

(Revised 8-2-19)

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE WORK SESSION MEETING  
MUNICIPAL COURT ROOM  
TUESDAY, AUGUST 6, 2019 - 7:00 P.M.**

1. 7:00 pm Work Session Meeting called to order by Mayor Thomas J. Madigan
2. Roll call of Township Committee
3. Reading of "Open Work Session" statement by Mrs. Santimauro
4. Confirm Finance Committee has reviewed, and signed vouchers and that Mayor and Municipal Clerk have signed any necessary documents
5. Ten Minute public comment period, two (2) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
6. Review of 8:00 p.m. Business Meeting Agenda – Administrator
7. Review of Policy Action Items – Administrator
8.
  - a. Report of Township Committee
  - b. Report of Administrator
  - c. Report of Attorney
9. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
10. Reconvene Work Session Meeting
11. Adjourn

**PAYMENT OF CLAIMS MAY BE PAID AT ALL WORK SESSION MEETINGS AND  
ALL TOWNSHIP COMMITTEE BUSINESS MEETINGS**

**FORMAL ACTION MAY BE TAKEN AT THIS WORK SESSION**

**NOTICE TO PUBLIC**

As a visitor attending this public meeting, your presence and attendance may be recorded. By remaining in the Court Room during the meeting, it is assumed your consent is given for your image to be broadcast.

There may be situations where, due to technical difficulties, live streaming or the recording of a meeting may not be available. The Township shall not be responsible for and accepts no liability if the recording or live video streaming of the meeting is unavailable.

**TOWNSHIP COMMITTEE BUSINESS MEETING  
MUNICIPAL COURT ROOM  
TUESDAY, AUGUST 6, 2019 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Thomas J. Madigan
2. Flag Salute
3. Invocation by Reverend Fred Provencher from Cornerstone Church
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
5. Roll call of the Township Committee
6. Public Comment period, five (5) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
7. Approval of the July 16, 2019 Township Committee Work Session and Regular Business meeting minutes:

MOTION: \_\_\_\_\_ SECOND \_\_\_\_\_  
BOONSTRA\_\_ RUBENSTEIN \_\_ SCANLAN\_\_ SHANLEY \_\_ MADIGAN \_\_

8. **Consent Agenda:** All matters listed below are considered by the Township Committee to be routine in nature. There will be no separate discussion of these items. If any discussion is desired by the Township Committee, that item will be removed from the Consent Agenda and considered separately:

**I      Resolutions (Adoption of the following):**

- |         |  |
|---------|--|
| #19-256 | Establish Lien – Block 316 Lot 61 – 386 Brownstone Court                     |
| #19-257 | Re-Invoke Title 59 Plan and Design Immunity                                  |
| #19-258 | Authorize Tax Sale Certificate #18-00003 – Block 268 Lot 3 – 90 Harding Road |
| #19-259 | Payment of Bills   |
| #19-160 | Authorize Professional Engineering, Land Surveying and Legal Expenses        |
| #19-161 | Refund Landscape Bond & Performance Bond – 17 Colonial Drive                 |

**II      Motions**

- a. Approve Special Event request from Christian Health Care Center for annual Antique Car Show and ten (10) day temporary banner advertising the car show.
- b. Waive building permit fee as requested by the PTO Economy Shop for a POD.
- c. Authorize ten (10) day temporary sign request from the Wyckoff Family YMCA to advertise their annual Buddy Walk scheduled for October 5, 2019.

- d. Authorize the placement of POD in first parking space closest to PTO Economy Shop for one (1) month.
- e. Approve the Wyckoff Volunteer Fire Department application from Gordon McIntire into Volunteer Fire Company #1.
- f. Approve the Wyckoff Volunteer Fire Department application from Edward Lucasiewicz into Volunteer Fire Company #2.

**III Ordinance – Introduction**

#1883 - AN ORDINANCE TO DELETE CHAPTER 119, "FLOODPLAIN MANAGEMENT" OF THE CODE OF THE TOWNSHIP OF WYCKOFF AND REPLACE IT WITH A NEW ORDINANCE, CHAPTER 119, "THE FLOOD DAMAGE PREVENTION ORDINANCE".

#1884 - AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 157, "SEWERS", TO REDUCE THE TIME PERIOD A PROPERTY OWNER HAS TO CONNECT TO AN AVAILABLE SANITARY SEWER AND TO REQUIRE CONNECTION TO SANITARY SEWERS WHEN A REAL PROPERTY TRANSFER OCCURS PRIOR TO OBTAINING A CERTIFICATE OF CONTINUED OCCUPANCY FOR SAID PROPERTY

#1885 – AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD FOUR MORE INCLUSIONARY RESIDENTIAL ZONES AND FOUR NEW OVERLAY ZONES CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

**Following is the vote on the Consent Agenda:**

MOTION: \_\_\_\_\_ SECOND \_\_\_\_\_  
BOONSTRA\_ RUBENSTEIN \_ SCANLAN\_ SHANLEY \_ MADIGAN \_

**IV Adjourn**

**PAYMENT OF CLAIMS MAY BE PAID AT ALL TOWNSHIP COMMITTEE WORK SESSION MEETINGS AND ALL TOWNSHIP COMMITTEE REGULAR MEETINGS FORMAL ACTION MAY BE TAKEN DURING THIS MEETING**

**NOTICE TO PUBLIC**

As a visitor attending this public meeting, your presence and attendance may be recorded. By remaining in the Court Room during the meeting, it is assumed your consent is given for your image to be broadcast.

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**TOWNSHIP OF WYCKOFF  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
RESOLUTION #19-256**

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**INTRODUCED:**

**SECONDED:**

**MEETING DATE: August 6, 2019**

**REFERENCE: Establish Lien –  
Block 316 Lot 61  
386 Brownstone Ct.**

**VOTE: BOONSTRA\_\_\_ RUBENSTEIN\_\_\_ SHANLEY\_\_\_ SCANLAN\_\_\_ MADIGAN\_\_\_**  
.....

**WHEREAS**, the residential home and land at 386 Brownstone Ct, Block 316/Lot 61 is owned by Mark & Melissa Andreotti; and,

**WHEREAS**, the Township Committee of the Township of Wyckoff has established a property maintenance code known as Chapter 152 of the Code of the Township of Wyckoff; and,

**WHEREAS**, all the owners of property in the Township of Wyckoff are required to comply with the provisions in Chapter 152 of the Code of the Township of Wyckoff; and,

**WHEREAS**, adjacent property owners and neighbors have brought property maintenance violations to the attention of the Zoning Administrator and the Zoning Administrator has issued an abatement notice in compliance with Chapter 152 to the owner and mortgagee of 386 Brownstone Ct. The Zoning Administrator has attempted to obtain compliance through letters and telephone calls as detailed on the attached certification with the result that the owner and mortgagee have failed to abate the violations enumerated in the abatement notice; and,

**WHEREAS**, the property owner has the duty to remove the violations after notice has been issued; and,

**WHEREAS**, the Zoning Administrator has filed a certification dated July 15, 2019 (attached as if set forth at length) in compliance with Chapter 152 which certifies the cost of \$ 450.00 as the verified charge to abate certain violations; and,

**WHEREAS**, the attached certificate with attachments is presented to the Township Committee for their examination and if found correct, to be charged against the lands upon which the violation existed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they have examined the certification dated June 10, 2019 from the Zoning Administrator and find it to be correct and the cost of \$2,175.00 to be charged against the land, namely Block 316/Lot 61, known as 386 Brownstone Ct. as a lien on the property for the cost to abate the property maintenance violation.

**BE IT FURTHER RESOLVED**, that the amount of \$ 450.00 charged shall become a lien upon such lands and shall be added to and become, in form, part of the taxes next to be assessed and levied upon Block 316 Lot 61, 386 Brownstone Ct. This amount shall bear interest at the same rate as taxes and shall be collected and enforced by the Tax Collector and in the same manner as taxes.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall provide a certified copy of this resolution and certification to the property owner, the Wyckoff Tax Collector, and the Zoning Administrator.

**CERTIFICATION**

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON AUGUST 6, 2019.

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JOYCE C. SANTIMAURO  
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
RESOLUTION # 19 - 257**

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**INTRODUCED:**

**SECONDED:**

**MEETING DATE: August 6, 2019**

**REFERENCE: Re-Invoke Title 59 – Plan &  
Design Immunity**

**VOTE: BOONSTRA \_\_\_\_\_ RUBENSTEIN \_\_\_\_\_ SCANLAN \_\_\_\_\_ SHANLEY \_\_\_\_\_ MADIGAN \_\_\_\_\_**  
.....

**WHEREAS**, the Township Committee of the Township of Wyckoff awarded a contract for the replacement of a “Playworld Playground” slide activity from the manufacturer’s authorized representative, and

**WHEREAS**, the attached letter (attached as if set forth at length) from Ely Associates, Inc., the authorized representative for Playworld Playgrounds, dated 07/15/19 explains the process of replacing a slide activity and states that the replacement slide was “inspected and installed properly” by the authorized representative; and

**WHEREAS**, the aforementioned letter further states that “both slides are properly installed up to current safety standards and per the manufacturer’s installation instructions; and

**WHEREAS**, this resolution supplements resolution number 2006-80 which was adopted after the playground was purchased and installed by manufacturer’s installation representatives; and

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that the governing body of the Township of Wyckoff approves the final “as built” condition of the Wyckoff Community Playground located in Memorial Field, 340 Franklin Avenue, Wyckoff New Jersey, in accordance with the installation of a “new ZZPM2696 Playmakers 72 inch glide slide” and the Township Committee invokes Title 59 defenses.

**BE IT FURTER RESOLVED**, that a certified copy of this resolution shall be placed in the Recreation Director’s office file together with one (1) copy of the successful vendor’s purchase order with a notation referring to the resolution of approval placed thereon.

**CERTIFICATION**

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON AUGUST 6, 2019.

\_\_\_\_\_  
JOYCE C. SANTIMAURO, MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
RESOLUTION #19-258**

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**INTRODUCED:**

**SECONDED:**

**MEETING DATE: August 6, 2019**

**REFERENCE: Authorize Redemption of Tax  
Sale Certificate #18-00003 – Block 268/Lot 3  
90 Harding Road**

**VOTE: BOONSTRA \_\_\_ RUBENSTEIN \_\_\_ SCANLAN \_\_\_ SHANLEY \_\_\_ MADIGAN \_\_\_**  
.....

**WHEREAS**, the Tax Collector of the Township of Wyckoff has previously determined that there was due and owing to the Township of Wyckoff outstanding tax and interest for tax year 2018 on Block 268/Lot 3, aka 90 Harding Road, within the Township of Wyckoff, County of Bergen, State of New Jersey; in the amount of \$5,788.29 and;

**WHEREAS**, on the 25th day of October 2018, the Township of Wyckoff executed a "Certificate of Sale of Unpaid Municipal Liens" hereinafter referred to as a Tax Sale Certificate #18-00003 on the above-described property in the amount above-recited; and,

**WHEREAS**, said Tax Sale Certificate was purchased by R. Rothman, 411 Grand Avenue, Englewood, NJ 07631; and,

**WHEREAS**, subsequent to the execution and filing of said Tax Sale Certificate and prior to the commencement of foreclosure proceedings against the property owner's right to redemption of said Tax Sale Certificate, the mortgagor has paid to the Tax Collector of the Township of Wyckoff any and all charges deemed due and owing on the above-described property and the property owner is therefore entitled to a redemption of said Tax Sale Certificate pursuant to N.J.S.A. 54:5-55.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, that the Tax Collector be, and the same is hereby authorized and directed to cancel and endorse Tax Sale Certificate 18-00003 for redemption and make refund in the amount of \$5,788.29 being lien amount of \$525.28 subsequent taxes, and interest in the amount of \$5198.01 recording fees in the amount of \$65.00 to R. Rothman, and deliver said Tax Sale Certificate to the mortgagor for cancellation with the County Clerk in accordance with N.J.S.A. 54:5-55.

**CERTIFICATION**

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON AUGUST 6, 2019.

\_\_\_\_\_  
JOYCE C. SANTIMAURO  
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
RESOLUTION #19-259**

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**INTRODUCED:**

**SECONDED:**

**MEETING DATE: August 6, 2019**

**REFERENCE: Approval of Vouchers and  
Authorization to Pay Bills**

**VOTE: BOONSTRA \_\_\_ MADIGAN \_\_\_ RUBENSTEIN \_\_\_ SHANLEY \_\_\_ SCANLAN \_\_\_**  
.....

**WHEREAS**, the Township of Wyckoff is a municipality in the State of New Jersey operating under the authority from NJSA 40A:63-1 et seq; and,

**WHEREAS**, the Township of Wyckoff has received vouchers in claim for payment of materials supplied and/or services rendered; and,

**WHEREAS**, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and,

**WHEREAS**, the Township Committee has a practice of each Township Committee member participating in the reviewing and signing of vouchers; and,

**WHEREAS**, the vouchers which comprise this bill list have been reviewed and signed by two (2) Township Committee members and they have found them to in order; and,

**WHEREAS**, the Township Treasurer has certified that sufficient funds are available for payment of said vouchers.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff that the action of the said Finance Committee be approved; and, that the payments of these bills are hereby authorized and the Chief Financial Officer is directed to issue checks for their payments as listed on the bill list attached to this date's meeting minutes and covered by checks no. Payroll A/C, Direct Deposit Vouchers no., Library Payroll check nos., Library Direct Deposit Vouchers no., Claims Wire nos., check no. Accutrack A/C, Claims check nos. and Voided Claims checks no..



**TOWNSHIP OF WYCKOFF  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
RESOLUTION #19-260**

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**INTRODUCED:**

**SECONDED:**

**MEETING DATE: August 6, 2019**

**REFERENCE: Authorize Professional  
Service Fees**

**VOTE: BOONSTRA \_\_\_\_\_ RUBENSTEIN \_\_\_\_\_ SCANLAN \_\_\_\_\_ SHANLEY \_\_\_\_\_ MADIGAN \_\_\_\_\_**

**WHEREAS**, Warner W. Brackett created a 12.8-acre parcel known as "The Gardens at Wyckoff" a nature sanctuary, at Block 203 Lot 1.02; and,

**WHEREAS**, Warner W. Brackett donated this 12.8-acre parcel to the Township of Wyckoff as open space to be used as passive recreation by Wyckoff residents and guests; and,

**WHEREAS**, the adjacent owner is Timothy Brackett, Son of Warner W. Bracket who has requested that the driveway for his adjacent lot (Block 203 Lot 1.03) be removed from the Gardens at Wyckoff property via a land swap; and,

**WHEREAS**, Mr. Brackett desires to sell his property Block 203 Lot 1.03 and the Township may not be able to establish a similar cooperative and positive relationship with new owners; and,

**WHEREAS**, the Township of Wyckoff Certified Public Works Manager has recommended removing the driveway from Township property in exchange for receiving property which includes the operation of a small weir that controls the water level in the pond on the Gardens of Wyckoff parcel in an area known as the peninsula; and,

**WHEREAS**, Mr. Brackett's request has been reviewed and a subcommittee recommends a land swap which provides the Township of Wyckoff more land than it transfers and area to access and control the weir in addition to enlarging the Gardens at Wyckoff nature sanctuary with the area known as the peninsula; and,

**WHEREAS**, Wyckoff residents and their guests have enjoyed the Gardens at Wyckoff since it was donated on October 8, 1993; and,

**WHEREAS**, in order to accomplish this proposed land swap professional engineering, land surveying and legal services are required to submit a subdivision application to the Planning Board; and,

**WHEREAS**, the Township Committee believes implementing this land swap will contribute to the long-term maintenance and environmental health of the Gardens at Wyckoff nature sanctuary.

**NOWHEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey authorize engineering, land surveying, legal services and expenses to effectuate the land swap.

**Township of Wyckoff Resolution #19-260 – August 6, 2019**

**BE IT FURTHER RESOLVED**, that the Township Attorney and Township Administrator shall manage the process to completion.

**CERTIFICATION**

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON AUGUST 6, 2019.

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JOYCE C. SANTIMAURO  
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
RESOLUTION #19-261**

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**INTRODUCED:**

**SECONDED:**

**MEETING DATE: August 6, 2019**

**REFERENCE: Cancellation of Sewer Bill  
11 ½ Wyckoff Avenue Account 5326  
Block 491 Lot 10**

**VOTE: BOONSTRA \_\_\_ RUBENSTEIN \_\_\_ SCANLAN \_\_\_ SHANLEY \_\_\_ MADIGAN \_\_\_**  
.....

**WHEREAS**, 11 ½ Wyckoff Avenue know as Block 491 Lot 10 in the Township of Wyckoff has experienced increased 2019 Sewer Service Charges due to a water leak, and;

**WHEREAS**, Kevin and Betsy Nye request the 2019 sewer usage billing be canceled and rebilled based on an average of 3 years water consumption, and;

**WHEREAS**, the Village of Ridgewood has produced documentation and has confirmed a water leak and repair completed and therefore this resolution is provided.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the sewer usage billing for 2019 is hereby canceled and rebilled accordingly.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk will forward a copy of this resolution to the Tax Collector, Sewer Utility Clerk and Township Engineer.

**CERTIFICATION**

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON AUGUST 6, 2019.

\_\_\_\_\_  
JOYCE C. SANTIMAURO  
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
RESOLUTION #19-262**

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**INTRODUCED:**

**SECONDED:**

**MEETING DATE: August 6, 2019**

**REFERENCE: Refund Landscape  
Bond & Driveway Bonds –  
17 Colonial Drive**

**VOTE: BOONSTRA \_\_ RUBENSTEIN \_\_ SCANLAN \_\_ SHANLEY \_\_ MADIGAN \_\_**

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**WHEREAS**, Michael Kanning and Taline Kundakji the homeowners at 17 Colonial Drive Block 261 Lot 14 posted \$500.00 performance cash and \$4,500.00 performance bond for the installation of landscaping and a driveway; and,

**WHEREAS**, Michael Kanning in an email dated July 24, 2019 has requested a refund of his landscape and driveway bonds; and,

**WHEREAS**, the Township Engineer, Mark DiGennaro in a notation dated July 31, 2019 states that the landscape and driveway bonds can be refunded; and,

**WHEREAS**, the Chief Financial Officer, Diana McLeod, has verified the funds.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to refund the \$500.00 performance cash and \$4,500.00 performance bond.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer and to Michael Kanning & Taline Kundakji, 17 Colonial Drive, Wyckoff, NJ 7481

**CERTIFICATION**

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON AUGUST 6, 2019.

\_\_\_\_\_  
JOYCE C. SANTIMAURO  
MUNICIPAL CLERK

TOWNSHIP OF WYCKOFF  
MUNICIPAL CLERK'S OFFICE

**SPECIAL EVENT APPLICATION**

(Maximum ten (10) day period only)

Please type or print clearly and submit original copy:

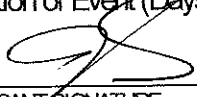
Applicant/Business Name Wyckoff Family YMCA

Business Address 691 Wyckoff Ave Block/Lot \_\_\_\_\_

Business Telephone 201-891-2081 Contact/Applicant Name \_\_\_\_\_

Contact Telephone \_\_\_\_\_ Contact e-mail jenk@wyckoffymca.org

Date of Event 10-5-19 Duration of Event (Days and/or hours) \_\_\_\_\_

  
APPLICANT SIGNATURE

**REQUIRED INFORMATION:**

(Please check those which apply)

Temporary Signage:

Attach detailed drawing including dimensions; location of temporary sign and dates requested. (Maximum ten (10) day period only).

(Specify the precise dates within the ten day period proposed to post temporary signs)

Special Activities:

Attach detailed description with specific location of special activities at above address.

Food and/or Drink:

Wyckoff Board of Health License **REQUIRED**.

Special Temporary Props:

Attach specific description of items to be used.

Tent:

Attach map detailing precise location of where the tent is proposed to be erected.

Other Requested Items:

Be specific and attach detailed list.

+++++  
(To be completed by Municipal Clerk)

Review by Zoning Enforcement Official

Approved:

Denied:

Review by Police Traffic Safety Officer

Approved:

Denied:

Permission obtained from Township Committee:

Approved:

Denied:

Joyce C. Santimauro, Municipal Clerk

Date: \_\_\_\_\_

TOWNSHIP OF WYCKOFF  
MUNICIPAL CLERK'S OFFICE

TWP. OF WYCKOFF

JUL 15 2019

MUNICIPAL CLERK

**SPECIAL EVENT APPLICATION**  
(Maximum ten (10) day period only)

Please type or print clearly and **submit original copy:**

Christian Health Care Center  
Applicant/Business Name

301 Sicomac Ave, Wyckoff  
Business Address Block/Lot

201-848-5200  
Business Telephone

201-848-5796 dbickert@chccnj.org  
Contact Telephone Contact e-mail

August 9, 2019 (Rain date 8/16/19) 6-9 p.m.  
Date of Event Duration of Event (Days and/or hours)

Darcy Bickert  
APPLICANT SIGNATURE

**REQUIRED INFORMATION:**

(Please check those which apply)

**Temporary Signage:** Attach detailed drawing including dimensions; location of temporary sign and dates requested. (**Maximum ten (10) day period only**).

7/31 - 8/9  
(Specify the precise dates within the ten day period proposed to post temporary signs)

**Special Activities:** Attach detailed description with specific location of special activities at above address.

**Food and/or Drink:** Wyckoff Board of Health License **REQUIRED**.

**Special Temporary Props:** Attach specific description of items to be used.

**Tent:** Attach map detailing precise location of where the tent is proposed to be erected.

**Other Requested Items:** Be specific and attach detailed list.

\*\*\*\*\*  
(To be completed by Municipal Clerk)

Review by Zoning Enforcement Official

Approved:  Denied:

Review by Police Traffic Safety Officer

Approved:  Denied:

Permission obtained from Township Committee:

Approved:  Denied:

Joyce C. Santimauro, Municipal Clerk

Date: \_\_\_\_\_

**TOWNSHIP OF WYCKOFF  
ORDINANCE #1883**

**AN ORDINANCE TO DELETE CHAPTER 119, "FLOODPLAIN MANAGEMENT" OF THE CODE OF THE TOWNSHIP OF WYCKOFF AND REPLACE IT WITH A NEW ORDINANCE, CHAPTER 119, "THE FLOOD DAMAGE PREVENTION ORDINANCE".**

**BE IT ORDAINED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that Chapter 119, "Floodplain Management" of the code of the Township of Wyckoff is deleted and replaced as follows:

**SECTION 1 Chapter 119, "Flood Plain Management" is deleted in its entirety.**

**SECTION 2 Chapter 119 "Flood Plain Management" is renamed and replaced in its entirety with the following: Chapter 119, The Flood Damage Prevention Ordinance.**

**119.1 STATUTORY AUTHORIZATION**

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey does ordain as follows:

**119.2 FINDINGS OF FACT**

- a) The flood hazard areas of the Township of Wyckoff are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

**119.3 STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a) Protect human life and health;
- b) Minimize expenditure of public money for costly flood control projects;
- c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d) Minimize prolonged business interruptions;
- e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;

- f) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

#### **119.4 METHODS OF REDUCING FLOOD LOSSES**

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

#### **119.5 DEFINITIONS**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**AH Zone-** Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone

**AO Zone-** Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

**Appeal** — A request for a review of the Township Engineer's interpretation of any provision of this ordinance or a request for a variance.

**Area of Shallow Flooding** — A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of Special Flood Hazard** — Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM



as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

**Base Flood** — A flood having a one percent chance of being equaled or exceeded in any given year.

**Base Flood Elevation (BFE)** — The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

**Basement** — Any area of the building having its floor subgrade (below ground level) on all sides.

**Breakaway Wall** — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

**Development** — Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

**Elevated Building** — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

**Erosion** — The process of gradual wearing away of land masses.

**Existing Manufactured Home Park or Subdivision** — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**Flood or Flooding** — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters and/or
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

**Flood Insurance Rate Map (FIRM)** — The official map on which the Federal Insurance

Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Flood Insurance Study (FIS)** — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

**Floodplain Management Regulations** — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**Floodproofing** — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Floodway** — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without accumulatively increasing the water surface elevation more than 0.2 foot.

**Freeboard** — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**Highest Adjacent Grade** — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

**Historic Structure** — Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - (1) By an approved State program as determined by the Secretary of the Interior; or
  - (2) Directly by the Secretary of the Interior in States without approved programs.

**Lowest Floor** — The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a

building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

**Manufactured Home** — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**Manufactured Home Park or Manufactured Home Subdivision** — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

**New Construction** — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

**New Manufactured Home Park or Subdivision** — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

**Planning Board** - The Planning Board of the Township of Wyckoff

**Recreational Vehicle** — A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Start of Construction** — (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348)) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure** — A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

**Substantial Damage** — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

**Substantial Improvement** — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**Township Engineer** - The New Jersey Licensed Professional Engineer appointed by the Township of Wyckoff.

**Variance** — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

**Violation** — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

#### **119.6 LANDS TO WHICH THIS ORDINANCE APPLIES**

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Township of Wyckoff, Bergen County, New Jersey.

#### **119.7 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard for the Township of Wyckoff, Community No. 340084, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Bergen County, New Jersey (All Jurisdictions)" dated August 28, 2019.
- b) Flood Insurance Rate Map for Bergen County, New Jersey (All Jurisdictions) as shown on Index Map Number 34003CIND0B and panels 34003C0064H, 34003C0068H, 34003C0069J, 34003C0152H, 34003C0156J, 34003C0157J, whose effective date is August 28, 2019.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at 340 Franklin Avenue, Wyckoff, New Jersey in the office of the Township Clerk.

### **119.8 PENALTIES FOR NONCOMPLIANCE**

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000.00 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Wyckoff, from taking such other lawful action as is necessary to prevent or remedy any violation.

### **119.9 ABROGATION AND GREATER RESTRICTIONS**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### **119.10 INTERPRETATION**

In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and,
- c) Deemed neither to limit nor repeal any other powers granted under State statutes.

### **119.11 WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Township of Wyckoff, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

### **119.12 ESTABLISHMENT OF DEVELOPMENT PERMIT**

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 3.2. Application for a Development Permit shall be made on forms furnished by the Township Engineer and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been floodproofed.
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in section 5.2-2; and,
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

#### **119.13 DESIGNATION OF THE LOCAL ADMINISTRATOR**

The Township Engineer is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

#### **119.14 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR**

Duties of the Township Engineer shall include, but not be limited to:

##### **119.14-1 PERMIT REVIEW**

- a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- c) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of 5.3 a) are met.

##### **119.14-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA**

When base flood elevation and floodway data has not been provided in accordance with section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Township Engineer shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

##### **119.14-3 INFORMATION TO BE OBTAINED AND MAINTAINED**

- a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b) For all new or substantially improved floodproofed structures:
  - i. verify and record the actual elevation (in relation to mean sea level); and
  - ii. maintain the floodproofing certifications required in section 4.1 c).
- c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

##### **119.14-4 ALTERATION OF WATERCOURSES**

- a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Control and the Land Use

Regulation Program prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administration.

- b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

#### **119.14-5 SUBSTANTIAL DAMAGE REVIEW**

- a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.
- c) Ensure substantial improvements meet the requirements of sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 5.2-3, SPECIFIC STANDARDS, MANUFACTURED HOMES.

#### **119.14-6 INTERPRETATION OF FIRM BOUNDARIES**

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 4.4.

#### **119.15 VARIANCE PROCEDURE**

##### **119.15-1 APPEAL BOARD**

- a) The Planning Board as established by Township Committee shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- b) The Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Township Engineer in the enforcement or administration of this ordinance.
- c) Those aggrieved by the decision of the Planning Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, as provided per statute.
- d) In passing upon such applications, the Planning Board, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
  - i. the danger that materials may be swept onto other lands to the injury of others;
  - ii. the danger to life and property due to flooding or erosion damage;
  - iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - iv. the importance of the services provided by the proposed facility to the community;
  - v. the necessity to the facility of a waterfront location, where applicable;
  - vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

- vii. the compatibility of the proposed use with existing and anticipated development;
  - viii. the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
  - ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
  - xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- e) Upon consideration of the factors of section 4.4-1 d) and the purposes of this ordinance, the Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- f) The Township Clerk shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

#### **119.15-2 CONDITIONS FOR VARIANCES**

- a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items i.-xi. in section 4.4-1 d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e) Variances shall only be issued upon:
  - i. A showing of good and sufficient cause;
  - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
  - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 4.4- 1 d), or conflict with existing local laws or ordinances.
- f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be



commensurate with the increased risk resulting from the reduced lowest floor elevation.

### **119.16 GENERAL STANDARDS**

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

#### **119.16-1 ANCHORING**

- a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

#### **119.16-2 CONSTRUCTION MATERIALS AND METHODS**

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

#### **119.16-3 UTILITIES**

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- d) For all new construction and substantial improvements, the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

#### **119.16-4 SUBDIVISION PROPOSALS**

- a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

### **119.16-5 ENCLOSURE OPENINGS**

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

### **119.17 SPECIFIC STANDARDS**

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in section 4.3-2, USE OF OTHER BASE FLOOD DATA, the following standards are required:

#### **119.17-1 RESIDENTIAL CONSTRUCTION**

- a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1,
- b) Require within any AO or AH zone on the municipality's DFIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

#### **119.17-2 NONRESIDENTIAL CONSTRUCTION**

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment:

either

- a) Elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1; and
- b) Require within any AO or AH zone on the municipality's DFIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures; or

- a) Be floodproofed so that below the more restrictive, base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, the structure is watertight with walls substantially impermeable to the passage of water;
- b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- c) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 4.3-3 b) ii.

### **119.17-3 MANUFACTURED HOMES**

- a) Manufactured homes shall be anchored in accordance with section 5.1-1 b).
- b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
  - i. Be consistent with the need to minimize flood damage,
  - ii. Be constructed to minimize flood damage,
  - iii. Have adequate drainage provided to reduce exposure to flood damage,
  - iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1 and
  - v. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

### **119.18 FLOODWAYS**

Located within areas of special flood hazard established in section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b) If section 5.3 a) is satisfied, all new construction and substantial improvements must comply with section 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.
- c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

### **119.19 SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall

be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

**119.20 ADOPTION**

This Ordinance shall be effective on *August 28, 2019* and shall remain in force until modified, amended or rescinded by *Township of Wyckoff, Bergen County, New Jersey*.

ENACTED AND ADOPTED by the *Township Committee* this *20th* day of *August, 2019*.

**TOWNSHIP OF WYCKOFF  
ORDINANCE #1884**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 157, "SEWERS", TO REDUCE THE TIME PERIOD A PROPERTY OWNER HAS TO CONNECT TO AN AVAILABLE SANITARY SEWER AND TO REQUIRE CONNECTION TO SANITARY SEWERS WHEN A REAL PROPERTY TRANSFER OCCURS PRIOR TO OBTAINING A CERTIFICATE OF CONTINUED OCCUPANCY FOR SAID PROPERTY**

**BE IT ORDAINED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, Chapter 157. "Sewers", Part 1. Sewer Use. Article II. Required Use of Public Sewers is amended to read as follows:

**SECTION 1. CHAPTER 157-5. Connection to Public Sewers Required: Exemption.**

All owners of buildings situated in the Township of Wyckoff on premises abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sewer or Authority sewer is hereby required, at his own expense, to install suitable toilet facilities therein and to connect such facilities directly to the public sewer or Authority sewer in accordance with the provisions of Part 1 of this chapter within ~~one-year~~ thirty (30) calendar days after the date of official notice requiring such action, unless specifically exempted by provisions of this Part 1.

**SECTION 2. Chapter 157-6. Permitted Maintenance of Individual Sewage Disposal System: Change Requiring Sewer Connection.**

- A. All owners of buildings situated within the Township of Wyckoff on premises abutting any street, alley or right-of-way, as designated in Wyckoff Ordinance No. 579, in which there is located a public sewer or Authority sewer installed prior to January 1, 1977, as part of Wyckoff pollution control system under contracts 1, 2, 4 and 7 of said system; and all owners of buildings situated within the Township of Wyckoff upon premises abutting any street, alley or right-of-way, designated in Wyckoff Ordinance No. 886, as part of Wyckoff pollution control system under Contract 15, and as designated in Wyckoff Ordinance No. 943, as part of Wyckoff pollution control system under Contract 22 of said system, who have an existing individual sewage disposal facility which is operating satisfactorily and constructed and maintained in accordance with local law, shall not be required to connect the toilet facilities therein directly to the public sewer or Authority sewer lines unless:
- (1) The individual sewage disposal facility requires substantial repair. The Wyckoff Board of Health shall determine on the basis of the public health and welfare whether any individual sewage disposal facility is in need of substantial repair. Pumping of such a facility shall be permitted at reasonable intervals, the frequency of which shall be determined by the Wyckoff Board of Health. No person shall pump or empty an individual sewage disposal system without first obtaining a permit from the Wyckoff Board of Health.
  - (2) There is a change of use, ownership, or occupancy of the building.

2.

- B. Upon the occurrence of the event stated in Subsection A(1) ~~or A(2)~~ above, the owner of the building is required, at his own expense, to connect the toilet facilities with the public sewer or Authority sewer in accordance with the provisions of this Part 1 of this chapter within ~~one-year~~ thirty (30) calendar days after the date of official notice requiring such action.
- C. Upon the occurrence of an event stated in subsection A(2) above, including a real property transfer, the owner of the property shall abandon all subsurface sewage disposal systems and connect to Public or Sewer Authority Sanitary Sewer System if the property abuts any street, alley or right-of-way in which there is located a public sewer or Authority sewer. Said connection must be completed prior to obtaining a continued certificate of occupancy for the property.

**SECTION 3. 157-8. Connection Option When More Than One Sewer Available.**

All owners of buildings situated within the Township of Wyckoff on premises abutting on any street, alley or right-of-way in which there is located or may in the future be located two public sewers, including Authority sewers, one of which is within 150 feet of the building, shall have the option to connect to either sewer, provided such election is made within ~~30~~ thirty (30) calendar days after receiving written notification from the Township of Wyckoff, and such election may not be revoked without approval of the Township Committee of the Township of Wyckoff.

**SECTION 4.**

Except as hereby amended, all of the sections of Chapter 157, Sewers, shall remain in full effect.

**SECTION 5.**

This ordinance shall take effect upon final passage and publication as required by law.