

TOWNSHIP OF DENNIS

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

ORDINANCE NO. 2025-09

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND
STATE OF NEW JERSEY REVISING, §185-4, PROHIBITED USES, AND §185-7
DEFINITIONS, ADDING §185-31.1 READY-MIX CONCRETE FACILITIES; AND §185-
48.1 VALID PREEXISTING RESOURCE EXTRACTION**

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 § 185-4. Prohibited Uses as follows.

§ 185-4. Prohibited uses.

- A. All uses not expressly permitted in this chapter are prohibited.
- B. In addition, the following uses are specifically prohibited in all districts:
 - (1) Trailer parks.
 - (2) Incinerators.
 - (3) Landfills.
 - (4) Junkyards.
 - (5) The use of land for the dumping or disposal of toxic or hazardous wastes or sludge materials.
 - (6) Commercial resource extraction, specifically including sand mining and commercial water removal. The following activities are not prohibited:
 - (a) The excavation, stockpiling and moving of soils as may be permitted activities on commercial farms pursuant to the Right to Farm Act provided for in N.J.S.A. 4:1C-1 and regulations promulgated thereunder;
 - (b) The extraction, use, movement and removal of soils and earth materials as may be necessary pursuant to approved and validly existing construction permit and/or valid site plan approval subject to the requirements of the Cape-Atlantic Conservation District.
 - (c) Excavations and grading for yards, sidewalks, drainage ditches, sewage disposal systems or other minor yard improvements.
 - (d) All existing approved sanitary landfill operations which are in conformance with all applicable federal, state and local statutes, regulations and ordinances.
 - (e) New streets, roadways or driveways where regulated by other ordinances.

- (f) Excavations made by Dennis Township, the County of Cape May or the State of New Jersey or by their agents, servants and/or employees as part of construction of public improvements, such as streets, highways, drainage, sewers, water lines or other similar projects.
- (g) Underground utility lines within the bounds of the public streets and roadways.
- (h) Valid/Preexisting Resource Extraction as defined in §185-7.

[The remainder of this Section is unchanged]

SECTION 2. This section revises § 185-7. Definitions as follows.

§ 185-7. Definitions.

For the purposes of this chapter, certain phrases and words are defined as follows: (P) shall indicate applicability to Pinelands Districts only.

Resource Extraction — The dredging, digging, extraction, mining, and quarrying of sand, gravel, clay or limonite for commercial purposes, not including, however, the private or agricultural extraction and use of extracted material by a landowner.

Ready-Mix Concrete Facilities - Batch plants that manufacture concrete in a plastic state, which is then transported to construction sites for immediate pouring.

Valid/Preexisting Resource Extraction - resource extraction operations that:

- (a)** Have been in operation and licensed by Dennis Township prior to the date upon which this section was adopted; and
- (b)** Have been operated in compliance with all prior approvals, permits and licenses;
- (c)** Have paid all fees and monies due Dennis Township for permits, licenses, site plan applications and escrows as required by the ordinance in effect at the time of approval; and
- (e)** Have not have been abandoned.

SECTION 3. This section adds a new subsection §185-31.1 Ready-Mix Concrete Facilities as follows:

Ready-Mix Concrete Facilities are permitted as an accessory use to a Valid/Preexisting Resource Extraction operation subject to the following requirements.

- (a) Access. Ingress and egress from public roads shall be provided via existing access driveways.
- (b) Minimum/Maximum zoning controls.

Minimum Setbacks:	
▪ to any non-residential property line.	75 Feet
▪ to any residential property line.	500 Feet
Maximum Building Height	35 Feet
Minimum Parking Spaces	1/Employee

Refer to underlying Zoning District for additional controls.

- (c) Signs shall conform to §185-43 Signs.
- (d) Fences shall conform to §185-33 Fences and Walls.
- (e) Ready-mix concrete manufacturing operations shall conform to §185-41 Performance Standards.

SECTION 4. This section adds a new §185-48.1 Valid/Preexisting Resource Extraction as follows.

§185-48.1 Valid/Preexisting Resource Extraction

- A. Abandonment. The right to continuation of the resource extraction operation shall cease upon the abandonment of those operations. The operations shall be deemed abandoned if the landowner fails to obtain permits (renew license) for two consecutive years.

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 November 18, 2025. Publication will be held on November 26, 2025 and a Public Hearing will be held at a meeting of the said Township Committee to be held on December 16, 2025 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

November 14, 2025