

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
MONDAY, NOVEMBER 4, 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. Mayor Madigan to administer the Oath of Office to Jr. Firefighter, Drew McNamara, into Volunteer Fire Company #1.
7. Review of 8:00 p.m. Business Meeting Agenda – Administrator
8. Review of Policy Action Items – Administrator
9.
 - a. Report of Township Committee
 - b. Report of Administrator
 - c. Report of Attorney
10. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
11. Reconvene Work Session Meeting
12. 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
MONDAY, NOVEMBER 4, 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 Joseph Schattauer-Paille from Advent Lutheran 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. Presentation of Proclamation to Christian Health Care Center recognizing their achievement of earning the 2019 Gold Excellence in Quality Award from the American Health Care Association and the National Center for Assisted Living.

8. Approval of the October 15, 2019 Township Committee Work Session and Regular Business meeting minutes:

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

9. **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):

- | | |
|---------|--|
| #19-305 | Authority to Publicly Bid the Placement of Clothing Bins on Municipal Property in Exchange for Non-tax Revenue |
| #19-306 | Establish Lien for Block 316 Lot 61 – 386 Brownstone Court |
| #19-307 | NJSA 40A:4-58 Permits Transfer of Funds During the last two months of the fiscal year |
| #19-308 | Request Bergen County Develop a Wildlife Management and Action Plan |
| #19-309 | Correct 2019 Assessed Value due to Prior Appeal and recommendation by Tax Assessor |
| #19-310 | Payment of Bills |
| #19-311 | Return of Certain Overpaid Taxes |
| #19-312 | Refund Landscape Bond-453 Wyckoff Avenue |
| #19-313 | Adopt Domestic Violence Policy |
| #19-314 | Refund Performance Guarantee-424 Colony Court |
| #19-315 | Release Closed Session Minutes |
| #19-316 | Authorize Road Closure & Detour |
| #19-317 | Award Contract for Pay to Play Compliance |
| #19-318 | Endorse Community Development Project - ECCR |

II Motions

- a. Approve the Junior Firefighter application for Drew McNamara into Volunteer Fire Company #1.
- b. Approve bid specification and authorize advertised competitive sealed bidding for firefighter PEOSHA testing and hearing and vision testing for school crossing guards.
- c. Approve specifications and authorize advertised competitive sealed bidding for biannual trimming/elevation removal of Shade Trees in municipal right of way.
- d. Authorize the ten (10) day temporary sign request from Grace United Methodist Church to advertise a Holiday Cookie Sale.

III Ordinance – Introduction

#1895 - AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 54 OF THE CODE OF THE TOWNSHIP OF WYCKOFF,
POLICE DEPARTMENT

Following is the vote on the Consent Agenda:

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

IV ORDINANCES-FURTHER CONSIDERATION

(Public Hearings on Ordinances #1889-1894 were conducted on October 15, 2019. Further consideration of Ordinances #1889-1894 was carried by a unanimous vote of the Township Committee during the October 15, 2019 Township Committee meeting)

#1889 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND PEDESTRIAN CIRCULATION AND SAFETY STANDARDS

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

#1890 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY MIXED-USE ZONE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

#1891 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY MIXED-USE ZONE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN __ SCANLAN__ SHANLEY __ MADIGAN __

#1892 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY MIXED-USE ZONE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN __ SCANLAN__ SHANLEY __ MADIGAN __

#1893 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND BUFFER AND PLANTING STANDARDS

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN __ SCANLAN__ SHANLEY __ MADIGAN __

#1894 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY MIXED-USE ZONE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN __ SCANLAN__ SHANLEY __ MADIGAN __

V Adjournal

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

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**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-305**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: Authority to Public Bid the
Placement of Clothing Bins on Municipal
Property**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___

WHEREAS, the Township of Wyckoff considers the placement of clothes bins on municipal property a concession defined in NJSA 40A:11-1 et. seq.; and

WHEREAS, the Township Attorney has opined that the recommendation from the Finance Committee to generate revenue by allowing the placement of clothing bins through the use of a private contracted service on Township property is legally procured through a public bidding procurement; and

WHEREAS, the placement of clothing bins are provided as a public conveyance under the "police powers" of the Township through a publicly advertised bidding process":

- This authorization will address a public need to raise additional revenue to defray taxes and provide locations for citizens to recycle their clothing.
- Placement of four clothing bins on municipal property.
- The benefits of obtaining additional revenue to defray taxes and to provide in-town convenient locations outweigh the risks of not providing this opportunity to recycle.
- Maximum annual rental space fee \$1,500 per container. Total estimated annual revenue, \$6,000.
- The basis of an award venture will be the highest prices bid(s) from responsive and responsible bidder(s).
- No additional costs are anticipated to provide these programs.
- No endorsements shall be issued.
- Competitive advertised sealed public bidding shall be followed to award concessions.

WHEREAS, the Finance Committee has recommended the Township Committee authorize public bidding for the placement of these bins; and

WHEREAS, the Township Administrator and Township Attorney have reviewed NJAC 5:34-9.4 and concur with the recommendation.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that authorization is hereby granted to invoke public bidding to implement the above stated concession explained in this resolution in accordance with NJAC 5:34-9.4.

BE IT FURTHER RESOLVED, that in accordance with NJSA 40A:11-1 et seq., NJAC 5:34 and 2014-147, this procurement is conducted.

BE IT FURTHER RESOLVED that the Municipal Clerk provide certified copies of this resolution to the Public Works Manager and the CFO.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO, MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-306**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 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 October 16, 2019 (attached as if set forth at length) in compliance with Chapter 152 which certifies the cost of \$ 575.00 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 October 16, 2019 from the Zoning Administrator and find it to be correct and cause the cost of \$575.00 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 \$ 575.00 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 NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-307**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: NJSA 40A-4 58 Permits
Transfers of Funds during the last two (2)
months of the fiscal year**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___

Whereas NJSA 40A:4-58 permits transfers of funds during the last two (2) months of the
the fiscal year,

Now therefore be it Resolved by the Township Committee of the Township of Wyckoff that
the transfer of the following funds is hereby authorized and directed

From:

Clerk	20-120-020	OE	5,000
Auditor	20-135-020	OE	1,100
Planning Board	21-180-020	OE	2,500
Health Benefits	23-220-020	OE	38,500

47,100

To:

Administration	20-100-020	OE	2,500
Unemployment Insur	23-225-020	OE	20,000
Fire Vehicle	26-317-020	OE	10,000
911 Services	25-250-020	OE	4,000
Telephone	31-440-000	OE	10,600

47,100

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF
CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A
RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON
NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-308**

INTRODUCED:
MEETING DATE: November 4, 2019

SECONDED:
REFERENCE: Request Bergen County
Develop a Wildlife Management and Action
Plan

VOTE: BOONSTRA _____ RUBENSTEIN _____ SCANLAN _____ SHANLEY _____ MADIGAN _____

WHEREAS, the Township of Wyckoff is a municipality of over seven square miles located in the northwest section of Bergen County on the foothills of the Ramapo Mountains and adjacent to the "New Jersey Highlands" with diverse wildlife and with an 81 acre Bergen County Park and wooded areas throughout the Township that connect to Bergen County Parks and wooded areas both in Wyckoff and in adjacent municipalities; and,

WHEREAS, Wildlife Management is essential for the conservation of wildlife species, including control of overabundant species of predators and non-predators whose populations can cause environmental imbalance and harm to both rare wildlife and to human beings; and

WHEREAS, Wildlife Management requires cooperation of governmental entities beyond the borders of individual municipalities and only can be effective when implemented in collaboration with public land stewards on all levels, especially beyond individual municipalities; and

WHEREAS, the State of New Jersey, Department of Environmental Protection, Division of Fish and Wildlife has adopted a Statewide Wildlife Action Plan; and

WHEREAS, the County of Bergen maintains recreation and conservation areas throughout the entire county but has not adopted a Wildlife Action Plan for Bergen County to manage diverse habitats and to control species diversity in close proximity to the human population; and

WHEREAS, there is an over-population of certain wildlife species;

WHEREAS, coyotes have recently attacked and caused injuries to both human beings and domestic animals in Northern Bergen County; and

WHEREAS, an overpopulation of deer have denuded our wooded areas and cause approximately 26,000 vehicle accidents annually in New Jersey, including some resulting in the death of drivers; and,

WHEREAS, funding and grants to develop Wildlife Management and Action Plans may be available,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Township of Wyckoff requests the County of Bergen to prepare a Wildlife Management and Action Plan which will provide for both conservation of wildlife and control of populations, including coyotes and deer, on all county and municipal recreation and conservation properties.

BE IT FURTHER RESOLVED that the Municipal Clerk forward certified copies of this resolution to the Bergen County Executive, Bergen County Freeholders, District 40 Legislators, Wyckoff's Certified Animal Control Officer, Wyckoff Chief of Police and all governing bodies of the 13 municipalities that comprise Northwest Bergen County.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO, MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-309**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: Correct 2019 Assessed Value
due to Prior Appeal and Recommendation
by Tax Assessor**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
.....

WHEREAS, a 2018 Added Assessment for block 245 lot 6.01, 516 Franklin Avenue was reduced from \$111,000 to \$45,000 and Bergen County Board of Taxation judgment was issued, and;

WHEREAS, the 2018 taxes due were appropriately reduced to reflect this judgement, however the 2019 property assessment was not corrected on the 2019 Extended Tax Duplicate for the 2019 tax billing, and;

WHEREAS, the Tax Assessor advises that there is no procedure, at this time, that exists to correct the 2019 Extended Tax Duplicate assessments, and;

WHEREAS, the Tax Assessor recommends reducing the assessed value on which the 2019 calendar year taxes were calculated and adjusting the 2019 taxes due to reflect this correction, and;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, State of New Jersey, that the 2019 taxes due on below listed property be recalculated to reflect the Tax Assessor's corrected assessment amount and overpayments, if any, be refunded to the property owner.

Block	Lot	Property Location	Corrected 2019 Assessed Value	Extended Duplicate
245	6.01	516 Franklin Ave	\$750,000	

BE IT FURTHER RESOLVED, that the Tax Assessor reflect the correct assessment on the assessment records and ensures that the 2020 Tax Duplicate is correct and reviews these procedures with the Tax Assessment Office staff.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-310

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 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 #19-311

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

REFERENCE: Return of certain overpaid taxes,
escrow monies, recreation fees, etc.

VOTE: BOONSTRA ___ MADIGAN ___ RUBENSTEIN ___ SHANLEY ___ SCANLAN ___

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Treasurer is hereby authorized and directed to return certain monies as follows:

BUILDING DEPT.:

Michael Kalogiani, 173 Franklin Avenue, Wyckoff, New Jersey 07481 – Refund of UCC Permit #19-0913 – 503 Old Woods Road – Block 231/Lot 17 - \$3,256.00

BOARD OF ADJUSTMENT:

Dan & Lindsay Sanborn, 207 Henry Place, Wyckoff, New Jersey 07481 – Return of Escrow – Block 395/Lot 3 - \$1,150.00

POLICE DEPT.:

Maria Elha, 279 Redwood Court, Ramsey, New Jersey 07446 – Found Property via Report #19-011147 - \$31.53

RECREATION:

Jed Rosenthal, 260 Everglade Avenue, Palm Beach, Florida 33480 – Soccer Refund - \$65.00

Elizabeth Morisco, 346 Canterbury Lane, Wyckoff, New Jersey 07481 – Basketball Refund - \$58.00

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-312**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: Refund Landscape
Bond – 453 Wyckoff Avenue
Block 346 Lot 8.03**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___

WHEREAS, Mr. Bruce Bohuny, Brooks Builders, for the property at 453 Wyckoff Avenue Block 346 Lot 8.03 posted a \$1,000.00 landscape/lawn stabilization bond with the township for lawn stabilization at 453 Wyckoff Avenue; and,

WHEREAS, Mr. Bohuny in a letter dated October 15, 2019 has requested that the landscape/lawn stabilization bond for 453 Wyckoff Avenue be refunded; and,

WHEREAS, the Township Engineer, Mark DiGennaro in a notation dated October 21, 2019 has recommended the refund of the landscape/lawn stabilization bond; 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 \$1,000.00 landscape/lawn stabilization bond to Meer Estates LLC.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of tis resolution to the Township Engineer and to Mr. Bruce Bohuny, 840 Franklin Lake Road, Franklin Lakes, NJ.

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 NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-313**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

REFERENCE: Adopt Domestic Violence Policy

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
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WHEREAS, the New Jersey Civil Service Commission has established a statewide Domestic Violence Policy for public employers which the State of New Jersey has mandated for all state and local authorities pursuant to NJSA 11A:2-6a; and,

WHEREAS, this unfunded mandate is a cost placed on all authorities regardless if they have adopted the civil service system; and,

WHEREAS, the Domestic Violence Policy is mandated to encourage public employees who are victims of domestic violence and those impacted by domestic violence to seek assistance from the Municipal Human Resources Officers; and,

WHEREAS, the Domestic Violence Policy requires local government to establish and train a primary and secondary Human Resource Officer to develop, implement and comply with the State Domestic Violence Policy; and,

WHEREAS, compliance with State Domestic Violence Policy is subject to New Jersey Civil Services Commission review and audit; and,

WHEREAS, state mandate requires the public employer to develop a plan to identify, respond to, provide safe zone, council as to resource option, maintain confidential records and correct employee performance issues that may be caused by a domestic violence incident.

WHEREAS, the Township Administrator recommends for the effective implementation of this mandate that Ms. Diana McLeod be designated as the primary Human Resource Officer (HRO) for this policy and Ms. Nancy Cole and Mr. Robert Shannon be designated secondary HRO's; and,

NOW BE IT FURTHER RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the unfunded mandate known as the New Jersey State Wide Domestic Violence Policy for Public Employers is adopted and Ms. Diana McLeod is appointed as primary HRO and Ms. Nancy Cole is appointed as secondary HRO and Mr. Robert Shannon is appointed third HRO.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-314**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: Refund Performance
Bond – 424 Colony Court**

VOTE: BOONSTRA __ RUBENSTEIN __ SCANLAN __ SHANLEY __ MADIGAN __

WHEREAS, Top Notch Tree & Landscape LLC and Alan and Wendy Madoff deposited the following for a sewer extension project at 424 Colony Court Block 318 Lot 14:

Top Notch Tree & Landscape LLC	Performance Bond	\$25,963.00
Top Notch Tree & Landscape LLC	Performance Cash	\$2,885.00
Alan & Wendy Madoff	Professional Escrow	\$1,000.00
Alan & Wendy Madoff	Professional Escrow	\$1,500.00

WHEREAS, Grace Larson, Top Notch Tree & Landscape LLC in an email dated October 23, 2019 has requested the release of the performance guarantee for the sewer extension project at 424 Colony Court; and,

WHEREAS, the Township Engineer, Mark DiGennaro in an email dated October 23, 2019 has recommended the following to be refunded:

Top Notch Tree & Landscape LLC	Performance Bond	\$25,963.00
Top Notch Tree & Landscape LLC	Performance Cash	\$2,885.00

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 to Top Notch Tree & Landscape LLC 1) Performance Bond in the amount of \$25,963.00 and 2) Performance Cash in the amount of \$2,885.00.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy to the Township Engineer and to Top Notch Tree Service,

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 NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-315**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: Release Closed Session
Minutes**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
.....

WHEREAS, Section 8 of the "Open Public Meetings Act" provides for the release of Closed Session Minutes at the discretion of the governing body or as soon as the issue has been resolved.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff that the release of the following Closed Session Minutes is hereby authorized and directed:

<u>Resolution</u>	<u>Date</u>
#18-C23	December 4, 2018
#19-C1	February 5, 2019
#19-C2	February 19, 2019
#19-C7	May 21, 2019
#19-C13	October 2, 2019
#19-C12	October 2, 2019

Copies of said Minutes are attached hereto and made a part hereof as though set forth herein at length.

CERTIFICATION

I, JOYCE 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 NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-316**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: Authorize Road Closure and
Detour**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
.....

WHEREAS, the Wyckoff Police Department has been contacted by a contractor D.S. Meyer who will be constructing a storm drain system in Ravine Avenue from its approximate intersection with Hopper Avenue to it's approximate in intersection with Goffle Road; and,

WHEREAS, a road closure and detour is required due to the narrowness of the road, the volume of traffic on Ravine Avenue and the construction duration required to perform the improvement; and

WHEREAS, the Wyckoff Police Department has designed a road detour to accompany the road closure; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that road closures are authorized for Ravine Avenue between Hopper Avenue and Goffle Road for the duration of the construction which is scheduled, depending on weather conditions for later in November from 7:00am to 6:00pm for approximately 10 to 20 working days. The road closure and detour may be extended if required to obtain weather friendly construction work days. Estimated start of construction is November 25, 2019.

BE IT FURTHER RESOLVED that the Municipal Clerk shall provide a certified copy of this resolution to Police Chief Murphy, Traffic Safety Officer, Sergeant Zivkovich, DPW Manager Fisher, Township Engineer Di Gennaro and Construction Code Official Gensheimer.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-317**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: Award of Contract – Pay to
Play Compliance**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
.....

WHEREAS, the Wyckoff Police Department has a patrol vehicle with low mileage which requires a new motor and it makes prudent sense to replace the motor rather than purchase a replacement patrol vehicle and a DPW truck that needs a new electronic control module; and,

WHEREAS, the Wyckoff Police Department has solicited multiple price quotations; and,

WHEREAS, N.J.S.A. 19:44A-20.4 et seq., requires contracts procured through price quotations that are below the municipalities bid threshold but over the Pay to Play threshold of \$17,500 to be authorized after municipalities obtain the political contributions disclosure forms and the business entity disclosure certification; and,

WHEREAS, the aforementioned documentation has been obtained and it is available for public inspection in the Municipal Clerk's office; and,

WHEREAS, an encumbrance of funds certification is attached.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Township Committee authorizes award of purchases order to Mahwah Automobile Center, 111 Spring Street, Ramsey, New Jersey 07446 for the purchase and installation of a new motor in Police Vehicle, 212 and an electronic control module for dump truck #255 L.S. for the total cost of \$13,354.99.

BE IT FURTHER RESOLVED, that this contract has been awarded to this contractor based on the merits and abilities of the contractor to provide the goods or service as described herein. This contract was awarded through the alternate method pursuant N.J.S.A. 19:44A-20-4 et seq. As such, the undersigned does hereby attest that these contractors, their subsidiaries, assigned or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19-:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c. 19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of these one (1) year contracts to any political party committee in the Township of Wyckoff if a member of that political party is serving in an elective public office of the Township of Wyckoff when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Wyckoff when the contract is awarded.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-318**

INTRODUCED:

SECONDED:

MEETING DATE: November 4, 2019

**REFERENCE: Endorse Community
Development Application – Eastern
Christian Children’s Retreat**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
.....

WHEREAS, a Bergen County Community Development Grant of \$272,000 has been proposed by the Eastern Christian Children’s Retreat for HVAC replacement in the Township of Wyckoff; and,

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and,

WHEREAS, the aforesaid project is in the best interest of the citizens of the Township of Wyckoff; and,

WHEREAS, this resolution does not obligate the financial resources of the Township of Wyckoff and is intended solely to expedite the expenditures of the aforesaid Community Development funds.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey hereby confirms endorsement of the aforesaid project.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON NOVEMBER 4, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

#1889 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE
TOWNSHIP OF WYCKOFF TO AMEND PEDESTRIAN CIRCULATION AND SAFETY
STANDARDS

WHEREAS, the Township of Wyckoff desires standards to improve pedestrian and bicycle safety and to encourage safe and convenient pedestrian passage in the Township;

WHEREAS, the Township's existing standards pertaining to sidewalks do not provide for safe and convenient pedestrian passage in the Township;

WHEREAS, the Township does not require bicycle parking or encourage bicycle use;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that the Code of the Township of Wyckoff is hereby amended to include improved pedestrian and bicycle standards

SECTION 1. Create Section 186-36.3 As Follows

Additions are shown as **thus**; deletions shown as ~~thus~~

§186-36.2 Pedestrian and Bicycle Facilities

A. Pedestrian Facilities

- (1) **Sidewalks shall be provided on both sides of all public and private streets. Sidewalks shall be not less than 5 feet wide in nonresidential and mixed-use zone districts and not less than 4 feet wide in residential districts. Sidewalks are encouraged to be a minimum of eight feet wide where located adjacent to retail or restaurant uses.**
- (2) **In general, sidewalks shall be placed in the right-of-way, parallel to the street unless an exception has been permitted to preserve topographical or natural features, or to provide visual interest, or unless the applicant shows that an alternative pedestrian system provides equally safe and convenient circulation. Sidewalks may be placed in a public access easement adjoining the right-of-way in order to provide sufficient room for various functions within the right-of-way, as follows:**
- (3) **Handicapped Passage. Sidewalks and walkways less than 6 feet in width shall provide widened areas at least every 200 lineal feet sufficient to permit the passage of 2 wheelchairs in opposite directions. The widened area shall be at least 6 feet wide. In general, this requirement may be met through the intersection of driveway's paved surfaces with sidewalks.**
- (4) **Sidewalks shall be designed and constructed pursuant to Township Code and the NJ Residential Site Improvement Standards (R.S.I.S. N.J.A.C. 5:21).**
- (5) **Sidewalks of not less than 4 feet in width shall be provided along all building facades that provide a building entrance.**
- (6) **Sidewalks shall be provided along internal access drives and streets that provide**

access to or between buildings, recreation areas, and public or private streets. Where, appropriate, cross-access easements for pedestrian access to adjacent uses and roads are encouraged.

- (7) Sidewalks provided along developments or re-developments of more than one unit shall be constructed of concrete.

B. Bicycle Parking.

- (1) Bicycle parking facilities shall be provided where 20 or more vehicle parking spaces are required for nonresidential or multi-family development.
- (2) Nonresidential Uses. Bicycle parking spaces shall be provided for a rate of 1 bicycle space for each 20 vehicle parking spaces required, with a minimum requirement of 2 bicycle parking spaces.
- (3) Residential Use. Only multi-family development shall be required to provide bicycle parking at a rate of 1 bicycle space for each 5 dwelling units.
- (4) Bicycle parking areas shall be constructed of concrete and designed to provide secure anchoring for locking devices.
- (5) Bicycle parking shall be located not less than 4 feet and not greater than 50 feet of all building entrances. They shall be placed to avoid conflicts with fire hydrants, curb ramps, pedestrian circulation and vehicle circulation.
- (6) Bicycle parking areas shall be subject to the same lighting standards as parking lots.

SECTION 3 Except as hereby amended, all other sections of Chapter 186 shall remain in full force and effect.

SECTION 4 This Ordinance shall take effect upon final passage and publication according to law.

Ordinance No. 1890

Amendments to Land Use Ordinance

Township of Wyckoff, Bergen County

AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY MIXED-USE ZONE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Wyckoff entered into a Settlement Agreement with Fair Share Housing Center on July 12, 2018 in In the Matter of the Application of the Township of Wyckoff's Housing Element and Fair Share Plan (Docket No.: BER-L-6224- 15); and

WHEREAS, these Settlement Agreement set forth that Block 224, Lots 1.01, 2.01, 3, 4, 5.01, 6.01, and 7 shall receive overlay zoning to permit mixed-use inclusionary development;

WHEREAS, the Township adopted a Third Round Housing Element and Fair Share Plan that also set forth that Block 224, Lots 1.01, 2.01, 3, 4, 5.01, 6.01, and 7 shall receive overlay zoning to permit mixed-use inclusionary development in order to satisfy a portion of Wyckoff's constitutional obligation to provide for its fair share of low- and moderate- income housing;

WHEREAS, the amended zoning of Block 224, Lots 1.01, 2.01, 3, 4, 5.01, 6.01, and 7 herein is consistent with the Settlement Agreement with Fair Share Housing Center, as well as the 2018 Housing Element and Fair Share Plan; and

WHEREAS, the AHO-3 Zone will follow the property lines of Block 224, Lots 1.01, 2.01, 3, 4, 5.01, 6.01, and 7; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that the Code of the Township of Wyckoff is hereby amended to include provisions for new overlay zoning to permit mixed-use inclusionary development on Block 224, Lots 1.01, 2.01, 3, 4, 5.01, 6.01, and 7.

SECTION 1. Amend Section 186-3 Zoning Map to add a new Section Z. as follows:

Additions are shown as thus; deletions shown as ~~thus~~

Z. The AHO-3 Zone is the name of the zone established to include Block 224, Lots 1.01, 2.01, 3, 4, 5.01, 6.01, and 7

SECTION 2. Amend Section 186-49 Zoning districts and bulk requirements as follows:

Additions are shown as thus; deletions shown as ~~thus~~

D. AHO-3 Zone: Affordable Housing Overlay 3 Zone

(1) Principal permitted uses shall be as follows:

- (a) Multi-family units with a 20% set-aside for affordable housing.
- (2) Accessory uses shall be as follows:
 - (a) Accessory buildings.
 - (b) Off-street parking facilities, including structured parking
 - (c) Private recreational facilities and common open space.
 - (d) Signs.
 - (e) Fences.
 - (f) Retaining walls.
 - (g) Uses which are customary and incidental to a permitted use.
- (3) Conditional uses shall be as follows:
 - (a) None.
- (4) Affordable housing.
 - (a) 20% of the total units on the site shall be reserved for affordable housing.
 - (b) Affordable housing units shall comply with the Township's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low- and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).
 - (c) The affordable units shall be managed by a single entity in accordance with an Affordable Housing Management Plan, which shall be approved by the Township of Wyckoff, Affordable Housing Committee or other Township-designated Administrative Agent.
 - (d) The exterior design of affordable housing units shall be harmonious in scale, texture and materials with market-priced units.
- (5) Bulk Requirements.
 - (a) Minimum Lot size: 2 acres
 - (b) Maximum Gross Density: 12 du/ac
 - (c) Minimum Lot Width and Frontage: 400 feet along West Main Street
 - (d) Minimum Lot Depth: Lot depth existing as of the date of this ordinance.
 - (e) Principal Building Setback
 - (i) Front: 20 feet
 - (ii) Each Side: 10 feet
 - (iii) Rear: 40 feet
 - (f) Accessory Building Setback
 - (i) Each Side: 10 feet. 15 feet when abutting a residential zone.

- (ii) Rear: 10 feet. 15 feet when abutting a residential zone.
- (g) Maximum Building Height
 - (i) 3 stories / 45 feet
- (h) Maximum Lot Coverage
 - (i) Principal Building: 35%
 - (ii) Accessory building: 5%
- (6) Building Design
 - (a) Structured parking shall not exceed one story (parking level) and shall be screened by structural elements that are compatible with the materials and design of the front and side building facades.
 - (b) Building side and rear elevations shall be designed with the same material as the front of the building.
 - (c) Multiple principal buildings shall be permitted on a lot.
 - (d) Maximum building length: 200 feet.
 - (e) An overall theme of design and architectural motif shall be utilized within the development for the purpose of presenting an aesthetically desirable effect and shall be such that they provide varied building elevations, design and structural appearance within the context of the unifying theme.
 - (f) Any facade of a residential building shall not continue on the same plane for a linear distance of more than 75 feet. Minimum two-foot offsets shall be required at breaks in the facade planes.
 - (g) Building facades shall be predominantly finished in brick and/or fiber cement. "Fiber Cement" shall refer to a combination of cellulose fibers and cementitious materials, that, manufactured in long, horizontal strips, has the appearance of wood siding. Stone veneer, stucco, cast stone and metal shall be used only for minor accentuation of other elements of the facade. Exterior insulation and finishing system shall not be used on any portion of the building facade.
 - (h) Building materials and architectural details shall be consistent on all sides of each building.
 - (i) Building entrances should be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments.
 - (j) Upper floor windows should be divided into individual units or groupings of individual units, rather than a continuous "ribbon."
 - (k) Pedestrian friendly building design and site furnishings (outdoor tables, benches, bicycle racks, etc.) are required along Wyckoff Avenue.
 - (l) Minimum Distance between buildings:
 - (i) Front façade to any facade: 60 feet

- (ii) Rear facade to any facade: 50 feet
- (iii) Side facade to any facade: 30 feet

(m) Roof design:

- (i) Any third story shall be created within the roof space over the second floor to reduce the appearance of height. Flat roofs are prohibited. Gambrel, gable and hipped roofs are permitted. Flat roofs are prohibited. Gambrel, gable and hipped roofs are permitted. Dormers may be utilized where appropriate for the architectural style.
- (ii) Roof shape, color, and texture should be coordinated with the exterior materials of the building's facade.
- (iii) Roof design should minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together.
- (iv) Rooftop equipment such as mechanical units, vents, and flues should be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitched roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

(7) Plantings and buffers

- (a) A buffer strip of 20 feet or greater shall be provided where the multi-family use abuts a single-family residential use.
- (b) A planted berm of 5 feet tall or greater shall be provided where the multi-family use abuts a single-family residential use. This berm shall be used for all or a portion of the required buffer plantings in order to increase the plant height and screening ability of the buffer. The requirement for a berm may be waived where the applicable Land Use Board finds the existing and proposed plant material provides an effective screen.
- (c) Exterior utility boxes, mechanical and electrical equipment, and HVAC equipment shall be screened from view by architectural elements and/or landscape plantings.
- (d) Buffers shall be maintained in perpetuity. If such buffers fail to provide adequate screening the buffers shall be re-established by the property owner using the same or similar plantings at the property owner's expense.

(8) Miscellaneous Requirements.

- (a) Signs shall be permitted pursuant to regulations for the B-1 district in §186-28.
- (b) Useable open space not less than 10% of the tract shall be provided ~~for use by on-site residents.~~ Said open space shall be used as outdoor passive open space for use by on-site residents and/or customers of the nonresidential uses (such as but not limited to parklike areas, outdoor seating, walking trails) and ~~for~~

active open space (such as but not limited to a playground or outdoor game area). Buffer areas and other required landscape areas shall not contribute to the open space requirement.

(c) Sidewalks shall be provided along West Main Street and sidewalks not less than 4 feet in width shall be provided along all building facades that provide a building entrance.

(d) Pedestrian walkway and bicycle paths to adjacent public areas and/or residential streets shall be required where possible and beneficial for safe non-vehicular traffic. Maintenance of such walkways and/or paths shall be the responsibility of the property owner or homeowner's association.

~~(b)~~(e) All utilities shall be installed underground wherever possible.

(9) Parking

(a) Parking shall not be located between the building and the public street.

(b) Off-street parking for residential uses shall be provided in accordance with the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21.

Ordinance No. 1891

Amendments to Land Use Ordinance

Township of Wyckoff, Bergen County

AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY MIXED-USE ZONE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Wyckoff entered into a Settlement Agreement with Fair Share Housing Center on July 12, 2018 in In the Matter of the Application of the Township of Wyckoff's Housing Element and Fair Share Plan (Docket No.: BER-L-6224- 15); and

WHEREAS, these Settlement Agreement set forth that Block 517, Lot 3.01, Block 516, Lots 6.03 and 6.04 shall receive overlay zoning to permit mixed-use inclusionary development;

WHEREAS, the Township adopted a Third Round Housing Element and Fair Share Plan that also set forth that Block 517, Lot 3.01, Block 516, Lots 6.03 and 6.04 shall receive overlay zoning to permit mixed-use inclusionary development in order to satisfy a portion of Wyckoff's constitutional obligation to provide for its fair share of low- and moderate- income housing;

WHEREAS, the amended zoning of Block 517, Lot 3.01, Block 516, Lots 6.03 and 6.04 herein is consistent with the Settlement Agreement with Fair Share Housing Center, as well as the 2018 Housing Element and Fair Share Plan; and

WHEREAS, the AHO-2 Zone will follow the property lines of Block 517, Lot 3.01, Block 516, Lots 6.03 and 6.04; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that the Code of the Township of Wyckoff is hereby amended to include provisions for new overlay zoning to permit mixed-use inclusionary development on Block 517, Lot 3.01, Block 516, Lots 6.03 and 6.04.

SECTION 1. Amend Section 186-3 Zoning Map to add a new Section Z. as follows:

Additions are shown as thus; deletions shown as ~~thus~~

Z. The AHO-2 Zone is the name of the zone established to include Block 517, Lot 3.01, Block 516, Lots 6.03 and 6.04

SECTION 2. Amend Section 186-49 Zoning districts and bulk requirements as follows:

Additions are shown as thus; deletions shown as ~~thus~~

D. AHO-2 Zone: Affordable Housing Overlay 2 Zone

(1) Principal permitted uses shall be as follows:

- (a) Mixed use development, consisting of multi-family and/or townhouse units with a 20% set-aside for affordable housing and ground floor retail use for buildings facing Goffle Road and Coe Avenue.
 - (i) Permitted nonresidential uses on the first floor are limited to those uses permitted in the B-1 district.
- (2) Accessory uses shall be as follows:
 - (a) Accessory buildings.
 - (b) Off-street parking facilities, including structured parking
 - (c) Private recreational facilities and common open space.
 - (d) Signs.
 - (e) Fences.
 - (f) Retaining walls.
 - (g) Uses which are customary and incidental to a permitted use.
- (3) Conditional uses shall be as follows:
 - (a) None.
- (4) Affordable housing.
 - (a) 20% of the total units on the site shall be reserved for affordable housing.
 - (b) Affordable housing units shall comply with the Township's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low- and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).
 - (c) The affordable units shall be managed by a single entity in accordance with an Affordable Housing Management Plan, which shall be approved by the Township of Wyckoff, Affordable Housing Committee or other Township-designated Administrative Agent.
 - (d) The exterior design of affordable housing units shall be harmonious in scale, texture and materials with market-priced units.
- (5) Bulk Requirements.
 - (a) Minimum Lot size: Lot sizes existing as of the date of this ordinance. No further subdivision shall be permitted in the exercise of this overlay zone.
 - (b) Maximum Gross Density: 16 du/ac
 - (c) Minimum Lot Width and Frontage: 150 feet
 - (d) Minimum Lot Depth: 150 feet
 - (e) Principal Building Setback
 - (i) Front: 25 feet. The front yard setback along Coe Avenue may be reduced to 20 feet.

- (ii) Each Side: 20 feet
 - (iii) Rear: 20 feet
 - (iv) Side and rear yards shall be increased to 40 feet where adjacent to a residential use or zone outside of the AHO-2.
- (f) Accessory Building Setback
- (i) Each Side: 10 feet. 15 feet where the accessory building abuts a residential zone.
 - (ii) Rear: 10 feet. 15 feet where the accessory building abuts a residential zone.
- (g) Maximum Building Height
- (i) Building heights shall be varied such that 2.5 stories / 35 feet shall be the maximum building height where adjacent to Goffle Road, a residential use or zone outside of the AHO-2 (including across the street). Building heights in all other areas of the district shall be limited to 3 stories / 45 feet.
 - (ii) No building within 50 feet of a residential use or zone outside of the AHO-2 shall exceed 2.5 stories / 35 feet.
- (h) Maximum Lot Coverage
- (i) Principal Building: 45%
 - (ii) Accessory building: 5%
- (6) Building Design
- (a) Buildings located along Goffle Road shall be oriented toward Goffle Road with all or a significant portion located parallel to the street. This shall not apply to any building located behind another building. Orientation shall include the provision of one or more primary building entrances.
 - (b) First floor residential units shall not face Goffle Road.
 - (c) The portion of the building facing Goffle Road and Coe Avenue shall consist of permitted nonresidential uses on the first floor. All other building and portions of buildings shall consist of residential uses on all floors.
 - (d) All townhouse dwellings shall provide at least one (1) off-street parking space within an enclosed garage located in the rear yard with access from a lane/alley. Front loaded garages are prohibited.
 - (e) Townhouse dwelling lots shall have their rear lot lines coinciding with an alley twenty-four (24) feet wide containing a vehicular pavement width of at least ten (10) feet one-way and sixteen (16) feet two-way.
 - (f) Multiple principal buildings shall be permitted on a lot.
 - (g) Maximum building length: 200 feet.
 - (h) An overall theme of design and architectural motif shall be utilized within the development for the purpose of presenting an aesthetically desirable effect

and shall be such that they provide varied building elevations, design and structural appearance within the context of the unifying theme.

- (i) Any facade of a residential building shall not continue on the same plane for a linear distance of more than 75 feet. Minimum two-foot offsets shall be required at breaks in the facade planes.
- (j) First-floor facades containing nonresidential uses which are visible from a public street shall be expressed as building modules that do not exceed 40 feet in width so as to eliminate blank walls, create more interesting architecture, and facilitate small-scale commercial opportunities. Architectural elements including but not limited to piers, columns, insets, projections or other vertical elements may be used to visually break up the plane of the first floor facade.
- (k) Where facing Goffle Road nonresidential uses shall have a minimum of 60% of the ground floor facade between three and 10 feet above grade and 30% of upper floor facades shall be transparent and shall provide visual access to the street. Blanked-out windows, windows which display only signage, or look into unused or "dead" space do not meet this requirement.
- (l) First-floor windows facing a public street shall be clear; tinted windows in this location are prohibited.
- (m) Building facades shall be predominantly finished in brick and/or fiber cement. "Fiber Cement" shall refer to a combination of cellulose fibers and cementitious materials, that, manufactured in long, horizontal strips, has the appearance of wood siding. Stone veneer, stucco, cast stone and metal shall be used only for minor accentuation of other elements of the facade. Exterior insulation and finishing system shall not be used on any portion of the building facade or column.
- (n) Building materials and architectural details shall be consistent on all sides of each building.
- (o) The maximum size of any individual commercial business is limited to 12,000 square feet. The total commercial space within this zone shall be limited to no more than 25,000 square feet.
- (p) Building entrances should be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments.
- (q) Awnings are encouraged. Where provided, awnings shall be uniform in color and material
- (r) When separate nonresidential tenants are housed in the ground floor of any building, separate entrances onto the sidewalk for each space should be provided, except when two stores share a vestibule.
- (s) Upper floor windows should be divided into individual units or groupings of individual units, rather than a continuous "ribbon."
- (t) Pedestrian friendly building design and site furnishings (outdoor tables,

benches, bicycle racks, etc.) are required along Goffle Road.

(u) Minimum Distance between buildings:

(i) Front facade to any facade: 60 feet

(ii) Rear facade to any facade: 50 feet

(iii) Side facade to any facade: 30 feet

(v) Roof design:

(i) Flat roofs are prohibited. Gambrel, gable and hipped roofs are permitted. Dormers may be utilized where appropriate for the architectural style.

(ii) Roof shape, color, and texture should be coordinated with the exterior materials of the building's facade.

(iii) Roof design should minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together.

(iv) Rooftop equipment such as mechanical units, vents, and flues should be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitched roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

(7) Plantings and buffers

(a) A buffer strip shall be provided along all property lines shared with a residential use or district outside of the AHO-2. Where deemed appropriate by the Land Use Board, existing plantings may be retained and the buffer area supplemented with new plantings in order to satisfy this requirement.

(b) Exterior utility boxes, mechanical and electrical equipment, and HVAC equipment shall be screened from view by architectural elements and/or landscape plantings.

(c) Buffers shall be maintained in perpetuity. If such buffers fail to provide adequate screening the buffers shall be re-established by the property owner using the same or similar plantings at the property owner's expense.

(8) Miscellaneous Requirements

(a) Access is prohibited to all public streets, with the exception of Goffle Road and Coe Avenue within Wyckoff and Hopper Lane within the Borough of Hawthorne.

(b) Sidewalks shall be provided along both sides of all public and/or private roads and interior access drives except sidewalks shall not be required along Spencer Drive or Hopper Avenue in Wyckoff. Sidewalks of not less than 4 feet in width shall be provided along all building facades that provide a building entrance.

- (c) Signs shall be permitted pursuant to regulations for the B-1 district in §186-28.
- (d) Useable open space not less than 10% of the tract shall be provided. Said open space shall be used as outdoor passive open space for use by on-site residents and/or customers of the nonresidential uses (such as but not limited to parklike areas, outdoor seating, walking trails) and/or active open space (such as but not limited to a playground or outdoor game area). Buffer areas and other required landscape areas shall not contribute to the open space requirement.
- (e) Pedestrian walkway and bicycle paths to adjacent residential streets shall be required where possible and beneficial for safe non-vehicular traffic. Maintenance of such walkways and/or paths shall be the responsibility of the property owner or homeowner's association.
- (f) Lighting shall be consistent with the Township's lighting ordinance requirements.
- ~~(f)~~(g) All utilities shall be installed underground wherever possible.

(9) Parking

- (a) Parking shall not be located between the building and the public street, with the following exception.
 - (i) Parking may be located between a commercial building and a public street for which no access is provided if a compliant buffer is provided.
- (b) Maximum distance between off-street parking space and the unit served: 200 feet.
- (c) Off-street parking for residential uses shall be provided in accordance with the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21.
- (d) Off-street parking for nonresidential uses shall be provided as per the schedule of off-street parking requirements for the B-1 district (§186-26.C.).

Ordinance No. 1892

Amendments to Land Use Ordinance

Township of Wyckoff, Bergen County

AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY MIXED-USE ZONE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Wyckoff entered into a Settlement Agreement with Fair Share Housing Center on July 12, 2018 in In the Matter of the Application of the Township of Wyckoff's Housing Element and Fair Share Plan (Docket No.: BER-L-6224- 15); and

WHEREAS, these Settlement Agreement set forth that Block 202, Lot 78.01 shall receive overlay zoning to permit mixed-use inclusionary development;

WHEREAS, the Township adopted a Third Round Housing Element and Fair Share Plan that also set forth that Block 202, Lot 78.01 shall receive overlay zoning to permit mixed-use inclusionary development in order to satisfy a portion of Wyckoff's constitutional obligation to provide for its fair share of low- and moderate- income housing;

WHEREAS, the amended zoning of Block 202, Lot 78.01 herein is consistent with the Settlement Agreement with Fair Share Housing Center, as well as the 2018 Housing Element and Fair Share Plan; and

WHEREAS, the AHO-1 Zone will follow the property lines of Block 202, Lot 78.01; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that the Code of the Township of Wyckoff is hereby amended to include provisions for new overlay zoning to permit mixed-use inclusionary development on Block 202, Lot 78.01.

SECTION 1. Amend Section 186-3 Zoning Map to add a new Section Z. as follows:

Additions are shown as thus; deletions shown as ~~thus~~

Z. The AHO-1 Zone is the name of the zone established to include Block 202, Lot 78.01

SECTION 2. Amend Section 186-49 Zoning districts and bulk requirements as follows:

Additions are shown as thus; deletions shown as ~~thus~~

D. AHO-1 Zone: Affordable Housing Overlay 1 Zone

(1) Principal permitted uses shall be as follows:

(a) Mixed use development, consisting of multi-family units with a 20% set-aside for affordable housing and ground floor retail use for buildings facing Wyckoff

Avenue.

- (i) Permitted nonresidential uses on the first floor are limited to those uses permitted in the B-1 district.

(2) Accessory uses shall be as follows:

- (a) Accessory buildings.
- (b) Off-street parking facilities, including structured parking
- (c) Private recreational facilities and common open space.
- (d) Signs.
- (e) Fences.
- (f) Retaining walls.
- (g) Uses which are customary and incidental to a permitted use.

(3) Conditional uses shall be as follows:

- (a) None.

(4) Affordable housing.

- (a) 20% of the total units on the site shall be reserved for affordable housing.
- (b) Affordable housing units shall comply with the Township's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low- and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).
- (c) The affordable units shall be managed by a single entity in accordance with an Affordable Housing Management Plan, which shall be approved by the Township of Wyckoff, Affordable Housing Committee or other Township-designated Administrative Agent.
- (d) The exterior design of affordable housing units shall be harmonious in scale, texture and materials with market-priced units.

(5) Bulk Requirements.

- (a) Minimum Lot size: 1.8 acres
- (b) Maximum Gross Density: 15 du/ac
- (c) Minimum Lot Width and Frontage: 170 feet
- (d) Minimum Lot Depth: 500 feet
- (e) Principal Building Setback
 - (i) Front: 15 feet
 - (ii) Each Side: 10 feet
 - (iii) Rear: 20 feet

- (f) Accessory Building Setback
 - (i) Each Side: 10 feet
 - (ii) Rear: 10 feet
 - (g) Maximum Building Height
 - (i) Facing Wyckoff Avenue: 2 stories / 35 feet
 - (ii) Facing side or rear property lines: 3 stories / 45 feet
 - (h) Maximum Lot Coverage
 - (i) Principal Building: 40%
 - (ii) Accessory building: 5%
- (6) Building Design
- (a) Any development or redevelopment of the site is encouraged to retain the existing two story portion of the building located parallel to Wyckoff Avenue. Retention of this existing building shall include the roof lines, cupola and architectural details. Such retention shall not prohibit modification of this building to accommodate the permitted uses.
 - (b) Buildings located along Wyckoff Avenue shall be oriented toward Wyckoff Avenue with all or a significant portion located parallel to the street. This shall not apply to any building located behind another building. Orientation shall include the provision of one or more primary building entrances.
 - (c) First floor residential units shall not face Wyckoff Avenue.
 - (d) Any building facing Wyckoff Avenue shall consist of permitted nonresidential uses on the first floor and one story of multi-family housing above. The first floor of buildings or portions of buildings not facing Wyckoff Avenue may consist of structured parking or residential uses.
 - (e) Multiple principal buildings shall be permitted on a lot.
 - (f) Maximum building length: 200 feet.
 - (g) An overall theme of design and architectural motif shall be utilized within the development for the purpose of presenting an aesthetically desirable effect and shall be such that they provide varied building elevations, design and structural appearance within the context of the unifying theme.
 - (h) Any facade of a residential building shall not continue on the same plane for a linear distance of more than 75 feet. Minimum two-foot offsets shall be required at breaks in the facade planes.
 - (i) First-floor facades containing nonresidential uses which are visible from a public street shall be expressed as building modules that do not exceed 40 feet in width so as to eliminate blank walls, create more interesting architecture, and facilitate small-scale commercial opportunities. Architectural elements including but not limited to piers, columns, insets, projections or other vertical elements may be used to visually break up the plane of the first floor facade.

- (j) Where facing Wyckoff Avenue nonresidential uses shall have a minimum of 60% of the ground floor facade between three and 10 feet above grade and 30% of upper floor facades shall be transparent and shall provide visual access to the street. Blanked-out windows, windows which display only signage, or look into unused or "dead" space do not meet this requirement.
- (k) First-floor windows facing a public street shall be clear; tinted windows in this location are prohibited.
- (l) Building facades shall be predominantly finished in brick and/or fiber cement. "Fiber Cement" shall refer to a combination of cellulose fibers and cementitious materials, that, manufactured in long, horizontal strips, has the appearance of wood siding. Stone veneer, stucco, cast stone and metal shall be used only for minor accentuation of other elements of the facade. Exterior insulation and finishing system shall not be used on any portion of the building facade or column.
- (m) Building materials and architectural details shall be consistent on all sides of each building.
- (n) The maximum size of any individual commercial business is limited to 12,000 square feet. The total commercial space within this zone shall be limited to no more than 20,000 square feet.
- (o) Building entrances should be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments.
- (p) Awnings are encouraged. Where provided, awnings shall be uniform in color and material
- (q) When separate nonresidential tenants are housed in the ground floor of any building, separate entrances onto the sidewalk for each space should be provided, except when two stores share a vestibule.
- (r) Upper floor windows should be divided into individual units or groupings of individual units, rather than a continuous "ribbon."
- (s) Pedestrian friendly building design and site furnishings (outdoor tables, benches, bicycle racks, etc.) are required along Wyckoff Avenue.
- (t) Minimum Distance between buildings:
 - (i) Front façade to any facade: 60 feet
 - (ii) Rear facade to any façade: 50 feet
 - (iii) Side façade to any facade: 30 feet
- (u) Roof design:
 - (i) Flat roofs are prohibited. Gambrel, gable and hipped roofs are permitted. Dormers may be utilized where appropriate for the architectural style.

- (ii) Roof shape, color, and texture should be coordinated with the exterior materials of the building's facade.
- (iii) Roof design should minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together.
- (iv) Rooftop equipment such as mechanical units, vents, and flues should be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitched roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

(7) **Plantings and buffers**

- (a) A buffer strip of not less than 15 feet shall be provided along the side and rear property line.
- (b) Exterior utility boxes, mechanical and electrical equipment, and HVAC equipment shall be screened from view by architectural elements and/or landscape plantings.
- (c) Buffers shall be maintained in perpetuity. If such buffers fail to provide adequate screening the buffers shall be re-established by the property owner using the same or similar plantings at the property owner's expense.

(8) **Miscellaneous Requirements.**

- (a) Vehicular access to the site shall be provided to the adjacent access easement to the north.
- (b) Signs shall be permitted pursuant to regulations for the B-1 district in §186-28.
- (c) All utilities shall be installed underground wherever possible.
- (d) Sidewalks shall be provided along both sides of all public and/or private roads and interior access drives. Sidewalks of not less than 4 feet in width shall be provided along all building facades that provide a building entrance.
- (e) Pedestrian walkway and bicycle paths to adjacent public areas and/or residential streets shall be required where possible and beneficial for safe non-vehicular traffic. Maintenance of such walkways and/or paths shall be the responsibility of the property owner or homeowner's association.
- (b)

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(9) **Parking**

- (a) Parking shall not be located between the building and the public street.
- (b) Off-street parking for residential uses shall be provided in accordance with the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21.
- (c) Off-street parking for nonresidential uses shall be provided as per the schedule of off-street parking requirements for the B-1 district (§186-26.C.)

Ordinance No. 1893

Amendments to Land Use Ordinance

Township of Wyckoff, Bergen County

AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE
TOWNSHIP OF WYCKOFF TO AMEND BUFFER AND PLANTING STANDARDS

WHEREAS, the Township of Wyckoff desires improved buffer standards that better ensure compatibility between differing land uses and quality of life in residential neighborhoods;

WHEREAS, the Township's existing buffer standards are in need of improvement to provide additional screening and planting requirements to better fit a changing environment;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that the Code of the Township of Wyckoff is hereby amended to include improved buffer standards.

SECTION 1. Amend Section 186-6 Definition of Terms

Additions are shown as thus; deletions shown as ~~thus~~

...

BUFFER STRIP

~~A solid and continuous massing of three rows of evergreen trees or shrubs planted five to six feet apart on centers in staggered rows and not less than four feet in height above the ground when planted. Such plantings will effectively insulate and screen the view and use from adjoining residential property through the full course of the year. Such plantings shall be maintained at all times and shall not be placed so as to interfere with traffic safety. Every buffer strip shall be at least 15 feet in width.~~

...

SECTION 2. Create Section 186-36.2 As Follows

Additions are shown as thus; deletions shown as ~~thus~~

§186-36.2 Planting Requirements

- A. Development applications may seek to preserve existing plant material that is in good health and which can be accommodated in the development plan, provided however that such existing plant material is consistent with the standards described herein and the same is approved by the municipal Board or individual reviewing the plan.
- B. All trees to be preserved within the limit of disturbance shall have tree protection measures.
- C. All planting materials and methods shall meet the standards of the American Association of Nurserymen.
- D. Buffers shall be required where noted in the Township's Land Use Ordinance or when

required by a Land Use Board. The term "buffer strip" shall be encompassed by the term "buffer" as used herein.

- E. Buffers shall provide a year round screen that will effectively insulate and screen the view of the use from adjoining properties.
- F. Buffers shall be planted with dense masses and groupings of shade trees, ornamental trees, evergreen trees and shrubs which are generally deemed deer and drought resistant and heat tolerant.
 - (1) Buffers shall utilize existing plantings in the buffer area to the extent possible and appropriate given the health and density of the plant material.
 - (2) No less than 75% of the buffer length shall be evergreen trees.
 - (3) One deciduous tree shall be planted every 50 feet of buffer length.
 - (4) Plantings shall be provided in staggered rows with trees set apart to provide dense year-round cover based on the species used, but never more than eight (8) feet apart.
- G. Required buffer widths shall be as specified. Where no width is specified, the buffer shall not be less than 15 feet wide.
- H. A berm, fence or wall may be required within the buffer at the discretion of the Land Use Board hearing the application.
- I. Evergreen trees shall have a minimum height of six (6) feet at planting.
- J. Deciduous trees shall have a minimum three inch (3") caliper at planting. Caliper measurement shall be taken six inches above the ground level for field grown stock and from the soil line for container grown stock, or as otherwise specified by the American Association of Nurserymen.
- K. Invasive plant species as determined by the New Jersey Invasive Council or other comparable organization are prohibited.
- L. Native and adapted plants are encouraged.
- M. Plantings shall be maintained at all times and shall not be placed so as to interfere with traffic or pedestrian safety.
- N. No buildings, structures, accessory structures, trash enclosures, recycling enclosures, parking, driveways (unless perpendicular to the buffer length) or storage of materials shall be permitted within the buffer. Buffer areas shall be maintained and kept free of all debris and rubbish.
- O. A mixture of plant species for each planting type (evergreen trees (excluding white pines), deciduous trees, evergreen shrubs, etc.) is required as a protective measure against disease and insect infestation. The landscape plan may allow plant materials to be used together in informal groupings in lieu of meeting the on-center spacing requirements set forth on the approved plan where appropriate given the need for screening. However, the plant groupings must utilize the same number of plantings as required by these provisions.
- P. An irrigation system, including but not limited to a drip irrigation system, shall may be used when practical, to establish plant material and sustain adequate moisture needs. All automatic irrigation systems shall be timer-controlled and provided with an automatic

rainfall shutoff detection device. Proposed irrigation systems shall include maintenance specifications on the approved landscape plan.

- Q. Street trees shall be required along all public and private streets at a spacing to be determined by the applicable municipal authority at a spacing of not less than 40 feet. Species that grow tall with a leafy canopy shall be used. The location and species shall be subject to the review and approval of the Township Shade Tree Commission.
- R. Buffers shall be maintained in perpetuity. If such buffers fail to provide adequate screening the buffers shall be re-established by the property owner using the same or similar plantings at the property owner's expense.

Ordinance No. 1894

Amendments to Land Use Ordinance

Township of Wyckoff, Bergen County

AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY MIXED-USE ZONE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Wyckoff entered into a Settlement Agreement with Fair Share Housing Center on July 12, 2018 in In the Matter of the Application of the Township of Wyckoff's Housing Element and Fair Share Plan (Docket No.: BER-L-6224- 15); and

WHEREAS, these Settlement Agreement set forth that Block 235, Lot 3 shall receive overlay zoning to permit mixed-use inclusionary development;

WHEREAS, the Township adopted a Third Round Housing Element and Fair Share Plan that also set forth that Block 235, Lot 3 shall receive overlay zoning to permit mixed-use inclusionary development in order to satisfy a portion of Wyckoff's constitutional obligation to provide for its fair share of low- and moderate- income housing;

WHEREAS, the amended zoning of Block 235, Lot 3 herein is consistent with the Settlement Agreement with Fair Share Housing Center, as well as the 2018 Housing Element and Fair Share Plan; and

WHEREAS, the AHO-4 Zone will follow the property lines of Block 235, Lot 3; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that the Code of the Township of Wyckoff is hereby amended to include provisions for new overlay zoning to permit mixed-use inclusionary development on Block 235, Lot 3.

SECTION 1. Amend Section 186-3 Zoning Map to add a new Section Z. as follows:

Additions are shown as thus; deletions shown as ~~thus~~

Z. The AHO-4 Zone is the name of the zone established to include Block 235, Lot 3

SECTION 2. Amend Section 186-49 Zoning districts and bulk requirements as follows:

Additions are shown as thus; deletions shown as ~~thus~~

D. AHO-4 Zone: Affordable Housing Overlay 4 Zone

(1) Principal permitted uses shall be as follows:

(a) Construction of one-story of multi-family units above the existing nonresidential building or above a new one story nonresidential building no greater in size than the current building subject to the following.

- (i) The multi-family units shall have a 20% set-aside for affordable housing.
 - (ii) Permitted nonresidential uses on the first floor are limited to those uses permitted in the B-1 district.
- (b) Mixed use development consisting of nonresidential uses on the first floor and residential units on the second floor, subject to the following:
 - (i) The floor area of the first floor nonresidential use shall not exceed the floor area of nonresidential uses existing as of September 2019.
 - (ii) The multi-family units shall have a 20% set-aside for affordable housing.
 - (iii) Permitted nonresidential uses on the first floor are limited to those uses permitted in the B-1 district.
- (2) Accessory uses shall be as follows:
 - (a) Accessory buildings.
 - (b) Off-street parking facilities, including structured parking
 - (c) Private recreational facilities and common open space.
 - (d) Signs.
 - (e) Fences.
 - (f) Retaining walls.
 - (g) Uses which are customary and incidental to a permitted use.
- (3) Conditional uses shall be as follows:
 - (a) None.
- (4) Affordable housing.
 - (a) 20% of the total units on the site shall be reserved for affordable housing.
 - (b) Affordable housing units shall comply with the Township's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low- and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).
 - (c) The affordable units shall be managed by a single entity in accordance with an Affordable Housing Management Plan, which shall be approved by the Township of Wyckoff, Affordable Housing Committee or other Township-designated Administrative Agent.
 - (d) The exterior design of affordable housing units shall be harmonious in scale, texture and materials with market-priced units.
- (5) Bulk Requirements.
 - (a) Minimum Lot size: 2.3 acres

- (b) Maximum Gross Density: 10 du/ac
 - (c) Minimum Lot Width and Frontage: 200 feet
 - (d) Minimum Lot Depth: 200 feet
 - (e) Principal Building Setback
 - (i) Front: 15 foot minimum and 55 foot maximum
 - (ii) Each Side: 10 feet
 - (iii) Rear: 20 feet
 - (f) Accessory Building Setback
 - (i) Each Side: 10 feet
 - (ii) Rear: 10 feet
 - (g) Maximum Building Height: 2 stories / 35 feet
 - (h) Maximum Lot Coverage
 - (i) Principal Building: 40%
 - (ii) Accessory building: 5%
 - (i) Building footprint: the building footprint shall not exceed that which exists as of the adoption date of this ordinance (roughly 30,000 s.f.).
- (6) Building Design
- (a) One principal building shall be permitted.
 - (b) The building shall be oriented toward Wyckoff Avenue with all or a significant portion located parallel to the street. Orientation shall include the provision of one or more primary building entrances.
 - (c) All residential units shall be located on the second floor.
 - (d) The building shall consist of permitted nonresidential uses on the first floor and one story of multi-family housing above.
 - (e) An overall theme of design and architectural motif shall be utilized within the development for the purpose of presenting an aesthetically desirable effect and shall be such that they provide varied building elevations, design and structural appearance within the context of the unifying theme.
 - (f) Any facade of the building shall not continue on the same plane for a linear distance of more than 75 feet. Minimum two-foot offsets shall be required at breaks in the facade planes.
 - (g) First-floor facades which shall contain nonresidential uses, which are visible from a public street, shall be expressed as building modules that do not exceed 40 feet in width so as to eliminate blank walls, create more interesting architecture, and facilitate small-scale commercial opportunities. Architectural elements including but not limited to piers, columns, insets, projections or other vertical elements may be used to visually break up the plane of the first floor façade.

- (h) Where facing Wyckoff Avenue nonresidential uses shall have a minimum of 60% of the ground floor facade between three and 10 feet above grade and 30% of upper floor facades shall be transparent and shall provide visual access to the street. Blanked-out windows, windows which display only signage, or look into unused or "dead" space do not meet this requirement.
- (i) First-floor windows facing a public street shall be clear; tinted windows in this location are prohibited.
- (j) Building facades shall be predominantly finished in brick and/or fiber cement. "Fiber Cement" shall refer to a combination of cellulose fibers and cementitious materials, that, manufactured in long, horizontal strips, has the appearance of wood siding. Stone veneer, stucco, cast stone and metal shall be used only for minor accentuation of other elements of the facade. Exterior insulation and finishing system shall not be used on any portion of the building facade or columns.
- (k) Building materials and architectural details shall be consistent on all sides of each building.
- (l) The maximum size of any individual commercial business is limited to 12,000 square feet.
- (m) Building entrances should be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments.
- (n) An arcade facing Wyckoff Avenue shall be provided along not less than 75 percent of the building facade facing Wyckoff Avenue. This arcade shall include a series of columns or other vertical elements that form a covered walkway.
- (o) When separate nonresidential tenants are housed in the ground floor of any building, separate entrances onto the sidewalk for each space should be provided, except when two stores share a vestibule.
- (p) Upper floor windows should be divided into individual units or groupings of individual units, rather than a continuous "ribbon."
- (q) Consistent building materials shall be used on all sides of a building that is visible from a public street.
- (r) Pedestrian friendly building design and site furnishings (outdoor tables, benches, bicycle racks, etc.) are required along Wyckoff Avenue.
- (s) Roof design:
 - (i) Flat roofs are prohibited.
 - (ii) Roof shape, color, and texture should be coordinated with the exterior materials of the building's facade.
 - (iii) Roof design should minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures

together.

- (iv) Rooftop equipment such as mechanical units, vents, and flues should be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitched roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

(7) Plantings and buffers

- (a) A buffer of note less than 15 feet in width shall be provided along the side and rear property line.
- (b) Exterior utility boxes, mechanical and electrical equipment, and HVAC equipment shall be screened from view by architectural elements and/or landscape plantings.
- (c) Buffers shall be maintained in perpetuity. If such buffers fail to provide adequate screening the buffers shall be re-established by the property owner using the same or similar plantings at the property owner's expense.

(8) Miscellaneous Requirements.

- (a) Signs shall be permitted pursuant to regulations for the B-1 district in §186-28.
- (b) Sidewalks shall be provided along Wyckoff Avenue and Clinton Avenue, both sides of all private roads and interior access drives.
- (c) Pedestrian walkway and bicycle paths to adjacent public areas and/or residential streets shall be required where possible and beneficial for safe non-vehicular traffic. Maintenance of such walkways and/or paths shall be the responsibility of the property owner or homeowner's association
- ~~(b)~~(d) All utilities shall be installed underground wherever possible.

(9) Parking

- (a) Not more than two rows of parking shall be located between the building and a public street. Where parking is provided between the building and Wyckoff Avenue, the parking shall be angled so as to reduce the necessary building setback and paving along Wyckoff Avenue
- (b) Parking available to the public shall not be reduced unless authorized by the Township Governing Body.
- (c) Off-street parking for residential uses shall be provided in accordance with the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21.
- (d) Off-street parking for nonresidential uses shall be provided as per the schedule of off-street parking requirements for the B-1 district (§186-26.C.)

ORDINANCE #1895

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 54 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, POLICE DEPARTMENT

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that Chapter 54 of the Code of the Township of Wyckoff, Police Department, be amended as follows:

SECTION 1 - Chapter 54-21A is hereby amended to reflect an increase in the traffic and security assignment rate in item (1) 54-21A.

A. Private employers shall pay to the Treasurer of the Township of Wyckoff such hourly rate as is set forth herein or may be fixed from time to time by resolution of the Township Committee as compensation for such services. The Township shall remit to the member of the Police Department performing such off-duty service a portion of said hourly rate, and the balance shall be retained by the Township for administration, payroll and insurance expenses, all as established by this article or by future resolution of the Township Committee. Off duty rates shall be as follows:

- (1) Traffic and Security Assignment rate: ~~one hundred and twenty dollars, (\$120)~~ one hundred thirty-five dollars (\$135) per hour for each officer paid to the Township of Wyckoff, from which the police officer performing the off-duty service shall be paid one and one half times the officer's regular hourly pay but not less than \$65.00 per hour.
- (2) Non-profit organizations, charitable organizations, Wyckoff businesses and Wyckoff residents rate: ninety five dollars (\$95) per hour cost paid to the Township of Wyckoff, of which seventy five (\$75) dollars per hour shall be paid to the police officer performing the off-duty service.
- (3) An additional charge of twenty-five dollars (\$25) per hour shall be paid when a police patrol vehicle is required and/or requested for use for the off-duty assignment. The twenty-five dollars (\$25) per hour charge shall apply to numbers (1) and (2) above.
- (4) When a traffic safety review meeting is required, a traffic safety review fee shall be paid to the Township of Wyckoff in the amount of seventy-five dollars (\$75).
- (5) A four (4) hour minimum shall be required for each private duty assignment. A minimum of two (2) hour increments after the first four (4) hours.

Township of Wyckoff

Ordinance #1895

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- B. The Police Department shall require private individuals and/or entities requesting off-duty police assignments to submit payment based on estimates of the work to be performed, in advance of services rendered. The Township will escrow the moneys in the dedicated fund to ensure timely payment to the police officers who performed the off-duty assignment.

- C. Wyckoff sworn officers may work off-duty assignments in a municipality other than Wyckoff in compliance with this section when Wyckoff sworn officers are not required for Wyckoff overtime assignments or off-duty assignment.

SECTION 2 - Except as herein amended and supplemented, all other provisions of Chapter 54 of the Code of the Township of Wyckoff, Police Department, shall remain in full force and effect.

SECTION 3 – This ordinance shall take effect immediately upon final passage and publication as required by law.