

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 15, 2019**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 15, 2019 - 7:00 P.M.**

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

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

FORMAL ACTION MAY BE TAKEN AT THIS WORK SESSION

NOTICE TO PUBLIC

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

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

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SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 15, 2019

TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 15, 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 Township Committeeman Rudy Boonstra
- 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 recognizing Wyckoff resident Aldo Cascio. Mary Help of Christians Academy awarded Mr. Cascio their highest award.
- 8. Approval of the October 2, 2019 Township Committee Work Session and Regular Business meeting minutes:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

- 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):**

- #19-300 Proclaim October 10, 2019 as Put the Brakes on Fatality Day
- #19-301 Authorization to Submit a Sustainable New Jersey Gardinies Environmental Fund Energy Project Grant Application
- #19-302 Authorize Participation in JIF Fire Department Initiative
- #19-303 Payment of Bills
- #19-304 Refund of Certain Overpaid Taxes, etc.

II **Motions**

- a. Approval of specifications and authorization of advertised competitive bidding for firefighter respirator mandate compliance and vision and hearing testing for school crossing guards.

Following is the vote on the Consent Agenda:
MOTION: BOONSTRA SECOND SHANLEY
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 15, 2019**

III Ordinances- Public Hearings

ORDINANCES-PUBLIC HEARINGS 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 to the November 4, 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: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

#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: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

#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: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

#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: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

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

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

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#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: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

IV Adjourn

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

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Meeting Called To Order

Mayor Thomas J. Madigan called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 pm.

Flag Salute

The Township Committee proceeded with the Pledge of Allegiance led by Mayor Madigan.

Invocation

The Invocation was given by Committeeman Rudolf E. Boonstra.

Attendance

Township Committee Present: Mayor Thomas J. Madigan; Committee Present: Rudolf E. Boonstra, Melissa D. Rubenstein and Timothy E. Shanley

Township Committee Present Absent: Brian D. Scanlan

Staff Present: Township Administrator Robert J. Shannon, Joyce C. Santimauro, Municipal Clerk, Township Attorney Robert Landel and Thomas Garlick, Esq.

Open Public Meeting Act Statement

Municipal Clerk Santimauro read the “Open Public Meeting Act” Statement: “This regular meeting of the Township Committee of the Township of Wyckoff is now in session. In accordance with the provisions of Section 8 of the Open Public Meetings Act, I wish to advise that notice of this meeting has been posted in the lower level of the Memorial Town Hall and that a copy of the schedule of meetings has also been filed with the Township Clerk, and copies of this agenda and the annual notice of meetings, of which this is a part, have been heretofore sent to the Ridgewood News, The Record, and The North Jersey Herald and News all papers with general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting the Agenda thereof was similarly posted, filed and mailed to said newspapers.”

Meeting Open for Public Comment

Committeeman Shanley made a motion to open the meeting for Public Comment; Seconded by Committeewoman Rubenstein. All voted in favor.

No one came forward to speak.

Committeeman Shanley made a motion to close the public comment time of the regular business meeting; Seconded by Committeewoman Rubenstein with an affirmative vote.

Presentation of Proclamation recognizing Wyckoff resident Aldo Cascio. Mary Help of Christians Academy awarded Mr. Cascio their highest award.

Approval of the October 2, 2019 Township Committee Work Session and Regular Business meeting minutes:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

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:

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I Resolutions (Adoption of the following):

#19-300 Proclaim October 10, 2019 as Put the Brakes on Fatality Day

WHEREAS, across the nation, traffic crashes caused 37,461 fatalities in 2016, (the latest year statistics are available) and are the leading cause of death for young people ages 15 to 34; and,

WHEREAS, in New Jersey, 604 individuals lost their lives in traffic crashes in 2016; and,

WHEREAS, pedestrian related crashes accounted for 27.3 percent of the State's traffic fatalities,

WHEREAS, motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and,

WHEREAS, 66 motorcyclists, 18 bicyclists and 165 pedestrians were killed in New Jersey in traffic-related crashes in 2016; and,

WHEREAS, safer driving behaviors such as buckling up, every-ride; obeying posted speed limits, stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths; and,

WHEREAS, Wyckoff Police Chief David V. Murphy requests the Township Committee to proclaim October 10, 2019 as "Put the Brakes on Fatalities Day"; and,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that October 10, 2019 is hereby proclaimed "Put the Brakes on Fatalities Day", and the Wyckoff Police and the Township Committee call upon everyone to put these lifesavings behaviors into practice to improve safety on the roadways in our community and throughout the State.

#19-301 Authorization to Submit a Sustainable New Jersey Gardinies Environmental Fund Energy Project Grant Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Wyckoff strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Wyckoff is participating in the Sustainable Jersey (SJ) Program and one of the purposes of the SJ Programs is to provide resources to municipalities to make progress on sustainability issues, and thus they have created a grant program called the Sustainable Jersey Grants Program for Energy Projects Funded by the Gardinier Environmental Fund; and

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WHEREAS, buildings are the biggest source of emission and energy consumption worldwide and presently local governments spend about 10% of their budgets on energy, which is continuing to rise; and,

WHEREAS, in 2019, the Township of Wyckoff conducted an energy audit of five municipal buildings through the NJ Clean Energy- Direct Install Energy Program and received NJ State incentive funds to implement energy efficient building upgrades that will result in an annual cost savings of \$15,381 to the Township; and

WHEREAS, the Township of Wyckoff seeks to implement energy conservation measures to improve building efficiency that will result in an annual projected energy savings of 88,120 KWh of electricity and 4,585 therms of gas thus helping to reduce our carbon footprint and impact on global climate change; and,

WHEREAS, the Township is eligible to apply for grant funding in the amount of \$10,000 through the Sustainable Jersey/Gardinier Environmental Fund Grant program that will help provide a cost share to perform these energy improvements and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff and County of Bergen, NJ, that the Township of Wyckoff is authorized to submit a Sustainable Jersey/Gardinier Environmental Fund Grant for \$10,000 for the program to promote energy efficiency projects that will directly influence the use of renewable energy.

#19-302 Authorize Participation in JIF Fire Department Initiative

WHEREAS, the Township of Wyckoff is a member of the Bergen County Municipal Joint Insurance Fund (hereinafter, the Fund) for property and casualty coverages, including, but not limited to, General & Excess Liability, Automobile, Employment Practices Liability, Environmental Liability, Property, Public Officials Liability and Workers Compensation coverage; and,

WHEREAS, In addition to providing comprehensive insurance coverages, the Fund has routinely and consistently served as a catalyst and clearinghouse for formulating Best Practice policies and procedures that have improved the safety practices and overall operations of municipal departments through such initiatives as the MEL Safety Institute (MSI), Police Accreditation and Below 100; thereby providing a host of training mediums focused on all aspects of municipal operations; and,

WHEREAS, a need has been identified to assist Municipal Fire Departments in reviewing an identified group of critical core policies and working to ensure those policies incorporate best practice strategies and are PEOSHA-compliant to meet professional standards; and,

WHEREAS, the Bergen County and South Bergen Municipal Joint Insurance Funds determined it was advantageous to each respective JIF to pool financial resources and jointly retain the services of the Rodgers Group to implement Scope of Work contained within the Proposal to Provide Consulting Services to Assist in Updating the Fire Department Policy Manual; and,

WHEREAS, the JIF's have collectively identified four (4) Municipal Fire Departments (two from each JIF) to participate in a Pilot Program to achieve updated Best Practices for the identified critical core policies; and,

WHEREAS, the Township of Wyckoff Volunteer Fire Department was invited and has accepted to participate as one of the four (4) identified Departments in the Pilot Program, at no cost to the Municipality.

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NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey is pleased and enthusiastic to participate in this Pilot Program and that, based upon the representations made by both JIFS and the Rodgers Group, the process will provide Best Practices for a number of critical core policies for the Fire Department.

BE IT FURTHER RESOLVED, the Fire Chief has represented the Department's desire and consent to participate in this Pilot and further, met with the Rodgers Group and understands the requirements of the Department for participation and represented their commitment for successful participation.

BE IT FURTHER RESOLVED, affirmation of the interest of both the Township and the Fire Department to participate is hereby memorialized and promulgated through adoption of this Resolution.

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Executive Director's office of the Bergen JIF, the Township's Risk Management Consultant and Fire Chief Tim Brock.

#19-303 Payment of Bills

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. 18503 – 18539 Payroll A/C, Direct Deposit Vouchers no. 11864 - 11936, Library Payroll check nos. 1443 - 1445, Library Direct Deposit Vouchers no. 5028 - 5057, Claims Wire nos. 191004, 191005 & 191006, check nos. 1117 & 1118 Accutrack A/C, Claims check nos. 082103 – 082194 and Trs. Dog Trust - \$787.26.

#19-304 Refund of Certain Overpaid Taxes,etc.

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:

TAX REFUND:

Law Offices of Elie Fink, 66 Park Street, Montclair, New Jersey 07042 – State

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Tax Court Judgement – Block 348/Lot 8 - \$2,457.68

RECREATION:

Erika Kao, 529 Helena Avenue, Wyckoff, New Jersey 07481 – Tennis Refund - \$90.00

Shari Struyk, 13 Wyckoff Avenue, Wyckoff, New Jersey 07481 – Travel Baseball Refund - \$15.00

II Motions

- a. Approval of specifications and authorization of advertised competitive bidding for firefighter respirator mandate compliance and vision and hearing testing for school crossing guards.

Following is the vote on the Consent Agenda:

MOTION: BOONSTRA SECOND SHANLEY
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

III Ordinances- Public Hearings

PUBLIC HEARINGS 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 to the November 4, 2019 Township Committee Meeting

Committeeman Boonstra explained that at the Planning Board meeting, when this ordinance was discussed, there were questions and comments. Based on the Planning Board comments Committeeman Boonstra moved to carry further consideration of Ordinance #1889 to the Township Committee November 4, 2019 meeting at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court room at 8 pm.

#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

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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.

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Vote to carry Further Consideration to the November 4, 2019 meeting of the Wyckoff Township Committee at 8:00 pm at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court Room.

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

Vote to close Public Hearing:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

#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

Committeeman Boonstra explained that at the Planning Board meeting, when this ordinance was discussed, there were questions and comments. Based on the Planning Board comments Committeeman Boonstra moved to carry further consideration of Ordinance #1890 to the Township Committee November 4, 2019 meeting at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court room at 8:00 pm.

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,

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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**

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

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- (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 (such as but not limited to 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.
- (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.

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Vote to carry Further Consideration to the November 4, 2019 meeting of the Wyckoff Township Committee at 8:00 pm at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court Room.

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

Vote to close Public Hearing:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

**#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**

Committeeman Boonstra explained that at the Planning Board meeting, when this ordinance was discussed, there were questions and comments. Based on the Planning Board comments Committeeman Boonstra moved to carry further consideration of Ordinance #1891 to the Township Committee November 4, 2019 meeting at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court room at 8:00 pm.

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 AH0-2 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,

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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**

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- (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.

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- (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 façade.
- (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 façade: 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

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- 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 are not required along Spencer Drive or Hopper Avenue in Wyckoff.
 - (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 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.
 - (f) Lighting shall be consistent with the Township's lighting ordinance requirements.
 - (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.

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- (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.).

Vote to carry Further Consideration to the November 4, 2019 meeting of the Wyckoff Township Committee at 8:00 pm at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court Room at 8:00 pm.

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

Vote to close Public Hearing:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

#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

Committeeman Boonstra explained that at the Planning Board meeting, when this ordinance was discussed, there were questions and comments. Based on the Planning Board comments Committeeman Boonstra moved to carry further consideration of Ordinance #1892 to the Township Committee November 4, 2019 meeting at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court room at 8:00 pm.

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

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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**

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- (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 façade.**
 - (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**

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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

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- (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.
- (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.)

Vote to carry Further Consideration to the November 4, 2019 meeting of the Wyckoff Township Committee at 8:00 pm at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court Room.

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

Vote to close Public Hearing:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

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

Committeeman Boonstra explained that at the Planning Board meeting, when this ordinance was discussed, there were questions and comments. Based on the Planning Board comments Committeeman Boonstra moved to carry further consideration of Ordinance #1893 to the Township Committee November 4, 2019 meeting at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court room at 8:00 pm.

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

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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. 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.

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- (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, 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 may be used 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 street 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.

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Vote to carry Further Consideration to the November 4, 2019 meeting of the Wyckoff Township Committee at 8:00 pm at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court Room.

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

Vote to close Public Hearing:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

#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

Committeeman Boonstra explained that at the Planning Board meeting, when this ordinance was discussed, there were questions and comments. Based on the Planning Board comments Committeeman Boonstra moved to carry further consideration of Ordinance #1894 to the Township Committee November 4, 2019 meeting at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court room at 8:00 pm.

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 2. as follows:

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

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

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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**

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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,

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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 façade 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.

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- (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 both sides of all private roads and interior access drives.
- (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.)

Vote to carry Further Consideration to the November 4, 2019 meeting of the Wyckoff Township Committee at 8:00 pm at Town Hall, 340 Franklin Avenue, Wyckoff, NJ in the Municipal Court Room.

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

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Vote to close Public Hearing:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES RUBENSTEIN YES SCANLAN ABSENT
SHANLEY YES MADIGAN YES

Administrator Shannon complimented the Township Committee’s subcommittee who worked on Ordinances #1890-#1894. There are a lot of details to these ordinances and the Township Committee is also attempting to landscape and buffer these buildings to make them aesthetically pleasing. Mr. Shannon also complimented the Planning Board on their review and detailed comments on these ordinances. Mr. Shannon said that our boards and commissions in Wyckoff are very conscientious.

IV Adjourned 8:35 pm

Mayor Thomas J. Madigan

Joyce C. Santimauro, Municipal Clerk