

TOWNSHIP OF WYCKOFF

OPEN PUBLIC MEETINGS ACT NOTICE

PLEASE TAKE NOTICE that, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., the Wyckoff Township Committee will hold its regularly scheduled meeting on Tuesday, October 20, 2026, at 7:00 p.m., in the Second Floor Courtroom at Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481.

Formal action may be taken at this meeting.

Adequate notice of this meeting has been provided in accordance with Public Law 2025, Chapter 72 by posting the notice on the Township's website at wyckoffnj.gov/notices which is linked to the Department of State's Legal Notices page.

The meeting will also be live-streamed via the Township of Wyckoff's official YouTube channel for viewing purposes only. Public comment will be accepted in person only and in accordance with Township Committee meeting procedures. Access to the Township's YouTube channel is available from the Township website (www.WyckoffNJ.gov).

This agenda is subject to change.

NOTICE TO PUBLIC

As a member of the public, participating in this public meeting, your participation will be recorded. By participating in the meeting, it is assumed your consent is given for your voice, name, address, comments, and image to be broadcast and recorded.

There may be situations when, 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 technology or live video streaming technology of the meeting is unavailable.

Nancy A. Brown, RMC
Township Clerk

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE MEETING
MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 20, 2026 - 7:00 P.M.**

WORK SESSION PORTION

- 1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Roger J. Lane**
- 2. Flag Salute**
- 3. Invocation by Rabbi Joshua Waxman, Temple Beth Rishon**
- 4. Reading of the "Open Public Meetings Act" statement by Municipal Clerk, Nancy A. Brown**

The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting. Specifically, the time, date, and location were included in the annual notice of meetings adopted by the Township Committee, posted in Memorial Town Hall by the Municipal Clerk's Office, and sent to at least two newspapers, including the official newspapers of the Township, The Ridgewood News and The Record

Additionally, to the extent known, the agenda for this meeting and whether formal action will be taken was posted in Memorial Town Hall by the Municipal Clerk's Office and posted on the Township's website in accordance with the Open Public Meetings Act and Public Law 2025, Chapter 72.

- 5. Roll Call of the Township Committee Members Present:**

BOGDANSKY _____ BOONSTRA _____ MELCHIONNE _____
SCHAPPERT _____ LANE _____

- 6. Confirm that the Township Committee has reviewed and signed all vouchers for payment, and that the Mayor and Municipal Clerk have signed any necessary documents.**
- 7. Motion to open the Twenty-Minute Public Comment period:**

Twenty-minute public comment period, five 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.

Please step forward to the microphone if you wish to make a comment and state your name for the record.

MOTION: _____ SECOND: _____
ALL IN FAVOR _____ OPPOSED _____

Motion to close the Public Comment period:

MOTION: _____ SECOND: _____
ALL IN FAVOR _____ OPPOSED _____

8. **Presentation of Proclamation to Remy and Liam Frenkel to Recognize their Achievements at the International Geography Bee in Thailand.**
9. **Review of Business Agenda – Administrator**
10. **Review of Policy Action Items – Administrator**
11. **Reports of Township Committee Members**
12. **Report of Township Attorney**

BUSINESS MEETING PORTION

13. **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. **Minutes – for approval**

October 6, 2026 Regular Meeting

II. **Bill List Resolutions – for adoption**

#26-B17 Authorization of Vouchers and Payment of Bills

III. **Resolutions – for adoption**

- #26-161 Review of Best Practices Checklist
- #26-162 Renew Public Health Shared Services Agreement with Bergen County
- #26-163 Amending Resolution #26-05K To Increase the Maximum Contract Amount for Municipal Planning Services
- #26-164 Amending Resolution #26-73 to Increase the Maximum Contract Amount for Special Tax Appeal Defense Legal Services

IV. **Ordinances – for introduction**

NONE

**FORMAL ACTION MAY BE TAKEN DURING THIS MEETING
AGENDA SUBJECT TO CHANGE WITHOUT NOTICE**

V. Motions – for approval

- A. Approve request for Special Event by Temple Beth Rishon, 585 Russell Avenue, to hold their Holiday Boutique on Thursday, November 16th from 5:30 pm to 8:30 pm. This approval also includes the posting of a 3' x 6' temporary banner sign to promote the event for the ten day period leading up to November 16th.
- B. Approve request for Special Event by St. Nicholas Greek Orthodox Church, 467 Grandview Avenue, to hold a blood drive on Sunday, October 25th from 11:30 am to 3:30 pm. A Vitalint mobile unit will be onsite for the event.
- C. Approve request for Special Event by Miles of Courage Club at Ramapo High School/Supporting Tom Coughlin's Jay Fund for the posting of temporary lawn signs at various township locations. The fundraising event will be held at the Ridgewood Duck Pond park on Sunday, October 25th. The signs are approved for posting for the ten day period immediately prior to the event.
- D. Motion to approve the joint request of the Township of Wyckoff and the Wyckoff Community Foundation, Inc. to hold a commemorative monument unveiling and dedication on Saturday, November 7, 2026, at Memorial Town Hall, 340 Franklin Avenue, honoring the Wyckoff Centennial, America 250, and the 25th Anniversary of September 11, 2001. The event will include a dedication ceremony at 4:00 p.m., followed by a drone show celebrating America 250 at 4:45 p.m., with light refreshments. Approval includes closing the Town Hall complex to through traffic from 3:00 p.m. to 7:00 p.m., with traffic control provided by the Wyckoff Police Department.

Clerk: May I have a motion and a second to approve the consent agenda?

The Following vote is the vote on the Consent Agenda:

MOTION: _____ SECOND: _____
BOGDANSKY _____ BOONSTRA _____ MELCHIONNE _____
SCHAPPERT _____ LANE _____

**FORMAL ACTION MAY BE TAKEN DURING THIS MEETING
AGENDA SUBJECT TO CHANGE WITHOUT NOTICE**

14. Ordinances – for public hearing and further consideration/adoption

Mayor, we have three Ordinances on tonight's agenda for further consideration / adoption, the first of which is Ordinance #2098 which is

AN ORDINANCE OF THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING CHAPTER 186, "ZONING," OF THE CODE OF THE TOWNSHIP OF WYCKOFF BY REPEALING AND REPLACING EXISTING § 186-29, "FENCES, RETAINING WALLS AND FREESTANDING WALLS," WITH NEW §§ 186-29, 186-29.1, 186-29.2 AND 186-29.3; AMENDING ARTICLE II, § 186-6 TO ADD AND MODIFY CERTAIN DEFINITIONS; AND AMENDING ARTICLE V, § 186-22 TO ESTABLISH VISIBILITY OBSTRUCTION AREA REGULATIONS AND ENCROACHMENT REGULATIONS.

for second reading, by title only, and a copy of this Ordinance has been posted on our municipal website, on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the Township who have requested the same.

CHAIRPERSON: This is the time and place for the Public Hearing on Ordinance #2095, and all persons who wish to be heard, please state your name before making your comment. If you wish to make a comment, please step forward to the microphone.

COMMITTEE PERSON _____: I move that the Public Hearing on Ordinance #2098 be closed.

COMMITTEE PERSON _____: Seconded

ALL IN FAVOR _____ OPPOSED _____

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance #2098, after public hearing and further consideration is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance on the Township's website as provided by law.

COMMITTEE PERSON _____: I move Ordinance #2098 on second reading by title only.

COMMITTEE PERSON _____: Seconded.

ROLL CALL VOTE

BOGDANSKY _____ BOONSTRA _____ MELCHIONNE _____
SCHAPPERT _____ LANE _____

**FORMAL ACTION MAY BE TAKEN DURING THIS MEETING
AGENDA SUBJECT TO CHANGE WITHOUT NOTICE**

The second Ordinance on tonight's agenda for further consideration / adoption, which is Ordinance #2099 which is

AN ORDINANCE OF THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING CHAPTER 180, "VISUAL OBSTRUCTIONS," OF THE CODE OF THE TOWNSHIP OF WYCKOFF TO ESTABLISH CONSISTENT VISIBILITY OBSTRUCTION STANDARDS

for second reading, by title only, and a copy of this Ordinance has been posted on our municipal website, on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the Township who have requested the same.

CHAIRPERSON: This is the time and place for the Public Hearing on Ordinance #2099, and all persons who wish to be heard, please state your name before making your comment. If you wish to make a comment, please step forward to the microphone.

COMMITTEE PERSON _____: I move that the Public Hearing on Ordinance #2099 be closed.

COMMITTEE PERSON _____: Seconded

ALL IN FAVOR _____ OPPOSED _____

MUNICIPAL CLERK: *BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance #2099, after public hearing and further consideration is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance on the Township's website as provided by law.*

COMMITTEE PERSON _____: I move Ordinance #2099 on second reading by title only.

COMMITTEE PERSON _____: Seconded.

ROLL CALL VOTE

BOGDANSKY _____ BOONSTRA _____ MELCHIONNE _____
SCHAPPERT _____ LANE _____

The third Ordinance on tonight's agenda for further consideration / adoption, is Ordinance #2100 which is

AN ORDINANCE TO AMEND CHAPTER 113, FEES, OF THE CODE OF THE TOWNSHIP OF WYCKOFF TO ESTABLISH ZONING PERMIT FEES AND ENGINEERING REVIEW ESCROWS FOR FENCES, RETAINING WALLS, AND FREESTANDING WALLS AND TO CLARIFY CONSTRUCTION PERMIT FEES UNDER THE UNIFORM CONSTRUCTION CODE

**FORMAL ACTION MAY BE TAKEN DURING THIS MEETING
AGENDA SUBJECT TO CHANGE WITHOUT NOTICE**

for second reading, by title only, and a copy of this Ordinance has been posted on our municipal website, on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the Township who have requested the same.

CHAIRPERSON: This is the time and place for the Public Hearing on Ordinance #2100, and all persons who wish to be heard, please state your name before making your comment. If you wish to make a comment, please step forward to the microphone.

COMMITTEE PERSON _____: I move that the Public Hearing on Ordinance #2100 be closed.

COMMITTEE PERSON _____: Seconded

ALL IN FAVOR _____ OPPOSED _____

MUNICIPAL CLERK: *BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance #2100, after public hearing and further consideration is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance on the Township's website as provided by law.*

COMMITTEE PERSON _____: I move Ordinance #2100 on second reading by title only.

COMMITTEE PERSON _____: Seconded.

ROLL CALL VOTE

BOGDANSKY _____ BOONSTRA _____ MELCHIONNE _____
SCHAPPERT _____ LANE _____

(Items 15 & 16 will only be utilized if the business of the Township conducted at this meeting requires them to be utilized. They are added to the agenda as placeholders should their use be required.)

15. Motion to adopt resolution #26-C9 and enter a Closed Session Discussion.

MOTION: _____ SECOND: _____
BOGDANSKY _____ BOONSTRA _____ MELCHIONNE _____
SCHAPPERT _____ LANE _____

16. Motion to Exit the Closed Session Discussion and to re-enter the Open Session.

MOTION: _____ SECOND: _____
ALL IN FAVOR _____ OPPOSED _____

17. Adjourn

MOTION: _____ SECOND: _____
ALL IN FAVOR _____ OPPOSED _____

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #26-B17**

MEETING DATE: October 20, 2026

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

INTRODUCED:

SECONDED:

VOTE: BOGDANSKY ___ BOONSTRA ___ MELCHIONNE ___ SCHAPPERT ___ LANE ___

WHEREAS, the Township of Wyckoff is a municipality in the State of New Jersey operating under the authority from N.J.S.A. 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 as follows: Payroll A/C; Town Hall payroll checks #, Payroll Void Checks #, Direct Deposit Voucher #, Void Claims #, Library Payroll Checks #, Library Direct Deposit Vouchers #, Claims Wire #, Claims check #, AHDFT #, Accu-track #, and Trs. Dog Trust - \$0.00.

CERTIFICATION

I, NANCY A. BROWN, 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 OCTOBER 20, 2026.


NANCY A. BROWN, MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #26-162**

MEETING DATE: October 20, 2026

**REFERENCE: Renew Public Health Shared
Services Agreement with Bergen County**

INTRODUCED:

SECONDED:

VOTE:BOGDANSKY ___ BOONSTRA ___ MELCHIONNE ___ SCHAPPERT ___ LANE ___

WHEREAS, the Township of Wyckoff is required to provide public health services to its residents in accordance with applicable State laws and regulations; and

WHEREAS, the County of Bergen, through its Department of Health Services, provides public health services to municipalities pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, the Township of Wyckoff currently participates in a shared services arrangement with the County of Bergen for the provision of public health services, including Public Health Officer services, public health nursing oversight, health promotion and education, and Registered Environmental Health Specialist (REHS) services; and

WHEREAS, the County of Bergen has offered a four-year Shared Services Agreement for the period January 1, 2027 through December 31, 2030, establishing the following annual per-resident rates for Public Health Officer services, including public health nursing oversight and health promotion and education:

<u>Year</u>	<u>Rate Per Resident</u>
2027	\$2.00
2028	\$2.04
2029	\$2.07
2030	\$2.10

WHEREAS, the Agreement further establishes fees for Registered Environmental Health Specialist (REHS) services, including inspections, investigations, and related public health services, in accordance with the applicable fee schedule incorporated into the Agreement as Schedule B; and

WHEREAS, the Township of Wyckoff Board of Health has reviewed the proposed Shared Services Agreement and recommends that the Township Committee authorize its renewal with the County of Bergen for the four-year period commencing January 1, 2027 and ending December 31, 2030; and

WHEREAS, the Township Committee, upon the recommendation of the Board of Health, finds that continuing this shared services arrangement with the County of Bergen provides for the efficient and coordinated delivery of essential public health services to Township residents.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that:

1. The Township Committee hereby authorizes the renewal and execution of a four-year Public Health Shared Services Agreement with the County of Bergen for the period January 1, 2027 through December 31, 2030.
2. The Agreement shall provide for Public Health Officer services, public health nursing oversight, health promotion and education, and Registered Environmental Health Specialist (REHS) services at the rates established in Schedule B of the Agreement.
3. The Mayor and Municipal Clerk are hereby authorized to execute the Agreement and any related documents necessary to effectuate this resolution.
4. The expenditure of funds pursuant to this Agreement shall be subject to the availability and appropriation of funds in the applicable annual municipal budgets.

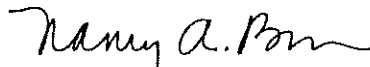
CERTIFICATE OF AVAILABLE FUNDS

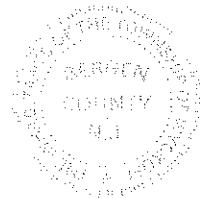
I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF IN ACCORDANCE WITH NJAC 5:30-5.5 (b) 2 CERTIFY THAT THIS CONTRACT AWARD WHICH WOULD TAKE PLACE ON JANUARY 1, 2027 IS SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED IN THE 2023 ANNUAL BUDGET (ACCOUNT #7-01-27-330-029) AND SUBSEQUENT ANNUAL BUDGETS AS REQUIRED. THE BUDGETARY ACCOUNTING ENCUMBRANCE PROCESS AS SET FORTH IN NJAC 5:30 (c) AND 5:30 – 5.4 (b) FOR EACH FISCAL YEAR SHALL TAKE THE PLACE OF AND BE USED INSTEAD OF WRITTEN CERTIFICATION OF AVAILABLE FUNDS AS SET FORTH IN NJAC 5:30-5.4(a).

DIANA Mc LEOD
CHIEF FINANCIAL OFFICER

CERTIFICATION

I, NANCY A. BROWN, 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 OCTOBER 20, 2026.


NANCY A. BROWN
MUNICIPAL CLERK



**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #26-161**

MEETING DATE: October 20, 2026

**REFERENCE: Review of Best
Practices Checklist**

INTRODUCED:

SECONDED:

VOTE:BOGDANSKY ___ BOONSTRA ___ MELCHIONNE ___ SCHAPPERT ___ LANE ___

WHEREAS, the State's Fiscal Year 2012 Appropriations Act or 2012 State Budget (P.L. 2011, c.85) requires the Division of Local Government Services to determine how much of each municipality's final 5% allocation of its CMPTRA and ETR reimbursement (referred to as State aid) will be disbursed based upon the results of a Best Practices Inventory to be completed by each municipality by October 30, 2026; and,

WHEREAS, the Best Practices Checklist was completed and submitted to the State before October 30, 2026 and was discussed at the Township Committee's October 20, 2026 Public Work Session Meeting; and,

WHEREAS, the Township Administrator and the Chief Financial Officer have certified the results of the checklist.

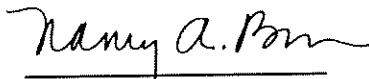
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they acknowledge the responses in the checklist, certified by the Township Administrator and the Chief Financial Officer, that were discussed and instruct the Municipal Clerk to certify and transmit to the Division of Local Government Services full completion of this requirement.

BE IT FURTHER RESOLVED that the public is advised that Consolidated Municipal Property Tax Relief Aid (CMPTRA) and Energy Tax Receipts (ETR) are not State aid, they are municipal taxes that were originally assessed and collected by the municipal government to fund municipal programs and services. The State took over their collection and never provided municipal governments with the full statutory distribution of ETR and CMTRA because the State retains for State use the revenue increases in those taxes. These State actions may help the State; however, they simply transfer the obligation to Wyckoff taxpayers to be funded through property taxes; and,

BE IT FURTHER RESOLVED that the Township of Wyckoff's response to the Best Practices Checklist requires the State of New Jersey to provide full funding of the remaining 5% payment.

CERTIFICATION

I, NANCY A. BROWN, 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 OCTOBER 20, 2026.



NANCY A. BROWN
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #26-163**

MEETING DATE: October 20, 2026

**REFERENCE: Amending Resolution #26-05K To
Increase the Maximum Contract Amount for
Municipal Planning Services**

INTRODUCED:

SECONDED:

VOTE: BOGDANSKY ___ BOONSTRA ___ MELCHIONNE ___ SCHAPPERT ___ LANE ___

WHEREAS, on January 1, 2026, the Township Committee adopted Resolution #26-05K, awarding a professional services contract for Municipal Planning services to Neglia Group for calendar year 2026, with a maximum contract amount not to exceed \$10,000 without further consent of the Township Committee; and

WHEREAS, additional Municipal Planning services are anticipated to be necessary during the remainder of calendar year 2026; and

WHEREAS, the Township Committee desires to increase the maximum authorized expenditure under said contract from \$10,000 to \$40,000, representing an increase of \$30,000, without changing the previously approved hourly rates or other terms and conditions of the contract; and

WHEREAS, the availability of funds shall be certified at the time of a properly executed purchase order as services are ordered pursuant to N.J.A.C. 5:30-5.5(b).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that:

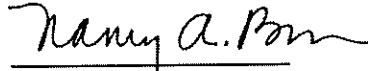
1. Resolution #26-05K, adopted January 1, 2026, is hereby amended to increase the maximum authorized expenditure for Municipal Planning services from \$10,000 to \$40,000 for calendar year 2026.
2. The total expenditure under said contract shall not exceed \$40,000 without further authorization of the Township Committee.
3. All other terms and conditions of Resolution #26-05K shall remain unchanged and in full force and effect.
4. The Mayor and Municipal Clerk are hereby authorized to execute any documents necessary to effectuate this amendment.

CERTIFICATE OF AVAILABLE FUNDS

NO CERTIFICATION OF FUNDS IS REQUIRED AT THIS TIME. THE CERTIFICATION OF THE AVAILABILITY OF FUNDS SHALL BE MADE AT THE TIME OF A PROPERLY EXECUTED PURCHASE ORDER AS SERVICES ARE ORDERED PURSUANT TO N.J.A.C. 5:30-5.5(b).

CERTIFICATION

I, NANCY A. BROWN, 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 OCTOBER 20, 2026.


NANCY A. BROWN
MUNICIPAL CLERK



**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #26-164**

MEETING DATE: October 20, 2026

**REFERENCE: Amending Resolution #26-73 to
Increase the Maximum Contract Amount for
Special Tax Appeal Defense Legal Services**

INTRODUCED:

SECONDED:

VOTE: BOGDANSKY ___ BOONSTRA ___ MELCHIONNE ___ SCHAPPERT ___ LANE ___

WHEREAS, on February 17, 2026, the Township Committee adopted Resolution #26-73, awarding a professional services contract to Lasser Hochman, LLC, 75 Eisenhower Parkway, Suite 120, Roseland, New Jersey 07068, for legal services in connection with the prosecution and defense of real property tax appeals, with a maximum contract amount not to exceed \$50,000; and

WHEREAS, additional legal services are anticipated to be necessary during the remainder of calendar year 2026 in connection with ongoing real property tax appeals; and

WHEREAS, the Township Committee desires to increase the maximum authorized expenditure under said contract from \$50,000 to \$80,000, representing an increase of \$30,000, without changing the previously approved hourly rate or other terms and conditions of the contract; and

WHEREAS, the availability of funds shall be certified at the time of a properly executed purchase order as services are ordered pursuant to N.J.A.C. 5:30-5.5(b).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that:

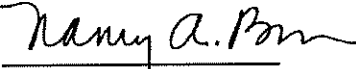
1. Resolution #26-73, adopted February 17, 2026, is hereby amended to increase the maximum authorized expenditure for Special Tax Appeal Defense Legal Services provided by Lasser Hochman, LLC, from \$50,000 to \$80,000 for calendar year 2026.
2. The total expenditure under said contract shall not exceed \$80,000 without further authorization of the Township Committee.
3. All other terms and conditions of Resolution #26-73, including the previously approved hourly rate of \$185, shall remain unchanged and in full force and effect.
4. The Township Administrator and Municipal Clerk are hereby authorized to execute any documents necessary to effectuate this amendment.

CERTIFICATE OF AVAILABLE FUNDS

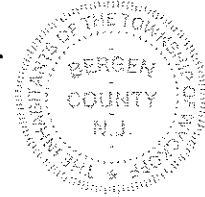
NO CERTIFICATION OF FUNDS IS REQUIRED AT THIS TIME. THE CERTIFICATION OF THE AVAILABILITY OF FUNDS SHALL BE MADE AT THE TIME OF A PROPERLY EXECUTED PURCHASE ORDER AS SERVICES ARE ORDERED PURSUANT TO N.J.A.C. 5:30-5.5(b).

CERTIFICATION

I, NANCY A. BROWN, 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 OCTOBER 20, 2026.



NANCY A. BROWN
MUNICIPAL CLERK



**TOWNSHIP OF WYCKOFF
340 FRANKLIN AVENUE
WYCKOFF, NEW JERSEY 07481**

ORDINANCE #2098

AN ORDINANCE OF THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING CHAPTER 186, "ZONING," OF THE CODE OF THE TOWNSHIP OF WYCKOFF BY REPEALING AND REPLACING EXISTING § 186-29, "FENCES, RETAINING WALLS AND FREESTANDING WALLS," WITH NEW §§ 186-29, 186-29.1, 186-29.2 AND 186-29.3; AMENDING ARTICLE II, § 186-6 TO ADD AND MODIFY CERTAIN DEFINITIONS; AND AMENDING ARTICLE V, § 186-22 TO ESTABLISH VISIBILITY OBSTRUCTION AREA REGULATIONS AND ENCROACHMENT REGULATIONS.

WHEREAS, the Township Committee of the Township of Wyckoff is authorized to adopt and amend zoning regulations pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; and

WHEREAS, the Township Committee has reviewed the existing regulations governing fences, retaining walls, and freestanding walls contained in Chapter 186 of the Code of the Township of Wyckoff and has determined that such regulations have evolved through numerous amendments over many years and would benefit from reorganization, clarification, modernization, and improved administration; and

WHEREAS, the Township Committee finds that separating the regulations governing fences, retaining walls, and freestanding walls into distinct sections will improve the readability, organization, consistency, interpretation, administration, and enforcement of the Township's zoning regulations for the benefit of property owners, applicants, design professionals, Township staff, and the Township's land use boards; and

WHEREAS, the Township Committee further finds that the establishment of objective and predictable development standards will promote the consistent application of the Township's zoning regulations, reduce the need for unnecessary variance applications, and provide greater certainty to property owners while preserving the established character of the Township's residential neighborhoods; and

WHEREAS, the Township Committee further finds that revised regulations governing fences on corner lots will provide reasonable privacy for residential properties while preserving neighborhood character, maintaining attractive streetscapes, protecting public safety, and ensuring adequate visibility at street intersections; and

WHEREAS, the Township Committee further finds that establishing a minimum setback for fences located within front yards abutting public streets will reduce the likelihood of damage resulting from municipal snow removal operations, facilitate the safe maintenance of public streets, and lessen conflicts between private improvements and routine public works activities; and

WHEREAS, the Township Committee further finds that establishing a uniform Visibility Obstruction Area applicable throughout Chapter 186 will create a consistent Township-wide standard governing fences, retaining walls, freestanding walls, landscaping, vegetation, berms, signs, structures, and other improvements that may obstruct visibility, thereby promoting safe and efficient travel by motorists, pedestrians, and bicyclists and improving the administration and enforcement of the Township's zoning regulations; and

WHEREAS, the Township Committee further finds that certain provisions of the existing ordinance should be revised to conform to the Municipal Land Use Law, including provisions governing the jurisdiction of applications requiring variance relief; and

WHEREAS, the Township Committee further finds that the amendments set forth herein advance the purposes of zoning by promoting the public health, safety, morals, and general welfare; encouraging appropriate and coordinated land development; promoting a desirable visual environment through good civic design; protecting the character and stability of established residential neighborhoods; and providing clear, objective, and uniformly administered development standards; and

WHEREAS, it is the intent of the Township Committee through the adoption of this ordinance to reorganize and modernize the Township's regulations governing fences, retaining walls, freestanding walls, and visibility obstructions by establishing clear, objective, and predictable standards that protect the public health, safety, and welfare, preserve neighborhood character, reduce unnecessary variance applications, and promote the fair, efficient, and consistent administration of Chapter 186.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, as follows:

SECTION 1. Section 186-6, Definitions, of Article II, Chapter 186, Zoning, of the Code of the Township of Wyckoff is hereby amended by adding the following definitions in their appropriate alphabetical order:

FREESTANDING WALL.

A continuous masonry wall, other than a retaining wall, that is not designed or constructed to retain soil or other earth materials and is intended primarily as an architectural feature, screen, enclosure, or boundary wall.

NORMAL GRADE.

The existing natural or established grade of the property, excluding any fill, berming, mounding, excavation, retaining wall, or other artificial alteration undertaken for the purpose of increasing the permitted height of a fence, retaining wall, freestanding wall, or other regulated improvement.

RETAINING WALL.

A wall or other structure designed or constructed primarily to retain or support soil or other earth materials having a finished grade elevation on one side that is higher than the finished grade elevation on the opposite side.

VISIBILITY OBSTRUCTION AREA.

An area established along public streets and at the intersection of two (2) public streets for the purpose of preserving adequate sight distance for motorists, pedestrians, and other users of the public right-of-way.

Along a public street, the Visibility Obstruction Area shall include the area extending ten (10) feet perpendicular from the edge of pavement along the street frontage.

At the intersection of two (2) public streets, the Visibility Obstruction Area shall additionally include the area established by measuring twenty-five (25) feet from the theoretical point of intersection of the projected curb lines, determined by extending the curb line of each intersecting street in a straight line until such lines intersect, or ten (10) feet from the point of curvature of the curb, whichever results in the larger Visibility Obstruction Area. Where no curb exists, the edge of pavement shall be used in place of the curb.

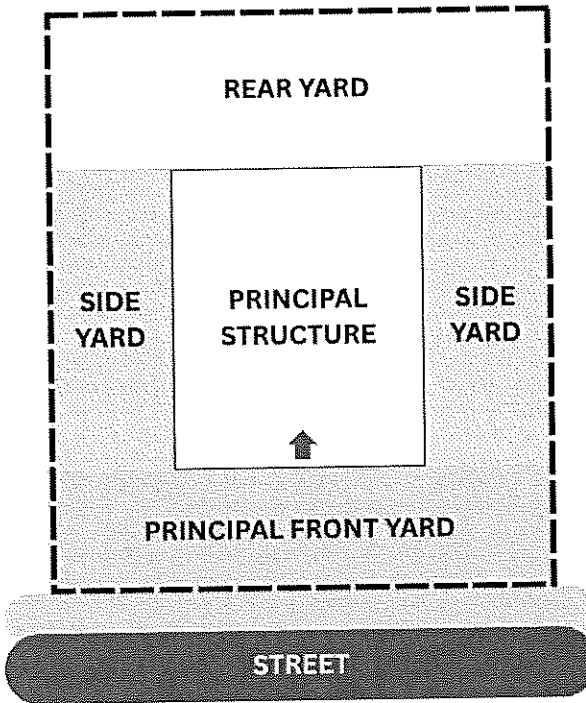
YARD, PRINCIPAL FRONT

On a lot having frontage on more than one public street, the front yard adjoining the street along which the lot has the narrowest frontage. Where the lot has equal frontage along two or more public streets, the Principal Front Yard shall be the front yard adjoining the street toward which the front door of the principal structure faces. For a vacant lot, or where the foregoing criteria do not establish a Principal Front Yard, the Principal Front Yard shall be determined by the Zoning Officer based upon the orientation of the lot and the prevailing development pattern of the surrounding properties.

YARD, SECONDARY FRONT

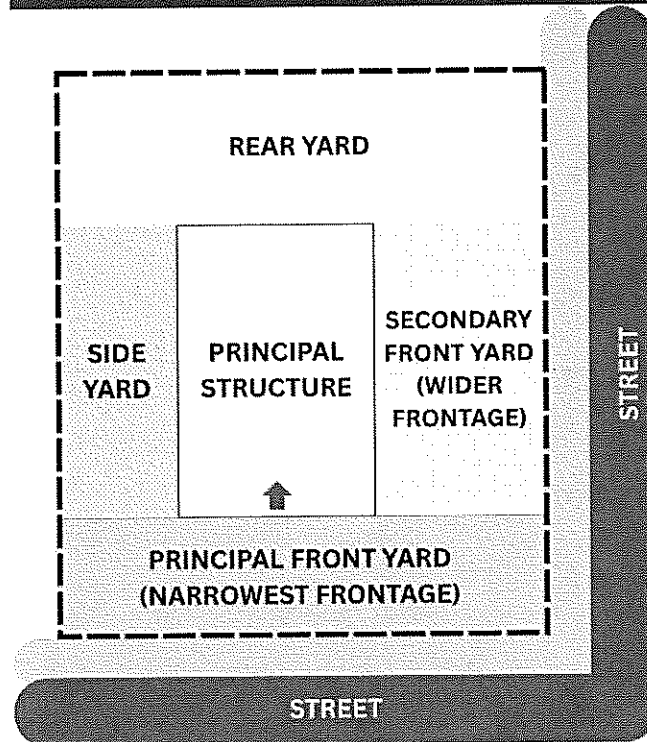
On a lot having frontage on more than one public street, every front yard adjoining a public street other than the Principal Front Yard.

**INTERIOR LOT
(ONE FRONT YARD)**



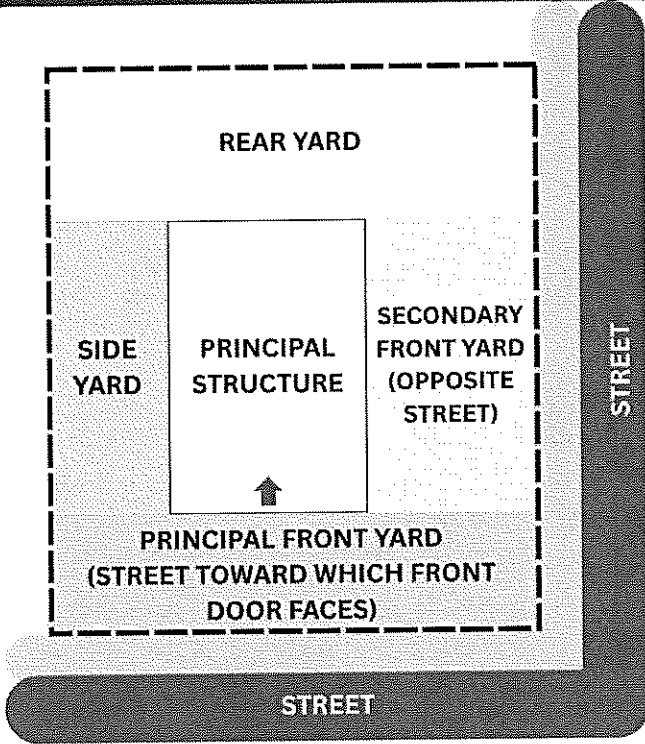
DRAWING NOT TO SCALE

**CORNER LOT
DIFFERENT FRONTAGES
(TWO FRONT YARDS - DIFFERENT LENGTHS)**

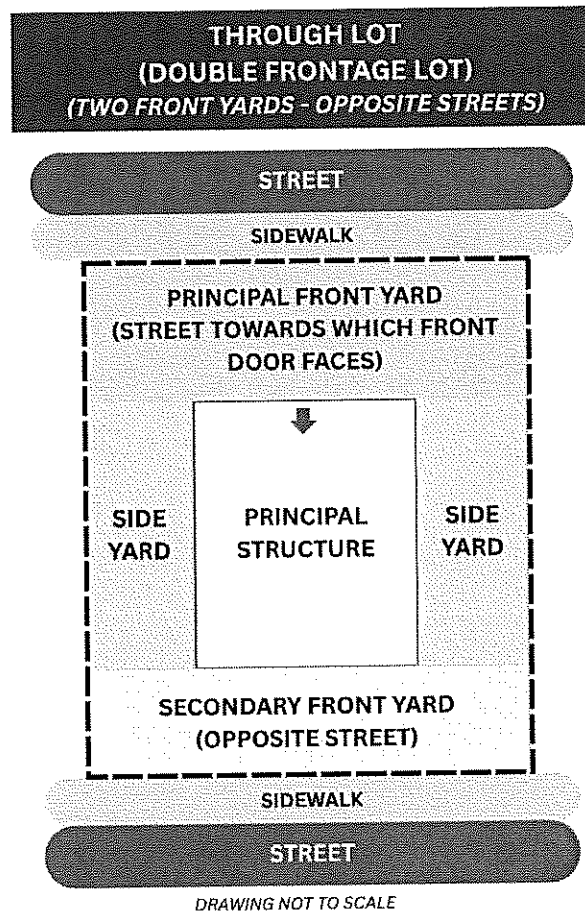


DRAWING NOT TO SCALE

**CORNER LOT
EQUAL FRONTAGES
(TWO FRONT YARDS - EQUAL LENGTHS)**



DRAWING NOT TO SCALE



SECTION 2. The definition of "Front Yard" contained in § 186-6, Definitions, of Article II, Chapter 186, Zoning, of the Code of the Township of Wyckoff is hereby amended by adding the following paragraph at the conclusion thereof:

On a corner lot or any other lot having frontage on more than one public street, each yard adjoining a public street shall constitute a front yard. Such front yards shall be further classified as the Principal Front Yard or a Secondary Front Yard, as defined in § 186-6.

SECTION 3. Section 186-22, General Regulations, of Article V, Chapter 186, Zoning, of the Code of the Township of Wyckoff is hereby amended by adding a new Subsections Y and Z to read as follows:

Y. Visibility Obstruction Areas.

1. The Visibility Obstruction Area, as defined in § 186-6, is hereby established and shall apply along all public street frontages and at every intersection of two (2) public streets.

2. Except where a greater restriction or prohibition is imposed elsewhere in this chapter, within the Visibility Obstruction Area, no retaining wall, freestanding wall, hedge, berm, sign, landscaping, structure, or any other natural or man-made object or improvement exceeding thirty (30) inches in height, measured vertically above the elevation of the nearest edge of pavement, shall be erected, placed, planted, maintained, or permitted to remain. Fences shall not be permitted within a Visibility Obstruction Area where prohibited pursuant to § 186-29.1.

3. The limitations of this subsection shall not apply to:

a. Existing tree trunks, provided that all branches and foliage are maintained at a minimum height of fourteen (14) feet above the elevation of the adjacent roadway and do not otherwise obstruct visibility.

b. Official traffic control devices, street name signs, utility poles, streetlights, fire hydrants, mailboxes, or other public improvements installed or authorized by a governmental entity or public utility.

4. Where unusual roadway geometry, grades, curvature, traffic volumes, intersection configuration, or other site-specific conditions result in inadequate sight distance, the Township Engineer may require a larger Visibility Obstruction Area based upon accepted traffic engineering principles. Any such determination shall be made in writing and shall set forth the engineering basis supporting the required enlargement.

Z. Encroachments into Township Property, Easements and Rights-of-Way.

1. No private structure, improvement, object, use, occupancy, or other encroachment of any kind shall be erected, constructed, installed, placed, established, or maintained within the right-of-way of any road or street under the jurisdiction or control of the Township of Wyckoff, within any easement held by or under the jurisdiction or control of the Township, or upon any other property owned by or under the jurisdiction or control of the Township, without the favorable recommendation of the Township Engineer and the Superintendent of the Department of Public Works, authorization by resolution of the Township Committee, and execution of an encroachment agreement in a form approved by the Township Attorney.

2. The encroachment agreement shall be recorded against the subject property in the Office of the Bergen County Clerk, at the sole cost and expense of the property owner, prior to the issuance of any zoning permit or the erection, construction, installation, placement, establishment, or commencement of the encroachment.

3. Nothing contained herein shall be construed to authorize an encroachment into the right-of-way of any road or street, easement, or other property under the jurisdiction or control of the County of Bergen, State of New Jersey, another governmental entity, public utility, or other third party. Any such encroachment

shall require authorization from the entity or party having jurisdiction or control thereof.

SECTION 4. Section 186-29, entitled "Fences, Retaining Walls and Freestanding Walls," of Article V, Chapter 186, Zoning, of the Code of the Township of Wyckoff is hereby repealed in its entirety and replaced with a new § 186-29 entitled "Fences, Retaining Walls and Freestanding Walls. General Regulations." to read as follows:

§ 186-29. Fences, Retaining Walls and Freestanding Walls. General Regulations.

- A. Purpose. The purpose of this section is to establish reasonable regulations governing the location, height, design, construction, and maintenance of fences, retaining walls, and freestanding walls in order to protect the public health, safety, morals, and general welfare; promote attractive streetscapes and preserve the residential character of the Township; minimize adverse impacts upon adjoining properties and public rights-of-way; provide reasonable privacy and security for property owners; encourage quality design, construction, and maintenance; and promote the orderly development and use of property consistent with the purposes of this chapter.
- B. Applicability. The provisions of this section and §§ 186-29.1 through 186-29.3 shall apply to the erection, construction, reconstruction, enlargement, alteration, relocation, and replacement of all fences, retaining walls, and freestanding walls within the Township of Wyckoff, except as otherwise expressly provided herein or by the Uniform Construction Code.

For purposes of this section, repairs involving more than twenty-five percent (25%) of the length of any individual side of a lot perimeter, measured by the cumulative linear footage of fence, retaining wall, or freestanding wall repaired or replaced along that side, shall constitute a replacement and shall not qualify as ordinary maintenance. The twenty-five percent (25%) threshold shall be calculated separately for each side of the lot perimeter. Such work shall require a zoning permit and compliance with the applicable provisions of this chapter. Repairs undertaken in separate phases within any consecutive twelve (12) month period shall be aggregated for purposes of determining whether the threshold has been exceeded.

Where the provisions of this section conflict with any other provision of this chapter, the more restrictive provision shall govern.

C. Permit Requirements.

1. A zoning permit shall be obtained prior to the erection, construction, reconstruction, enlargement, relocation, replacement, or substantial alteration of any fence, retaining wall, or freestanding wall.

2. Ordinary maintenance and repairs, including the replacement of individual boards, pickets, rails, posts, panels, caps, gates, or other similar components using substantially similar materials, that do not alter the location, height, dimensions, design, or structural integrity of an existing fence, retaining wall, or freestanding wall shall not require a zoning permit. Notwithstanding the foregoing, repairs exceeding the twenty-five percent (25%) threshold established in Subsection B shall constitute a replacement and shall require a zoning permit.
3. Nothing herein shall relieve an applicant from obtaining any permit required by the Uniform Construction Code or any other applicable federal, state, county, or municipal law, regulation, approval, or permit.
4. Every application for a zoning permit under this section shall be accompanied by a property survey accurately depicting the existing conditions of the subject property, including, but not limited to, property boundaries, easements, rights-of-way, existing buildings and structures, driveways, fences, retaining walls, freestanding walls, swimming pools, patios, sidewalks, utilities, and other improvements relevant to the proposed work. For any application involving a fence, the applicant shall also submit a manufacturer's specification sheet, product information sheet, photograph, drawing, or other documentation sufficient to identify the proposed fence material, style, height, dimensions, and design. The Zoning Officer may waive the survey requirement where the proposed work consists solely of the replacement of an existing fence in substantially the same location, provided that the proposed replacement complies with the applicable requirements of this chapter and no property line, setback, easement, or right-of-way determination is required.
5. The survey submitted with the application need not have been recently prepared; however, it shall accurately depict the existing conditions of the property at the time of application and be drawn to an engineer's or surveyor's scale. Where the Zoning Officer reasonably determines that the submitted survey no longer accurately depicts existing conditions due to subsequent improvements, additions, demolition, changes in grade, subdivision, lot line adjustments, easements, or other material changes to the property, the applicant shall submit an updated survey prepared and sealed by a New Jersey licensed professional land surveyor.
6. The Township shall not be responsible for determining, locating, verifying, or certifying property boundaries, nor for resolving boundary disputes between adjoining property owners. Where the location of a property line is uncertain, disputed, or cannot be reasonably verified from the submitted survey, the Zoning Officer may require the applicant, at the applicant's sole expense, to have the affected property corners or boundary monuments set, reset, or re-established by a New Jersey licensed professional land surveyor prior to the issuance of a zoning permit or the commencement of construction.

7. Submission of a survey or other application document that materially misrepresents or fails to accurately depict the existing conditions of the property shall constitute sufficient grounds for the denial or revocation of a zoning permit issued in reliance upon such information.
8. Every application shall include a plan, drawn to scale upon the submitted survey, depicting the proposed location, height, length, material, style, and design of the proposed fence, retaining wall, or freestanding wall, together with all dimensions and setbacks necessary to demonstrate compliance with this chapter.
9. Where landscaping or screening is required by this chapter, the application shall include a landscaping plan identifying, at a minimum, the quantity, species, type, location, initial planting height, and spacing of all proposed plantings, including any existing landscaping proposed to satisfy the screening requirements. The plan shall depict the proposed planting areas in relation to the fence or wall, property lines, public rights-of-way, and any applicable Visibility Obstruction Area.

For residential applications, the landscaping plan may consist of a legible sketch prepared by the applicant, including annotations on the submitted survey, and shall not require preparation by a licensed landscape architect or professional engineer solely for purposes of this subsection.

10. An application shall not be deemed complete until all information required by this section has been submitted.
11. Unless otherwise provided by this chapter, a zoning permit issued pursuant to this section shall expire twelve (12) months from the date of issuance if the authorized work has not commenced and diligently pursued to completion.

D. General Standards.

1. All fences, retaining walls, and freestanding walls shall be maintained in a safe, structurally sound, upright, and well-maintained condition.
2. No fence, retaining wall, or freestanding wall shall encroach into a public street or road right-of-way, easement, or other public property except as authorized by the governmental entity or other party having jurisdiction or control thereof. Encroachments into Township rights-of-way, easements, or other Township property shall comply with § 186-22Z.
3. Except as otherwise permitted for existing nonconforming improvements under this chapter, no fence, retaining wall, or freestanding wall shall be erected, constructed, reconstructed, replaced, or maintained in violation of any applicable provision of this chapter, including the Visibility Obstruction Area requirements of § 186-22Y. Nothing herein shall prohibit ordinary maintenance and repairs permitted pursuant to Subsection C(2).

4. Upon completion of the work authorized by a zoning permit issued pursuant to this section, the Zoning Officer or other authorized Township official may conduct a visual inspection of the completed improvement for the sole purpose of determining general compliance with the approved zoning permit and the applicable provisions of this chapter. Such inspection shall not constitute or be construed as a determination, certification, or verification of property boundaries, lot lines, survey accuracy, exact setback compliance, structural integrity, construction quality, engineering compliance, or compliance with the Uniform Construction Code.
5. Any fence, retaining wall, or freestanding wall erected or maintained in violation of this chapter shall constitute a zoning violation and shall be subject to the enforcement provisions of this chapter.

E. Variances.

Any application requiring variance relief from the provisions of this section or §§ 186-29.1 through 186-29.3 shall be heard by the municipal land use board having jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

SECTION 5. The replacement of § 186-29 shall include the addition of a new § 186-29.1, entitled "Fences," to read as follows:

§ 186-29.1. Fences.

A. Residential Zones.

1. Location and Setback Requirements.

- a. Fences shall be permitted within the Principal Front Yard, Secondary Front Yard, side yard, and rear yard, subject to the requirements of this section.
- b. Except as otherwise provided herein, fences may abut property lines without a minimum setback.
- c. No fence shall encroach into a public street or road right-of-way except as authorized by the governmental entity having jurisdiction or control thereof. An encroachment into the right-of-way of a Township street or road may be permitted only in accordance with § 186-22Z.
- d. No fence shall be erected within an easement where prohibited by the easement holder or where such fence would interfere with the intended purpose of the easement. Where an easement is held by or under the jurisdiction or control of the Township of Wyckoff, an encroachment may be permitted only in accordance with § 186-22Z.

- e. Any fence located within a front yard abutting a public street shall be located not less than ten (10) feet from the edge of pavement, and in no event less than one (1) foot behind the street right-of-way, whichever distance is greater, and shall not be located within a Visibility Obstruction Area.
- f. Fences located within a Secondary Front Yard shall additionally comply with the requirements of Subsection A(3).

2. Maximum Height.

- a. Principal Front Yard: Four (4) feet.
- b. Secondary Front Yard: Four (4) feet, except that fences not exceeding six (6) feet in height may be permitted in accordance with Subsection A(3).
- c. Side Yard: Six (6) feet.
- d. Rear Yard: Six (6) feet.
- e. The height of a fence shall be measured vertically from the normal grade directly below the point being measured to the top of the fence panel or fencing material at the point being measured, excluding posts, post caps, finials, and other decorative post appurtenances. Fence posts, including all caps, finials, and decorative appurtenances, shall not extend more than six (6) inches above the top of the adjoining fence panel or fencing material.
- f. For fences located on sloping ground, the height shall be measured vertically from the normal grade directly below each point being measured to the top of the fence panel or fencing material at that location. The maximum permitted height shall not be exceeded at any point along the fence.
- g. No berm, mound, fill, raised earthen embankment, or other artificial elevation of the ground shall be constructed or installed for the purpose of increasing the effective height of a fence or circumventing the maximum fence height requirements of this section. Where the grade has been artificially elevated for such purpose, fence height shall be measured from the pre-existing grade prior to such alteration. Nothing herein shall prohibit the installation of a fence upon an existing natural slope or established grade, provided that the fence otherwise complies with the requirements of this chapter.

3. Secondary Front Yard Regulations.

- a. Fences not exceeding four (4) feet in height and having not less than fifty percent (50%) openness shall be permitted without landscape screening.
- b. Solid or privacy fences not exceeding four (4) feet in height shall be permitted, provided that landscape screening is installed and maintained in accordance with Subsection A(3)(d).

- c. Solid or privacy fences exceeding four (4) feet but not exceeding six (6) feet in height shall be permitted, provided that landscape screening is installed and maintained in accordance with Subsection A(3)(d).
 - d. Where landscape screening is required pursuant to this subsection, the landscape buffer shall comply with the following requirements:
 - i. The landscape buffer shall be located entirely upon the subject property, between the fence and the adjoining public street right-of-way, and shall not encroach into any public street right-of-way or Visibility Obstruction Area.
 - ii. The landscape buffer shall have a minimum planting bed width of three (3) feet. The fence shall be located sufficiently behind the applicable setback line to accommodate the required planting bed entirely upon the subject property and outside the Visibility Obstruction Area.
 - iii. The landscape buffer shall consist of suitable year-round vegetative screening, including evergreen shrubs, hedges, or similar plantings capable of providing a substantially continuous visual screen throughout the year.
 - iv. Plantings shall have an initial height of not less than one-half ($\frac{1}{2}$) the height of the fence.
 - v. Plantings shall be installed at sufficient spacing and density to substantially screen the fence from the adjoining public roadway within two (2) growing seasons.
 - vi. All required landscape plantings shall be guaranteed by the property owner for a period of two (2) years from the date of installation. Any required planting that dies, is removed, or fails to remain in a healthy and viable condition during the guarantee period shall be replaced by the property owner with a planting meeting the requirements of this subsection.
 - vii. Required landscaping shall be permanently maintained in a healthy and viable condition and shall be replaced as necessary to preserve the required screening.
 - viii. All required landscape screening shall be located entirely outside the Visibility Obstruction Area.
4. Materials and Construction.
- a. Where a fence has a finished side, the finished side shall face adjoining properties and any adjoining public or private streets.
 - b. Except for solid or privacy fences expressly permitted within a Secondary Front Yard pursuant to Subsection A(3), all fences located within any front

yard shall be not less than fifty percent (50%) open and shall not exceed six (6) inches in thickness. The percentage of openness shall be determined by the ratio of unobstructed openings to the total area of the fence section, measured in elevation.

- c. Split rail fences incorporating chicken wire, mesh wire, chain-link fabric, or similar materials, and chain-link fences shall not be permitted within any Front Yard.
 - d. Fences shall not be electrified or contain razor wire, concertina wire, barbed wire, broken glass, spikes, or other hazardous projections.
 - e. Fences shall be constructed of durable materials intended for permanent exterior use and shall be maintained in good repair.
 - f. Fence-mounted lighting shall be fully shielded and directed solely onto the subject property. No fence-mounted lighting shall project light onto adjoining properties or public rights-of-way.
5. Gates.
- a. Gates shall comply with the height requirements applicable to the fence they serve.
 - b. Gates shall not swing into or across a public street right-of-way or sidewalk.
6. Front Yard Landscape Screening. Landscape screening shall be required for solid or privacy fences permitted within a Secondary Front Yard pursuant to Subsection A(3). Fences not exceeding four (4) feet in height and having not less than fifty percent (50%) openness shall not require landscape screening. All required landscaping shall comply with Subsection A(3)(d) and shall be located entirely outside the public street right-of-way and any Visibility Obstruction Area. Existing landscaping may satisfy this requirement where the Zoning Officer determines that it meets the applicable screening standards.

B. Business Zones.

Except as modified by this subsection, all provisions governing fences in Residential Zones shall apply within all Business Zones.

- 1. Solid fences shall not be permitted within any Front Yard unless specifically approved by the municipal land use board having jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., as part of a site plan approval for the purpose of screening adjoining land uses, parking areas, loading areas, refuse enclosures, mechanical equipment, outdoor storage areas, or other similar site features.
- 2. Where a property is subject to an existing site plan approval, the installation of a new fence not previously approved by the municipal land use board having jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., or the material relocation, expansion, increase in height, or substantial change

in the design or material of an existing fence, shall require review by the municipal land use board having jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. in accordance with the Township's land development regulations governing amendments to previously approved site plans. The direct replacement of an existing lawful and code-compliant fence in substantially the same location, height, design, and material shall not require additional review by the municipal land use board having jurisdiction.

C. Industrial Zones.

Except as modified by this subsection, all provisions governing fences in Residential Zones shall apply within the L-1 Light Industrial Zone and L-2 Heavy Industrial Zone.

1. Fences located within any Front Yard shall not exceed six (6) feet in height, shall be not less than fifty percent (50%) open, and shall otherwise comply with the requirements applicable to Principal Front Yard fences in Residential Zones, except for the maximum height limitation.
2. A solid or open fence not exceeding eight (8) feet in height shall be permitted within side yards and rear yards.
3. Where a property is subject to an existing site plan approval, the installation of a new fence not previously approved by the municipal land use board having jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., or the material relocation, expansion, increase in height, or substantial change in the design or material of an existing fence, shall require review by the municipal land use board having jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. in accordance with the Township's land development regulations governing amendments to previously approved site plans. The direct replacement of an existing lawful and code-compliant fence in substantially the same location, height, design, and material shall not require additional review by the municipal land use board having jurisdiction.

SECTION 6. The replacement of § 186-29 shall include the addition of a new § 186-29.2, entitled "Retaining Walls," to read as follows:

§ 186-29.2 Retaining Walls.

The provisions of this section shall apply to all retaining walls within the Township unless otherwise specifically provided by this chapter.

A. Location.

Retaining walls shall be permitted within the Principal Front Yard, Secondary Front Yard, side yard, and rear yard, subject to the requirements of this section and all other applicable provisions of this chapter.

B. Location and Setbacks.

1. Retaining walls may abut the front property line without a minimum setback.

2. No retaining wall shall encroach into a public street or road right-of-way except as authorized by the governmental entity having jurisdiction or control thereof. An encroachment into the right-of-way of a Township street or road may be permitted only in accordance with § 186-22Z.
3. The exposed face of a retaining wall shall be set back from any side or rear property line a horizontal distance of not less than one (1) foot for each one (1) foot of retaining wall height. The required setback shall be measured horizontally from the exposed face of the retaining wall to the nearest point of the applicable property line.
4. In the case of multiple retaining walls, the exposed face of each retaining wall shall be set back from the exposed face of every other retaining wall a horizontal distance of not less than one (1) foot for each one (1) foot of the height of the higher retaining wall.
5. Where retaining walls vary in height, the required setback shall be based upon the height of the wall at the corresponding point of measurement.

C. Height and Measurement.

1. No individual retaining wall shall exceed four (4) feet in height.
2. Multiple retaining walls shall not exceed a combined height of twelve (12) feet within any horizontal distance of twenty (20) feet.
3. The height of a retaining wall shall be measured vertically from the normal grade directly below the point being measured to the highest point of the retaining wall.
4. For retaining walls located on sloping ground, the height shall be measured from the normal grade directly below the point being measured.

D. Fences and Guardrails.

1. For purposes of determining compliance with the maximum permitted retaining wall height, the height of any fence, guardrail, or other barrier located at the top of a retaining wall shall be included in the height of the retaining wall unless separated from the face of the retaining wall by a horizontal distance of not less than one (1) foot for each one (1) foot of the height of the fence, guardrail, barrier, or retaining wall, whichever distance is greater.
2. Guardrails or other protective barriers shall be installed where required by the Uniform Construction Code.

E. Design and Construction.

1. Retaining walls having an exposed height exceeding two (2) feet, retaining walls supporting a surcharge, or retaining walls otherwise required to be

designed by a New Jersey licensed professional engineer pursuant to the Uniform Construction Code shall be designed, signed, and sealed by a New Jersey licensed professional engineer.

2. The exposed face of any retaining wall visible from a public street or adjoining property shall consist of natural stone, cultured stone, brick, textured architectural concrete masonry units, split-face concrete masonry units, or another masonry material determined by the Township Engineer and the Zoning Officer to be substantially similar in appearance, durability, and quality. Stucco, plastered finishes, exposed unfinished poured concrete, smooth-faced concrete block, cinder block, and similar unfinished or nonmasonry exterior finishes shall be prohibited as the exposed finished surface.
3. Retaining walls shall be constructed in accordance with accepted engineering practices and all applicable provisions of the Uniform Construction Code.

F. Engineering Review.

1. Retaining wall applications that require plans prepared pursuant to Subsection E(1) shall require review by the Township Engineer, including review of the structural design, stability, grading, and drainage associated with the proposed retaining wall.
2. The Township Engineer may review the plans for compliance with the provisions of this chapter, grading, drainage, stability, and other engineering matters reasonably related to the proposed retaining wall.
3. The applicant shall be responsible for the payment of any engineering review escrow required pursuant to Chapter 113 of the Code of the Township of Wyckoff.

SECTION 7. The replacement of § 186-29 shall include the addition of a new § 186-29.3, entitled "Freestanding Walls," to read as follows:

§ 186-29.3 Freestanding Walls.

The provisions of this section shall apply to all freestanding walls within the Township unless otherwise specifically provided by this chapter.

A. Location.

Freestanding walls shall be permitted within the Principal Front Yard, Secondary Front Yard, side yard, and rear yard, subject to the requirements of this section and all other applicable provisions of this chapter.

B. Location and Setbacks.

1. The exposed face of a freestanding wall shall be set back from any side or rear property line a horizontal distance of not less than one (1) foot for each

one (1) foot of wall height. The required setback shall be measured horizontally from the exposed face of the freestanding wall to the nearest point of the applicable property line. Where a freestanding wall varies in height, the required setback shall be based upon the height of the wall at the corresponding point of measurement.

2. No freestanding wall shall encroach into a public street or road right-of-way except as authorized by the governmental entity having jurisdiction or control thereof. An encroachment into the right-of-way of a Township street or road may be permitted only in accordance with § 186-22Z.
3. Freestanding walls shall comply with all applicable Visibility Obstruction Area requirements established elsewhere in this chapter.

C. Height and Measurement.

1. Freestanding walls located within any Front Yard shall not exceed twenty-four (24) inches in height.
2. Freestanding walls located within a side yard, or rear yard shall not exceed four (4) feet in height.
3. The height of a freestanding wall shall be measured vertically from the normal grade directly below the point being measured to the highest point of the wall.
4. For freestanding walls located on sloping ground, the height shall be measured from the normal grade directly below the point being measured.

D. Design and Construction.

1. Freestanding walls exceeding two (2) feet in height, or otherwise required to be designed by a New Jersey licensed professional engineer pursuant to the Uniform Construction Code, shall be designed, signed, and sealed by a New Jersey licensed professional engineer.
2. The exposed face of any freestanding wall visible from a public street or adjoining property shall consist of natural stone, cultured stone, brick, textured architectural concrete masonry units, split-face concrete masonry units, or another masonry material determined by the Township Engineer and the Zoning Officer to be substantially similar in appearance, durability, and quality.
3. Stucco, plastered finishes, exposed unfinished poured concrete, smooth-faced concrete block, cinder block, and similar unfinished or nonmasonry exterior finishes shall be prohibited as the exposed finished surface.
4. Freestanding walls shall be constructed in accordance with accepted engineering practices and all applicable provisions of the Uniform Construction Code.

E. Engineering Review.

1. Freestanding wall applications that require plans prepared pursuant to Subsection D(1) shall require review by the Township Engineer, including review of the structural design, stability, grading, and drainage associated with the proposed freestanding wall.
2. The Township Engineer may review the plans for compliance with the provisions of this chapter, grading, drainage, structural stability, and other engineering matters reasonably related to the proposed freestanding wall.
3. The applicant shall be responsible for the payment of any engineering review escrow required pursuant to Chapter 113 of the Code of the Township of Wyckoff.

F. Applicability.

1. In the event of a conflict between the provisions of §§ 186-29 through 186-29.3 and any other provision of this chapter, the more restrictive provision shall govern.
2. Nothing contained herein shall be construed to waive or modify compliance with the Uniform Construction Code or any other applicable federal, state, county, or local law, regulation, permit, easement, or approval.

SECTION 8. Codification. This Ordinance shall be incorporated into the Code of the Township of Wyckoff and, upon final adoption, the Township Clerk and the codifier are authorized to renumber, revise, and rearrange the sections and subsections of the Code as necessary to give full effect to the provisions of this Ordinance. Any chapter, section, subsection, paragraph, or internal reference affected by this Ordinance may be renumbered or revised by the codifier to maintain the orderly arrangement and consistency of the Code.

SECTION 9. Inconsistent References. Wherever any chapter, section, subsection, paragraph, or provision of the Code of the Township of Wyckoff refers to former § 186-29 or any provision thereof, such reference shall be deemed to refer to the applicable provisions of §§ 186-29 through 186-29.3, as appropriate.

SECTION 10. Planning Board Review. Pursuant to N.J.S.A. 40:55D-26(a), this Ordinance shall be referred to the Planning Board of the Township of Wyckoff for review and recommendation prior to final adoption.

SECTION 11. Effective Date. This Ordinance shall take effect upon final passage, publication, and filing as required by law.

**TOWNSHIP OF WYCKOFF
340 FRANKLIN AVENUE
WYCKOFF, NEW JERSEY 07481**

ORDINANCE #2099

**AN ORDINANCE OF THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN,
STATE OF NEW JERSEY, AMENDING CHAPTER 180, "VISUAL
OBSTRUCTIONS," OF THE CODE OF THE TOWNSHIP OF WYCKOFF TO
ESTABLISH CONSISTENT VISIBILITY OBSTRUCTION STANDARDS**

WHEREAS, the Township Committee has adopted amendments to Chapter 186, Zoning, establishing a uniform Visibility Obstruction Area applicable throughout the Township; and

WHEREAS, the Township Committee finds that Chapter 180 should be amended to ensure consistency between the Township's zoning regulations and its public safety regulations governing visibility obstructions along public streets and intersections.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, as follows:

SECTION 1. Section 180-1, Prohibited Visual Obstructions, is hereby amended to read as follows:

§ 180-1. Prohibited Visual Obstructions.

Owners and occupants of lands within the Township of Wyckoff shall not permit any brush, hedges, trees, vegetation, landscaping, berms, fences, retaining walls, freestanding walls, signs, vehicles, trailers, snow piles, structures, or any other natural or man-made object to obstruct visibility within any Visibility Obstruction Area established pursuant to § 186-22Y of the Code of the Township of Wyckoff.

Vegetation located within a Visibility Obstruction Area shall be maintained at a height not exceeding twenty-four (24) inches above the elevation of the nearest edge of pavement, except as otherwise permitted by § 186-22Y.

Nothing contained herein shall limit the authority of the Township to require the removal or abatement of any visibility obstruction that creates a hazard to the public health, safety, or welfare.

SECTION 2. Section 180-2, Tree Limbs Causing Visual Obstructions, is hereby amended to read as follows:

§ 180-2. Tree Limbs Causing Visual Obstructions.

Owners and occupants of lands within the Township of Wyckoff shall maintain all tree branches and foliage located within any Visibility Obstruction Area established pursuant to § 186-22Y at a minimum height of fourteen (14) feet above the elevation of the nearest edge of pavement.

SECTION 3. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. Severability. If any section, subsection, paragraph, sentence, clause, phrase, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the section, subsection, paragraph, sentence, clause, phrase, or provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. Codification. This Ordinance shall be incorporated into the Code of the Township of Wyckoff, and the Township Clerk and the codifier are authorized to renumber, revise, and rearrange the sections and subsections of the Code as necessary to give full force and effect to this Ordinance.

SECTION 6. Effective Date. This Ordinance shall take effect upon final passage and publication according to law

**TOWNSHIP OF WYCKOFF
340 FRANKLIN AVENUE
WYCKOFF, NEW JERSEY 07481**

ORDINANCE #2100

**AN ORDINANCE TO AMEND CHAPTER 113, FEES, OF THE CODE OF THE
TOWNSHIP OF WYCKOFF TO ESTABLISH ZONING PERMIT FEES AND
ENGINEERING REVIEW ESCROWS FOR FENCES, RETAINING WALLS, AND
FREESTANDING WALLS AND TO CLARIFY CONSTRUCTION PERMIT FEES
UNDER THE UNIFORM CONSTRUCTION CODE**

WHEREAS, the Township Council has adopted revised zoning regulations governing fences, retaining walls, and freestanding walls; and

WHEREAS, the Township Council finds that it is in the public interest to establish zoning permit fees and engineering review escrows to recover the reasonable administrative and professional costs associated with the review of such applications while distinguishing such fees from construction permit fees established pursuant to the Uniform Construction Code.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Wyckoff, in the County of Bergen, State of New Jersey, as follows:

SECTION 1. Section 113-1, Fees, of the Code of the Township of Wyckoff is hereby amended by adding the following fees:

Code Section	Description	Fee
\$186-29(C)	Fence Zoning Permit	\$ 125.00
\$186-29(C)	Retaining Wall Zoning Permit	\$ 125.00
\$186-29(C)	Freestanding Wall Zoning Permit	\$ 125.00
§§ 186-29.1 through 186-29.3	Re-review of a previously submitted application	\$ 50.00

A re-review fee of \$50.00 shall be charged for each re-review of an application under §§ 186-29.1 through 186-29.3 necessitated by revised plans, specifications, or other information submitted by the applicant following the initial zoning review.

A separate zoning permit fee shall be required for each application for a fence, retaining wall, or freestanding wall submitted pursuant to § 186-29(C).

Payment of the applicable zoning permit fee shall not relieve an applicant from obtaining any approval or permit otherwise required by federal, state, county, or municipal law, including any construction permit required by the Uniform Construction Code.

SECTION 2. Section 113-1, Fees, of the Code of the Township of Wyckoff is hereby amended by adding the following engineering review escrow:

Applications submitted pursuant to §§ 186-29.2 and 186-29.3 that require review by the Township Engineer shall be accompanied by an engineering review escrow in the amount of \$500.00, which shall be administered in accordance with the Township's escrow procedures.

SECTION 3. Section 108-3(A)(7), Fee Schedule, of Chapter 108, "Construction Codes, Uniform," of the Code of the Township of Wyckoff is hereby amended to read as follows:

Fence. The fee for a construction permit for a fence shall be \$125.00, when a construction permit is required by the Uniform Construction Code. This fee shall be in addition to any zoning permit and applicable zoning permit fee required by Chapter 186, Zoning.

Pool Barrier. The fee for a construction permit for a pool barrier required by the Uniform Construction Code shall be \$150.00. This fee shall be in addition to any zoning permit and applicable zoning permit fee required by Chapter 186, Zoning.

SECTION 4. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. Severability. If any section, subsection, paragraph, sentence, clause, phrase, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the section, subsection, paragraph, sentence, clause, phrase, or provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6. Codification. This Ordinance shall be incorporated into the Code of the Township of Wyckoff, and the Township Clerk and the codifier are authorized to renumber, revise, and rearrange the sections and subsections of the Code as necessary to give full force and effect to this Ordinance.

SECTION 7. Effective Date. This Ordinance shall take effect upon final passage, publication, and filing as required by law.