35) feet.
- j. Minimum open space shall be ten percent (10%). Detention areas are considered open space.
- k. Maximum improvement coverage shall be seventy percent (70%).
- l. Parking shall comply with State Residential Site Improvement Standards.
- m. Bicycle parking shall be provided, and the number of spaces shall be a minimum of twenty-five percent (25%) of the total number of residential units proposed.
- n. Only one (1) and two (2) bedroom units are required. The minimum square footage for each type of unit shall be: 800 square feet for a one (1) bedroom unit; and 1,000 square feet for a two (2) bedroom unit.
- o. An emergency management plan shall be submitted with any site plan application. The planning board shall make the determination on the adequacy of the emergency management plan based on input from the Borough’s Office of Emergency Management.

- SECTION V** Prior to the adoption of this Ordinance and the amendments to the Redevelopment Plan, the Borough Council shall refer the amendments to the Redevelopment Plan to the Planning Board pursuant to the Redevelopment Law.
- SECTION VI** The Planning Board shall, within 45 days after referral by the Borough Council, transmit to the Borough Council, a report containing its recommendation concerning the amendments to the Redevelopment Plan pursuant to the Redevelopment Law.
- SECTION VII** Upon receipt of the Planning Board's recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the Borough Council shall act upon this Ordinance adopting the amendments to the Redevelopment Plan pursuant to the Redevelopment Law.
- SECTION VIII** The Borough Council hereby adopts the amendments to the Redevelopment Plan for Redevelopment Area, specifically applicable to Block 50, Lots 2 and 2.01, as set forth herein.
- SECTION IX** The amendments to the Redevelopment Plan as set forth herein shall supersede and replace any provisions that may have been applicable to Block 50, Lot 2 and 2.01, and further if there is any conflict between the amendments contained herein and other provisions of the Redevelopment Plan or the Borough's Land Use and Development Ordinance, the amendments adopted herein shall apply.
- SECTION X** Upon adoption of this Ordinance, the Redevelopment Plan is hereby revised to include the amendments contained herein as of the date of adoption of this Ordinance amending the Redevelopment Plan.
- SECTION XI** This Ordinance shall take effect in accordance with applicable law.

The resolutions listed below are in draft form and may be amended prior or during the meeting

**RESOLUTION 23-0605-181**

**AWARDING A CONTRACT TO AA BERMS LLC FOR  
THE CONSTRUCTION OF VETERANS MEMORIAL DRIVE PLAZA IN THE AMOUNT  
OF \$130,365.00**

**WHEREAS**, the Borough of Somerville publicly advertised for bids for the construction of Veterans Memorial Drive Plaza in accordance with local public contract law; and

**WHEREAS**, Kevin Sluka, Municipal Clerk accepted bids on May 17, 2023, and read them aloud publicly witnessed by Brendan Nally; and

**WHEREAS**, it is determined that AA Berms LLC P.O. Box 180 Belleville, NJ 07109 was the lowest responsible bidder in the amount of \$130,365.00.

**BE IT RESOLVED**, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby awards a contract to AA Berms LLC P.O. Box 180 Belleville, NJ 07109 at \$130,365.00 for the construction of Veterans Memorial Drive Plaza.

**RESOLUTION 23-0605-182**

**APPROVING EVENT PERMIT FOR JUST ANOTHER DAY TO USE CAROL PAGER PARK FOR ADULT KICKBALL TOURNAMENT AND GIVE AWAYS ON JULY 29, 2023 (RAIN DATE AUGUST 5<sup>TH</sup>) FROM 11:00 A.M.TO 5:00 P.M.**

**WHEREAS**, Just Another Day is seeking to use Carol Pager Park for Kickball Tournament and give ways; and

**WHEREAS**, Marques Jackson on behalf of, Just Another Day, has completed a Facility Use Application.

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves an event permit for Just Another Day to use Carol Pager Park for kickball tournament and give ways on July 29, 2023 (rain date Aug. 5<sup>th</sup>) from 11:00a.m. to 5:00p.m.

**RESOLUTION 23-0605-183**

**APPROVING EVENT PERMIT FOR SOMERVILLE ELKS TO USE CAROL PAGER PARK FOR JACK'S KIDS SOFTBALL TOURNAMENT ON JULY 8, 2023 FROM 7:00A.M.TO 3:00P.M.**

**WHEREAS**, Somerville Elks is seeking to use Carol Pager Park for Jack's Kids Softball Tournament; and

**WHEREAS**, Hank Werner on behalf of, Somerville Elks, has completed a Facility Use Application.

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves an event permit for Somerville Elks to use Carol Pager Park for Jack's Kids Softball Tournament on July 8, 2023 from 7:00a.m. to 3:00p.m.

**RESOLUTION 23-0605-184**

**ACCEPTING A GRANT AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AGREEMENT FROM THE STATE OF NEW JERSEY SOLID WASTE ADMINISTRATION FOR FY2023 CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$27,740.21.00**

**WHEREAS**, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$27,740.21 from State of New Jersey Solid Waste Administration for FY2023 Clean Communities Grant.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Somerville that the above referenced grant is hereby accepted, and the Mayor and Clerk is hereby authorized to execute grant documents as an authorized representatives thereunder, as the representative for the Borough of Somerville.

**RESOLUTION 23-0605-185**

**ACCEPTING A GRANT AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AGREEMENT FROM THE STATE OF NEW JERSEY WATER RESOURCES PLANNING MANAGEMENT STORMWATER ASSISTANCE GRANT IN THE AMOUNT OF \$15,000.00**

**WHEREAS**, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$15,000.00 from State of New Jersey Water Resources Planning Management Stormwater Assistance Grant.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Somerville that the above referenced grant is hereby accepted, and the Mayor and Clerk is hereby authorized to execute grant documents as an authorized representatives thereunder, as the representative for the Borough of Somerville.

**RESOLUTION 23-0605-186**

**AWARDING A CONTRACT TO BADGER ROOFING COMPANY FOR ROOF REPLACEMENT AT WEST END HOSE FIREHOUSE BASE BID \$97,000.00 AND ALTERNATE BID \$10,000.00 TOTAL AMOUNT OF \$107,000.00**

**WHEREAS**, the Borough of Somerville scheduled a public bid for April 27, 2023 for Roof Replacement at West End Hose Firehouse; and

**WHEREAS**, Kevin Sluka on behalf of the Borough of Somerville and received (6) six bids on April 27, 2023 and publicly read them aloud; and

**WHEREAS**, Badger Roofing Company, 5 Smalley Avenue, Middlesex, NJ 08848 was the lowest responsible bidder.

**THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby awards a contract to Badger Roofing Company, 5 Smalley Avenue, Middlesex, NJ 08848 in the amount of \$107,000.00.

**RESOLUTION 23-0605-187**

**APPROVING CHANGE ORDER #1 (FINAL) TO A CONTRACT**

**WITH D'AVELLINO CONSTRUCTION, INC. FOR MICHAEL LEPP PARK POOL IMPROVEMENTS**

**WHEREAS**, the Borough of Somerville awarded a contract to D'Avellino Construction, Inc., 62 Court Street, Suite 2, Freehold, New Jersey 07728 via resolution 23-0206-068 in the amount of \$479,878.00.

**WHEREAS**, it is necessary to adopt the Charge order as follows:

Change Order #	Description	Contract	Net Change	New Contract Amount
#1	Adjustments increases and decreases in quantities;	\$479,878.00	\$0	\$479,878.00

**BE IT RESOLVED** by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby Change Order #1 to a contract with D'Avellino Construction, Inc., 62 Court Street, Suite 2, Freehold, New Jersey 07728 from \$479,878.00 to \$479,878.00

**RESOLUTION 23-0605-188**

**PURCHASING A 2014 CHEVY CAPRICE VIN # 6G3NS5U22EL952290 FOR THE SOMERVILLE FIRE DEPARTMENT FROM BOROUGH OF MIDDLESEX IN THE AMOUNT OF \$500.00**

**WHEREAS**, the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey desires to purchase said vehicle.

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey purchases a 2014 Chevy Caprice, VIN # 6G3NS5U22EL952290 for the Somerville Fire Department from Borough of Middlesex in the amount of \$500.00.

**RESOLUTION 23-0605-189**

**ACCEPTING A GRANT AND AUTHORIZING THE CLERK TO EXECUTE AGREEMENT AND ALL RELATED DOCUMENTS FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR LOCAL RECREATIONAL IMPROVEMENT GRANT IN THE AMOUNT OF \$70,000.00**

**WHEREAS**, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$70,000.00 from the New Jersey Department of Community Affairs for use at Walcke park playground.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Somerville that the above referenced grant is hereby accepted, and Clerk is hereby

authorized to execute all grant documents as an authorized representatives thereunder, as the representative for the Borough of Somerville.

**RESOLUTION 23-0605-190**

**APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY  
CLEAN COMMUNITIES GRANT**

**WHEREAS**, NJSA 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 any item of appropriation for an equal amount; and

**WHEREAS**, the Borough of Somerville has received notice of an award of \$27,740.21 from NJ Department of Environmental Protection-Clean Communities Grant and wishes to amend its 2023 Budget to include this amount as revenue.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Somerville hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of.....\$27,740.21  
to be received from grants as revenue from:

Miscellaneous Revenues:

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:

Clean Communities Grant .....\$27,740.21

**BE IT FURTHER RESOLVED** that a like sum of.....\$27,740.21  
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Clean Communities Grant

**BE IT FURTHER RESOLVED**, that the Borough Clerk of the Borough of Somerville forward two copies of this resolution to the Director of Local Government Services.

**RESOLUTION 23-0605-191**

**APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY**

**WATER RESOURCES PLANNING MANAGEMENT STORMWATER ASSISTANCE GRANT**

**WHEREAS**, NJSA 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 any item of appropriation for an equal amount; and

**WHEREAS**, the Borough of Somerville has received notice of an award of \$15,000.00 from State of New Jersey Water Resources Planning Management- Stormwater Assistance Grant and wishes to amend its 2023 Budget to include this amount as revenue.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Somerville hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of.....\$15,000.00 to be received from grants as revenue from:

Miscellaneous Revenues:  
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:  
Stormwater Assistance Grant.....\$15,000.00

**BE IT FURTHER RESOLVED** that a like sum of.....\$15,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:  
Operations-Excluded from "CAPS"  
Public and Private Programs Offset by Revenues:  
Stormwater Assistance Grant

**BE IT FURTHER RESOLVED**, that the Borough Clerk of the Borough of Somerville forward two copies of this resolution to the Director of Local Government Services.

**RESOLUTION 23-0605-192**

**APPROVING CHAPTER 159 FOR FUNDING THROUGH THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE AWARD**

**WHEREAS**, NJSA 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 any item of appropriation for an equal amount; and

**WHEREAS**, the Borough of Somerville has received notice of an award of \$6,776.49 from the Governor’s Council on Alcoholism and Drug Abuse Award and wishes to amend its 2023 Budget to include this amount as revenue.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Somerville hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of.....\$6,776.49  
to be received from grants as revenue from:

Miscellaneous Revenues:  
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:  
Municipal Alliance fiscal year 2024-Governor’s Council on  
Alcoholism.....\$6,776.49

**BE IT FURTHER RESOLVED** that a like sum of.....\$6,776.49  
be and the same is hereby appropriated under the caption of:

General Appropriations:  
Operations-Excluded from “CAPS”  
Public and Private Programs Offset by Revenues:  
Municipal Alliance-Governor’s Council on Alcoholism

**BE IT FURTHER RESOLVED**, that the Borough Clerk of the Borough of Somerville forward two copies of this resolution to the Director of Local Government Services.

**RESOLUTION 23-0605-193**

**ACCEPTING A GRANT OF \$529,642 FROM THE HAZARDOUS DISCHARGE SITE  
REMEDATION FUND (HDSRF) PROGRAM THROUGH THE NEW JERSEY  
ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

**WHEREAS**, the Borough of Somerville (the “Borough”) intends to redevelop and remediate a portion of the Landfill BDA located on Route 206 North in the Borough of Somerville (the “Property”); and

**WHEREAS**, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$529,642.00 in grant Prod-00310358 from the Hazardous Discharge Site Remediation Fund. (HDSRF) Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority; and

**WHEREAS**, in February 2023 the Borough affirmed its acceptance of this grant Prod-00310358; and

**WHEREAS**, these funds are for the additional Remedial Investigation of certain sections of the Somerville Landfill BDA area along with report preparation.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Somerville that the above referenced grant is hereby accepted and the mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Somerville.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

#### **RESOLUTION 23-0605-194**

#### **AUTHORIZING RETURN OF ESCROW FUNDS TO LINDA LEE, LLC IN THE AMOUNT OF \$3,150.00 FOR THE WITHDRAWEL OF ZONING BOARD APPLICATION 2023-001Z**

**WHEREAS**, On March 30, 2023 and April 28, 2023, Eliot Goldstein of Goldstein Law advised the Borough of Somerville that his client, Linda Lee, LLC was withdrawing its application for a sign variance and requested a refund of remaining escrow funds; and

**WHEREAS**, the escrow funds were posted for Application 2023-001Z; and

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the refund of \$3,150.00 to Linda Lee, LLC for application #2023-001Z.

#### **RESOLUTION 23-0605-195**

#### **RESCINDING RESOLUTION 23-0515-177 WHICH AUTHORIZED APPLICATION OF MEMBERSHIP TO THE SOUTHERN SKYLAND REGIONAL HEALTH INSURANCE FUND-PLAN INFORMATION ON RESOLUTION WAS INCORRECT**

**BE IT RESOLVED** that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey does hereby rescind Resolution 23-0515-177 and is hereby replaced with Resolution 23-0605-196.

## RESOLUTION 23-0605-196

### AUTHORIZING APPLICATION OF MEMBERSHIP TO THE SOUTHERN SKYLAND REGIONAL HEALTH INSURANCE FUND

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the **Southern Skyland Regional Health Insurance Fund** hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq.; and

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date; and

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND.

**WHEREAS**, the governing body of Borough of Somerville, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey does hereby agree as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Medical
  - b.) Prescription
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

**BE IT FURTHER RESOLVED** that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.

- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

**RESOLUTION 23-0605-197**

**APPROVING JASON THOMPSON TO BE HIRED AS SEASONAL  
RECREATIONAL PROGRAM ASSISTANT AT \$17 PER HOUR FROM JUNE 6, 2023 -  
AUGUST 18, 2023**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves Jason Thompson to be hired as Seasonal Recreational Program Assistant at \$17 per hour from June 6, 2023 – August 18, 2023.

**ORDINANCE #2710-23-0605**

**AMENDING CHAPTER 102-104 OF THE BOROUGH CODE TO PERMIT TWO FAMILY RESIDENCES IN THE PROFESSIONAL OFFICE-RESIDENTIAL “PO-R” ZONE**

**BE IT ORDAINED** by the Borough Council of the Borough of Somerville, in the County of Somerset and State of New Jersey, Schedule A “Permitted Uses and Structures” shall read as follows:

This schedule sets forth the permitted principal, accessory and conditional uses in each zone district, except as may be otherwise modified, supplemented or prohibited by this chapter. The classification and definition of uses shown in the schedule, except uses noted as "NA" in the schedule or as may be otherwise indicated by this chapter, are based upon the Standard Industrial Classification Manual, 1987 edition. For uses with a "NA" designation, the S.I.C. classification is not applicable; the definitions in the text of the ordinance apply. Additional regulations in the text of the ordinance also apply to the application of this schedule. Footnotes to this schedule, indicated in lower case letters, are provided at the end of the schedule. [Amended 12-17-01 by Ord. 2118; 12-29-03 by Ord. 2152]

**ZONE DISTRICT**

USE	SIC #	R-1	R-2	R-3	G	SC	PO-R	B-1	B-2	B-3	B-4	B-5	B-6	I-1	I-2	CG	H
-----	-------	-----	-----	-----	---	----	------	-----	-----	-----	-----	-----	-----	-----	-----	----	---

**RESIDENTIAL**

Single family detached	NA	P	P	P	P	---	P	---	---	---	P	---	---	---	---	---	---
Single family, patio home	NA	---	---	P-a	---	---	---	---	---	---	---	---	---	---	---	---	---
Duplex	NA	---	---	P	P	---	---	---	---	---	P	---	---	---	---	---	---
Two-family, except duplex	NA	---	---	P	P	---	P	---	---	---	P	---	---	---	---	---	---
Triplex	NA	---	---	P-a	---	---	---	---	---	---	---	---	---	---	---	---	---
Quadruplex	NA	---	---	P-a	---	---	---	---	---	---	---	---	---	---	---	---	---
Townhouse	NA	---	---	P-a	---	---	---	---	---	---	---	---	---	---	---	---	---
Garden apartment	NA	---	---	P-a	P	P-b	---	---	---	---	---	---	---	---	---	---	---
Mid-rise apartment	NA	---	---	P-a	---	P-b	---	---	---	---	---	---	---	---	---	---	---
High rise apartment	NA	---	---	---	---	P-b	---	---	---	---	---	---	---	---	---	---	---
Apartment in nonresidential bldg.	NA	---	---	---	---	---	P-c	P-d	P-d	P-d	P-d	---	P-d	---	---	---	P-e
Community residence or shelter	NA	P	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---

**RETAIL TRADE**

<b>BUILDING MATERIALS AND GARDEN SUPPLIES</b>																	
Lumber and other bldg. materials	521	---	---	---	---	---	---	---	---	---	C	C	C-x	---	---	---	---
Paint, glass and wallpaper stores	523	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Hardware stores	525	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---

Retail nurseries and garden supply stores	526	---	---	---	---	---	---	---	---	---	---	C	C	C-x	---	---	---
Mobile home dealers	527	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
<b>GEN'L MERCHANDISE STORES</b>																	
Department stores, variety stores, miscellaneous general merchandise stores	531	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	533	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	539	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
<b>FOOD STORES</b>																	
Grocery stores, meat & fish markets, fruit & vegetables	541	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---
	542	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---
markets, candy, nut and confectionery stores, dairy	543	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---
	544	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---
products stores, retail	545	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---
bakeries, miscellaneous	546	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---
food stores	549	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---

P = PERMITTED PRINCIPAL USE      A = PERMITTED ACCESSORY USE      C = CONDITIONAL USE      --- = PROHIBITED USE

**SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)**

**ZONE DISTRICT**

USE	SIC #	R-1	R-2	R-3	G	SC	PO-R	B-1	B-2	B-3	B-4	B-5	B-6	I-1	I-2	CG	H
<b>RETAIL TRADE - CONTINUED</b>																	
<b>AUTOMOTIVE DEALERS AND GAS. SERVICE STATIONS</b>																	
New and used car dealers	551	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
Used car only dealers	552	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
Auto and home supply stores	553	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Gasoline service stations	554	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---
Boat, recreational vehicle, motorcycle and other automotive dealers	555,556 557,559	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
		---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
<b>APPAREL AND ACCESSORY STORES</b>																	
Men's, boys, women's and family clothing stores, women's	561	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	562	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---

accessory and specialty stores, children's and infants' wear stores, shoe stores and miscellaneous apparel and accessory stores	563	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	564	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	565	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	566	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
<b>HOME FURNITURE, FURNISHINGS &amp; EQUIPMENT STORES</b>																	
Home furniture and furnishings stores, household appliance stores, radio, television and computer stores	571	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	572	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	573	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
<b>EATING AND DRINKING PLACES</b>	58	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	A
<b>MISCELLANEOUS RETAIL</b>																	
Drug stores and proprietary stores	591	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Liquor stores	592	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Used merchandise stores	593	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Miscellaneous shopping goods stores	594	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	A
Nonstore retailers	596	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Cannabis Retailers	453998	---	---	---	---	---	---	---	---	---	---	P-ff	---	---	---	---	---
Fuel & bottle gas dealers	598	---	---	---	---	---	---	---	---	---	---	A-g	A-g	A-g,X	---	---	---
Other retail stores	599	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	A

**WHOLESALE TRADE**

<b>DURABLE GOODS</b>																	
Motor vehicles, parts and supplies	501	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---
Furniture & homefurnishings	502	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---
Lumber & construction materials	503	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---
Professional and commercial equipment and supplies	504	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---

P = PERMITTED PRINCIPAL USE      A = PERMITTED ACCESSORY USE      C = CONDITIONAL USE      --- = PROHIBITED USE  
**SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)**

**ZONE DISTRICT**

<b>USE</b>	<b>SIC #</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>G</b>	<b>SC</b>	<b>PO-R</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>B-4</b>	<b>B-5</b>	<b>B-6</b>	<b>I-1</b>	<b>I-2</b>	<b>CG</b>	<b>H</b>
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**WHOLESALE TRADE - CONTINUED**

Metals and minerals, except petroleum	505	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Electrical goods	506	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Hardware, plumbing and heating equipment and supplies	507	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Machinery, equipment & supplies	508	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Miscellaneous durable goods	509	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
<b>NONDURABLE GOODS</b>																	
Paper and paper products	511	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Drugs, drug proprietaries and druggists' sundries	512	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Apparel, piece goods and notions	513	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Groceries and related products	514	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Chemicals and allied products including dist. of industrial gases	516	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Petroleum and petroleum products	517	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Beer, wine and distilled alcoholic beverages	518	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--
Production, Blending, Mixing & Sampling of Alcoholic Beverages	NJ Craft Distilling lic.	--	--	--	--	--	--	P	P	--	--	--	--	P	P	--	--
Miscellaneous nondurable goods	519	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--

**FINANCE, INSURANCE AND REAL ESTATE**

DEPOSITORY INSTITUTIONS	60	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--
NONDEPOSITORY CREDIT INSTITUTIONS	61	--	--	--	--	--	--	P-d	P-d	P	P	P	P	--	--	--	--	--
SECURITY AND COMMODITY BROKERS	62	--	--	--	--	--	P	P-d	P-d	P	P	P	P	P	P	--	--	--
INSURANCE CARRIERS	63	--	--	--	--	--	C	P-d	P-d	P	P	P	P	P	P	--	--	--
INSURANCE AGENTS, BROKERS AND SERVICE	64	--	--	--	--	--	P	P-d	P-d	P	P	P	P	P	P	--	--	--
<b>REAL ESTATE</b>																		
Real estate operators, lessors, agents & managers	651	--	--	--	--	--	P	P	P	P	P	P	P	P	P	--	--	--
	653	--	--	--	--	--	P	P	P	P	P	P	P	P	P	--	--	--
Title abstract offices	654	--	--	--	--	--	P	P-d	P-d	P	P	P	P	P	P	--	--	--
Subdividers and developers	655	--	--	--	--	--	P	P-d	P-d	P	P	P	P	P	P	--	--	--
HOLDING AND OTHER INVESTMENT OFFICES	67	--	--	--	--	--	P	P-d	P-d	P	P	P	P	P	P	--	--	--



Services to buildings	734	---	---	---	---	---	---	P-d	P-d	P	P	P	P	P	P	---	---
Miscellaneous equipment rental and leasing	735	---	---	---	---	---	---	P-l	P-l	P-l	P-l	P	P	P	P	---	---
Personnel supply services	736	---	---	---	---	---	---	P-cc,d	P-cc,d	---	---	P	---	P	P	---	---
Computer and data processing services	737	---	---	---	---	---	P	P-d	P-d	P	P	P	P	P	P	---	---
Miscellaneous business services	738	---	---	---	---	---	---	P-d	P-d	P	P	P	P	P	P	---	---
Corporate Offices	551114	---	---	---	---	---	P	P-d	P-d	P-d	P-d	P-d	P-d	P-d	P-d	---	P-d
<b>AUTOMOTIVE REPAIR, SERVICES AND PARKING</b>																	
Automotive rentals, no drivers	751	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---
Automobile parking	752	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A
Automotive repair shops	753	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---
Automotive services, except repair	754	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---
<b>MISCELLANEOUS REPAIR SERVICES</b>																	
Electrical repair shops	762	---	---	---	---	---	---	P-m	P-m	---	P	P	P	P	P	---	---
Watch, clock and jewelry repair	763	---	---	---	---	---	---	P	P	---	P	P	P	P	P	---	---
Reupholstery and furniture repair	764	---	---	---	---	---	---	A	A	---	A	P	A	P	P	---	---
Miscellaneous repair shops	769	---	---	---	---	---	---	P-m	P-m	---	P-m	P-m	P-m	P	P	---	---

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**SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)**

**ZONE DISTRICT**

**USE**                      **SIC #**                      **R-1**    **R-2**    **R-3**    **G**    **SC**    **PO-R**    **B-1**    **B-2**    **B-3**    **B-4**    **B-5**    **B-6**    **I-1**    **I-2**    **CG**    **H**

**SERVICES - CONTINUED**

<b>MOTION PICTURES</b>																	
Motion picture production and distribution and services	781	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	782	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Motion picture theaters	783	---	---	---	---	---	---	C	C	C	---	C	C	C-x	---	---	---
Video tape rental	784	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
<b>AMUSEMENT AND RECREATION SERVICES</b>																	
Dance studios, schools and halls	791	---	---	---	---	---	---	P-d	P-d	---	P	P	P	C-x	---	---	---
Performing Arts	792	---	---	---	---	---	---	P	P	P	P	P	P	C-x	---	---	---
Producers, orchestras and	792	---	---	---	---	---	---	P	P	P	P	P	P	C-x	---	---	---

entertainers																		
Bowling centers	793	---	---	---	---	---	---	---	---	---	---	P	P	C-x	---	---	---	
Commercial sports	794	---	---	---	---	---	---	---	---	---	---	P	P	C-x	---	---	---	
Miscellaneous amusement and recreation services	799	---	---	---	---	---	---	P-n	P-n	---	P-n	P-n	P-n	C-n,x	---	---	---	
Non-profit parks	NA	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
<b>HEALTH SERVICES</b>																		
Offices and clinics of medical doctors, dentists, osteopathic physicians and other health practitioners	801	---	---	---	---	---	P-o	P-o,d	P-o,d	P-o	P-o	P-o	P-o	P-o	P-o	---	---	P
	802	---	---	---	---	---	P-o	P-o,d	P-o,d	P-o	P-o	P-o	P-o	P-o	P-o	---	---	P
	803	---	---	---	---	---	P-o	P-o,d	P-o,d	P-o	P-o	P-o	P-o	P-o	P-o	---	---	P
	804	---	---	---	---	---	P-o	P-o,d	P-o,d	P-o	P-o	P-o	P-o	P-o	P-o	---	---	P
Nursing & personal care facilities	805	---	---	---	---	---	C	---	---	---	---	P	---	---	---	---	C	
Hospitals	806	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P
Medical and dental labs	807	---	---	---	---	---	---	P-d	P-d	---	---	---	---	P	P	---	---	P
Home health care services	808	---	---	---	---	---	P	P	P	P	P	P	P	P	P	---	---	P
Miscellaneous health and allied services	809	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P
<b>LEGAL SERVICES</b>	81	---	---	---	---	---	P	P-d	P-d	P	P	P	P	P	P	---	---	---
<b>EDUCATIONAL SERVICES</b>																		
Elementary & secondary schools	821	C	C	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---
Colleges, universities, etc.	822	---	---	---	---	---	---	P-d	P-d	---	---	---	---	---	---	---	---	---
Libraries	823	---	---	---	---	---	C	C	C	C	C	C	C	---	---	C	---	---
Vocational schools	824	---	---	---	---	---	C	P-d	P-d	C	---	C	C	C	C	---	---	---
Other schools and educational services	829	---	---	---	---	---	---	P-d	P-d	---	---	---	---	---	---	---	---	---
<b>SOCIAL SERVICES</b>																		
Individual & family social services except as listed in 6241	832	---	---	---	---	---	---	P-d	P-d	---	---	---	---	---	---	---	---	---
Child and Youth Services, except Community/Youth Centers, Youth Self-Help, Guidance Org., Teen Outreach and Self Help Org.	624110	---	---	---	---	---	P	P-d	P-d	---	---	---	---	---	---	---	---	---
Job training and vocational rehabilitation services	833	---	---	---	---	---	---	P-d	P-d	P	P	P	P	P	P	---	---	A
Child care centers	NA	A	A	---	---	---	A	A	A	P	P	P	P	P	P	P	P	P
Other social services	839	---	---	---	---	---	P	P	P	P	P	P	P	P	P	---	---	---

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**SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)**

**ZONE DISTRICT**





TOBACCO PRODUCTS	21	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
TEXTILE MILL PRODUCTS	22	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---	
APPAREL AND OTHER TEXTILE PRODUCTS	23	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---	
LUMBER & WOOD PRODUCTS	24	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---	
FURNITURE AND FIXTURES	25	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---	
PAPER AND ALLIED PRODUCTS	26	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---	
PRINTING AND PUBLISHING	27	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---	
CHEMICALS AND ALLIED PRODUCTS INCLUDING INDUSTRIAL GASES	28	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
PETROLEUM AND COAL PRODUCTS	29	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
RUBBER & MISCELLANEOUS PLASTIC PRODUCTS	30	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
LEATHER AND LEATHER PRODUCTS	31	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---	
STONE, CLAY GLASS AND CONCRETE PRODUCTS	32	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

P = PERMITTED PRINCIPAL USE      A = PERMITTED ACCESSORY USE      C = CONDITIONAL USE      --- = PROHIBITED USE  
**SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)**

**ZONE DISTRICT**

USE	SIC #	R-1	R-2	R-3	G	SC	PO-R	B-1	B-2	B-3	B-4	B-5	B-6	I-1	I-2	CG	H
<b>MANUFACTURING - CONTINUED</b>																	
PRIMARY METAL INDUSTRIES	33	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
FABRICATED METAL PRODUCTS	34	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---
INDUSTRIAL AND COMMERCIAL MACHINERY AND EQUIPMENT	35	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
ELECTRONIC AND OTHER ELECTRIC EQUIPMENT	36	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---
TRANSPORTATION EQUIPMENT	37	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
INSTRUMENTS AND RELATED PRODUCTS	38	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---
MISCELLANEOUS	39	---	---	---	---	---	---	---	---	---	---	C	C	P-s	P-s	---	---

MANUFACTURING INDUSTRIES																		
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**AGRICULTURE, FORESTRY AND FISHING**

<b>AGRICULTURAL PRODUCTION, CROPS</b>																		
Ornamental nursery products	01	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
<b>AGRICULTURAL SERVICES</b>																		
Veterinary services (pets only)	0742	---	---	---	---	---	P-t	P-t	P-t	P-t	P-t	P-t	P-t	P-t	P-t	---	---	
Animal specialty services for domestic pets	0752	---	---	---	---	---	---	P-u	P-u	P-u	P-u	P-u	P-u	---	---	---	---	
Landscape counseling, planning	0781	---	---	---	---	---	P	P-d	P-d	P	P	P	P	P	P	---	---	
Lawn and garden services, ornamental shrub & tree services	0782	---	---	---	---	---	---	---	---	---	---	---	---	P-r	P-r	---	---	
	0783	---	---	---	---	---	---	---	---	---	---	---	---	P-r	P-r	---	---	

**NONCLASSIFIABLE ESTABLISHMENTS**

Public parks	NA	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Home offices	NA	A-v	A-v	A-v	---	---	A-v	---	---	---	---	---	---	---	---	---	---	---

**ACCESSORY STRUCTURES**

Private garages	NA	A	A	A	A	A	A	---	---	---	A	---	---	---	---	A	A
Storage buildings	NA	A	A	A	A	A	---	---	---	---	---	---	---	---	---	A	A
Surface parking areas	NA	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Parking decks	NA	---	---	---	---	---	---	A	A	A	---	A	A	A	A	A	A
Private recreational structures (pools, tennis courts, basketball courts, etc.)	NA	A-w	A-w	A-w	A-w	A-w	A-w	---	---	---	A-w	---	---	---	---	---	---
Signs	NA	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Helicopter pad	NA	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A
Family day care homes	NA	A	A	A	A	A	A-w	---	---	---	---	---	---	---	---	---	---
Sidewalk cafes	NA	---	---	---	---	---	---	A	A	---	A	---	---	---	---	---	---

P = PERMITTED PRINCIPAL USE      A = PERMITTED ACCESSORY USE      C = CONDITIONAL USE      --- = PROHIBITED USE

**SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)**

**FOOTNOTES TO SCHEDULE A**

SIC numbers and definitions shall be as defined in the latest edition of the North American Industry Classification System (NAICS)  
a = Permitted as part of a planned residential development only.  
b = Must be restricted to occupancy by senior citizens.

c = Limited to one (1) apartment in any principal building, and subject to special regulations in the text of the ordinance.

d = Must be located only on upper floors.

e = Must be restricted to occupancy by hospital personnel and their immediate families.

f = SIC 543 - Outdoor sales prohibited unless specifically permitted elsewhere in the text of the ordinance.

SIC 542 & 549 - The slaughter and cleaning of live animals and the sale of live animals is prohibited.

g = Limited to liquid petroleum gas (bottled gas) dealers and the sale of firewood.

h = Limited to only garment pressing, and agents for laundries and drycleaners (SIC 7212) and coin operated laundries and clothes tailoring shops.

Coin operated laundries are prohibited fronting on Main Street, located between South Doughty and Park Avenues

i = Limited to only birth certificate agencies, computer photography or portraits, debt counseling or adjustment services to individuals, and

genealogical services.

j = Does not include comfort station operation, locker rental or restroom operation.

k = Does not include photocopying and duplicating services.

l = Limited to medical equipment rental and leasing; appliance rental and leasing; electronic equipment rental and leasing; furniture rental and

leasing; office machine rental and leasing; party supplies rental and leasing; piano rental and leasing; live plants rental and leasing; rental and leasing of dishes, silverware and tables; television rental and leasing; and video recorder and player rental and leasing.

m = Limited to repair and related services pertaining only to those goods which are permitted to be sold at retail in the same zone district.

n = Does not include amusement parks and any outdoor services.

o = Does not include any in-patient care.

p = Limited to Taxicab establishments primarily serving locations in the Borough of Somerville and surrounding areas in close proximity.

q = Does not include the warehousing and storage of toxic, volatile, highly flammable or otherwise hazardous materials, except in small amounts ancillary to the principal use.

r = Subject to regulations on the outdoor storage of equipment and materials.

s = Limited to activities which involve the fabrication, reshaping, reworking, assembly or combining of products from previously prepared materials

and which does not involve the synthesis of chemicals or chemical products or the processing of any raw materials. By way of example, but not

limitation, includes light industrial operations such as electronic machine parts and small component assembly, as opposed to heavy industrial

operations such as automobile manufacturing.

t = Limited to veterinarians and veterinary services for domestic pets, and excludes animal or pet hospitals.

u = Limited to only domestic pet grooming, pedigree record services for domestic pets, and vaccinating of domestic pets.

v = Limited to detached single family dwellings and subject to special requirements for home offices.

w = Limited to such facilities accessory to a permitted residential use on the same lot.

x = Subject to the conditional use requirements of § 102-116O as well as any other conditional use requirements that may apply to the specific use.

y = Only antennas mounted on an existing building or other structure as set forth in § 102-116M(2); no freestanding antennas permitted [Amended

6-16-03 by Ord. 2143].

aa= Hotel shall contain a min. of 25 rooms

bb= Limited to retail stores offering courier services (e.g. "UPS Store") that are not trucking terminals, hubs, warehouses, etc.

cc= excluding employment services which place day laborers

dd=If located on the ground floor, use cannot exceed 9 months

ee=must include retail sale of supplies/associated equipment, etc.

ff= Must comply with all regulations adopted by Chapter 61 of the Borough Code entitled "Cannabis"

