



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
TICE SENIOR CENTER – 411 CHESTNUT RIDGE ROAD
SEPTEMBER 9, 2019
6:30 PM**

CALL TO ORDER

Notice of this meeting, in accordance with the "Open Public Meetings Law, 1975, C. "231", has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL

Mayor Carlos Rendo
Councilman Corrado Belgiovine
Council President Jacqueline Gadaleta
Councilwoman Nancy Gross
Councilwoman Angela Hayes
Councilman Brian Singleton
Councilman Ian Spelling

CLOSED SESSION

Resolution No. 19-206

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WOODCLIFF LAKE HONOR GUARD

PLEDGE OF ALLEGIANCE

COMMENTS – CHIEF JOHN BURNS

**OATH OF OFFICE – JEFFREY T. SNYDER
RYAN HOENIG**

COMMENTS – MAYOR RENDO

APPROVAL OF MINUTES

August 19, 2019 (Closed)
August 19, 2019 (Open)

MAYOR'S REPORT

ADMINISTRATOR'S REPORT

COUNCIL MEMBERS' REPORTS/COMMENTS

PRESENTATION BY PLANNER, RICHARD PREISS

ORDINANCE

- | | |
|----------------|---|
| Public Hearing | Ordinance 19-07
An Ordinance to Amend Chapter 292 Entitled "Site Plan" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey |
| Public Hearing | Ordinance 19-08
An Ordinance to Amend Chapter 380 Entitled "Zoning Code" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey |

PUBLIC COMMENT

(limited to 5 minutes per speaker)

NON-CONSENT AGENDA

CONSENT AGENDA

- | | |
|-----------------------|--|
| Resolution No. 19-207 | Resolution Authorizing Payroll and Payment of Claims |
| Resolution No. 19-208 | Resolution Approving a Settlement Agreement Regarding the Development of Block 2205.01, Lots 2.01, 3, 4, 5 and 6 in the Borough of Woodcliff Lake |
| Resolution No. 19-209 | Resolution Authorizing a Request for Qualifications for Special Tax Appeal Attorney |
| Resolution No. 19-210 | Resolution Approving Hiring of Police Matron |
| Resolution No. 19-211 | Resolution Approving Hiring of Part Time Technical Assistant in the Building Department |
| Resolution No. 19-212 | Resolution Approving Shared Services Agreement with Northwest Bergen County Utilities Authority for TV Inspection Services |
| Resolution No. 19-213 | Resolution Recognizing and Affirming the Appointment of the 125 th Anniversary Committee |
| Resolution No. 19-214 | Resolution Authorizing the Mayor and/or Borough Administrator to Execute the TWA Applications DEP WQM-003 Consent Form on Behalf of the Borough of Woodcliff Lake, State of New Jersey |
| Resolution No. 19-215 | Resolution Authorizing Raffle Licenses to Temple Emanuel of the Pascack Valley |
| Resolution No. 19-216 | Resolution Approving 2019 Stipend for Website Administrator/Social Media |
| Resolution No. 19-217 | Resolution Approving Stipend for Technical Assistant |

ADJOURNMENT

****Disclaimer****

Subject to Additions and/or Deletions

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH
THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS, ACT, N.J.S.A. 10:4-12**

**RESOLUTION NO. 19-206
SEPTEMBER 9, 2019**

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____ 1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____ 2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____ 3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing,

relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____ 4. Matters Relating to Collective Bargaining Agreements. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

____ 5. Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed specifically with respect to _____. The minutes will be released on or before _____, 20__ when the issues pertaining to the property located at _____ have been approved and finalized.

____ 6. Matters Relating to Public Safety and Property. Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X 7. Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, specifically with respect to: Chabad litigation

The minutes will be released in approximately ninety (90) days or upon the resolution through settlement or court decision and the time period for any and all appeals.

____ 8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically:

The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on September 9, 2019 that an Executive Session closed to the public shall be held on September 9, 2019 at 6:30 P.M. at the Borough of Woodcliff Lake offices located at 188 Pascack Road, Woodcliff Lake, New Jersey, for the discussion of matters relating to the specific items designated above.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gadaleta						
Gross						
Hayes						
Singleton						
Spelling						
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

**RESOLUTION NO. 19-207
SEPTEMBER 9, 2019**

BE IT RESOLVED, that the following Payroll Disbursements made by the Treasurer since the last meeting are proper and hereby ratified and approved:

Payroll Released 8/31/2019 \$218,322.77

BE IT FURTHER RESOLVED that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

Current Fund:	\$ 1,204,000.19
Trust/Other Funds:	\$ 4,875.00
General Capital:	\$ 176,167.05
Escrow:	\$ 6,017.11

CERTIFICATION OF FUNDS

I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

Harold Laufeld
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of September 9, 2019.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

**RESOLUTION APPROVING A SETTLEMENT AGREEMENT REGARDING THE
DEVELOPMENT OF BLOCK 2205.01, LOTS 2.01, 3, 4, 5 AND 6
IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 19-208
SEPTEMBER 9, 2019**

WHEREAS, in accordance with the New Jersey Supreme Court's decision in the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015), on July 7, 2015, the Borough of Woodcliff Lake instituted a lawsuit in the Superior Court of New Jersey, Bergen County, Law Division, entitled: In the Matter of the Application of the Borough of Woodcliff Lake, County of Bergen, Docket No. BER-L-6221-15 ("the Compliance Action"), seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan; and

WHEREAS, Edmund Lane and Woodcliff Lake, LLC, ("Developer") filed a Motion to Intervene in the Compliance Action and such intervention was granted by the Court; and

WHEREAS, Developer is the owner of the property that consists of a total of approximately 7.57 acres located on the western side of Old Pascack Road and Pascack Road opposite Church Road on the south, which property is identified on the tax map of the Borough of Woodcliff Lake as Block 2205.01, Lots 2.01, 3, 4, 5 and 6 (the "Property"); and

WHEREAS, Developer received the following approvals from the Borough of Woodcliff Lake Planning Board (the "Board") : (a) Preliminary Major Subdivision Approval as memorialized by Resolution No. 2002-24, adopted November 112, 2002; (b) Final Major Subdivision Approval as memorialized by Resolution 2004-01, adopted January 12, 2004; (c) Amended Major Subdivision Approval granting an extension of the time within which to perfect the subdivision, as memorialized by Resolution 2005-07 adopted November 14, 2005; and Amended Major

Subdivision Approval granting a further extension of the time within which to perfect the subdivision, as memorialized by Resolution 2007-04 adopted March 26, 2007 (together, collectively, the "Prior Approvals"); and

WHEREAS, the Prior Approvals granted the Developer major subdivision approval to subdivide the Property into five (5) new lots and to make other site improvements related thereto; and

WHEREAS, as a specific condition of the Prior Approvals, the Developer entered into a Developer's Agreement with the Borough dated July, 2003 (the "Developers Agreement"), which sets forth the standards, requirements and conditions that govern the development of the Property; and

WHEREAS, the Developer determined that the development of the Property in accordance with the Prior Approvals was unfeasible and has presented a number of alternative developments to the Borough; and

WHEREAS, the Borough, through its various professionals and a subcommittee formed by the Governing Body, has evaluated and commented on the various alternative proposals presented by the Developer to design the Project as hereinafter defined; and

WHEREAS, the Governing Body is of the opinion that the settlement of this matter and the construction of the Project as designed in accordance with the conditions of the Settlement Agreement between the parties dated August 12, 2019 (the "Settlement Agreement") is in the best interests of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey for the reasons set forth above that the Settlement Agreement, dated August 12, 2019, a copy of which is on file in the office of the Borough Clerk and is available for public inspection is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, the proposed Settlement Agreement.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

ATTEST:

**MAYOR AND COUNCIL OF THE
BOROUGH OF WOODCLIFF LAKE**

Deborah Dakin, RMC, CMR
Borough Clerk

Carlos Rendo
Mayor

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of September 9, 2019.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

**RESOLUTION AUTHORIZING A REQUEST FOR QUALIFICATIONS
FOR SPECIAL TAX APPEAL ATTORNEY**

**RESOLUTION NO. 19-209
SEPTEMBER 9, 2019**

WHEREAS, the Borough of Woodcliff Lake seeks to advertise a Request for Qualifications for a Special Tax Appeal Attorney with regard to conflicts that may arise in the Borough with regard to tax appeal work; and

WHEREAS, a Request for Qualifications has been prepared with an issue date of _____, 2019; and

WHEREAS, the Borough Attorney has prepared and reviewed the Request for Qualifications for Special Tax Appeal Attorney, a copy of which is attached hereto and incorporated herein by reference and approves of same.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that the Request for Qualifications for a Special Tax Appeal Attorney with regard to conflicts that may arise in the Borough with regard to tax appeal work, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to advertise the Request for Qualifications for Special Tax Appeal Attorney to be issued on _____; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be kept on file in the Office of the Clerk.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

RESOLUTION APPROVING HIRING OF POLICE MATRON

RESOLUTION NO. 19-210 SEPTEMBER 9, 2019

WHEREAS, there presently exists a need for a Police Matron for the Woodcliff Lake Police Department on an "as needed" basis; and

WHEREAS, after a review of candidates and resumes submitted, the Police Chief recommends the hiring of Danielle Woletz as Police Matron for the Woodcliff Lake Police Department on an "as needed" basis at an hourly rate of \$22.00 per hour effective immediately; and

WHEREAS, Danielle Woletz possesses all the qualifications necessary for the position of Police Matron for the Woodcliff Lake Police Department.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, and State of New Jersey that Danielle Woletz be and she is hereby hired as a Police Matron for the Woodcliff Lake Police Department on an "as needed" basis; and

BE IT FURTHER RESOLVED, that Danielle Woletz shall be paid \$22.00 per hour in her position as Police Matron effective immediately; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a certified copy of this resolution to the Police Chief and Danielle Woletz upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

**RESOLUTION APPROVING HIRING OF PART TIME TECHNICAL ASSISTANT
IN THE BUILDING DEPARTMENT**

**RESOLUTION NO. 19-211
SEPTEMBER 9, 2019**

WHEREAS, there presently exists a need for a Part Time Technical Assistant in the Woodcliff Lake Building Department; and

WHEREAS, after a review of candidates, the Borough Administrator recommends that a conditional offer of employment be extended to Rosa Sasso for the position of Part Time Technical Assistant for the Building Department; and

WHEREAS, Rosa Sasso will be paid an annual salary of \$23,500.00 in her position as Part Time Technical Assistant with an effective date of hire to be determined; and

WHEREAS, Rosa Sasso possesses all the qualifications necessary for the position of Part Time Technical Assistant for the Building Department.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, and State of New Jersey that a conditional offer of employment be extended to Rosa Sasso as a Part Time Technical Assistant for the Woodcliff Lake Building Department at an annual salary of \$23,500.00 with an effective date of hire to be determined; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a certified copy of this resolution to the Building Department and Rosa Sasso upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

**RESOLUTION APPROVING SHARED SERVICES AGREEMENT WITH NORTHWEST BERGEN
COUNTY UTILITIES AUTHORITY FOR TV INSPECTION SERVICES**

**RESOLUTION NO. 19-212
SEPTEMBER 9, 2019**

WHEREAS, the Borough of Woodcliff Lake and the Northwest Bergen County Utilities Authority wish to enter into a Shared Services Agreement for the TV Inspection Services of the sanitary sewer system, or other systems; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property taxpayers; and

WHEREAS, the term of the Shared Services Agreement will be for the calendar years 2019 and 2020; and

WHEREAS, the Borough will pay to NBCUA a per foot price of eighty-three cents (\$0.83) in calendar year 2019 and a per foot price of eighty-four cents (\$0.84) in calendar year 2020 with a minimum payment of four hundred (\$400.00) dollars for each day of inspection in the years 2019 and 2020; and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed the Shared Services Agreement between the Borough of Woodcliff Lake and the Northwest Bergen County Utilities Authority for TV Inspection Services of the sanitary sewer system, or other systems, a copy of which is attached hereto and incorporated herein by reference, and recommend the approval of same.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Shared Services Agreement, a copy of which is attached hereto and incorporated herein by reference, between the Borough of Woodcliff Lake and the Northwest Bergen County Utilities Authority for TV Inspection Services of the sanitary sewer system, or other systems, for the calendar years 2019 and 2020 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a certified copy of this resolution upon its passage together with the Shared Services Agreement to the Northwest Bergen County Utilities Authority.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

**A RESOLUTION RECOGNIZING AND AFFIRMING THE APPOINTMENT OF THE
125th ANNIVERSARY COMMITTEE**

**RESOLUTION NO. 19-213
SEPTEMBER 9, 2019**

WHEREAS, the Borough of Woodcliff Lake (hereinafter, the Borough) was incorporated on August 31, 1894 thereby establishing 2019, the 125th Anniversary Year of the Borough; and

WHEREAS, the Borough is desirous of celebrating this milestone in the Borough's history, and thus, has appointed several citizens to serve with the Mayor and Council as members of the 125th Anniversary Committee, which has been and will continue to plan events throughout the 2019 year to commemorate this momentous occasion; and

WHEREAS, the 125th Anniversary Committee is a creation of the Borough, with all funds to be handled by and through the Borough's Chief Financial Officer, dedicated to the events associated with the yearlong celebration; and

WHEREAS, the Borough and the 125th Anniversary Committee will co-host the events planned for 2019 to officially commemorate this historical event.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, the Borough hereby acknowledges and recognizes the 125th Anniversary Committee for their dedicated efforts and the inherent benefit to the community of the Committee and the work performed by this group of dedicated volunteers; and

BE IT FURTHER RESOLVED, the Borough of Woodcliff Lake is an official co-sponsor of any and all events planned and executed by the 125th Anniversary Committee during the yearlong celebration and that such co-sponsorship extends the insurance coverage of the Borough to the 125th Anniversary Committee and its members; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Risk Management Consultant to the Borough.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

**RESOLUTION AUTHORIZING THE MAYOR AND/OR BOROUGH ADMINISTRATOR TO EXECUTE
THE TWA APPLICATIONS DEP WQM-003 CONSENT FORM ON BEHALF OF THE BOROUGH OF
WOODCLIFF LAKE, STATE OF NEW JERSEY**

**RESOLUTION NO. 19-214
SEPTEMBER 9, 2019**

WHEREAS, the Borough of Woodcliff Lake intends to construct improvements to the existing municipal sanitary sewage pumping stations at Maria Road and Glen Road. Both projects will require a Treatment Works Approval ("TWA") permit from the New Jersey Department of Environmental Protection ("NJDEP"). The Borough is required to provide a completed Statements of Consent form (Form WQM-003) with this application, which requires the signature of a municipal official, authorized by resolution, as required by the NJDEP; and

WHEREAS, the Borough Engineer for the Borough of Woodcliff Lake has prepared the required plans, TWA Application (Form TWA-1), Statements of Consent (Form WQM-003), Engineer's Report (Form WQM-006), as well as a supporting Design Report and Technical Specifications in accordance with NJDEP requirements.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Mayor and/or Administrator of the Borough of Woodcliff Lake to hereby sign both said TWA Applications NJDEP WQM-003 Consent Forms, on behalf of the Borough of Woodcliff Lake, for submission to the NJDEP.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake, in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the original Resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

RESOLUTION AUTHORIZING RAFFLE LICENSES TO TEMPLE EMANUEL OF THE PASCACK VALLEY

**RESOLUTION NO. 19-215
SEPTEMBER 9, 2019**

WHEREAS, applications have been made by Temple Emanuel of the Pascack Valley for a Tricky Tray and Pocketbook Bingo to be held on October 24, 2019; and

WHEREAS, said applications have been submitted to the Woodcliff Lake Police Department for investigation and have been found to be in good order.

NOW, THEREFORE, BE IT RESOLVED that the raffle license applications of Temple Emanuel of the Pascack Valley are hereby approved, and the Borough Clerk is authorized to issue Raffle License RA19-09 and BA19-10.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
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Mayor Rendo						

RESOLUTION APPROVING 2019 STIPEND FOR WEBSITE ADMINISTRATOR/SOCIAL MEDIA

**RESOLUTION NO. 19-216
SEPTEMBER 9, 2019**

WHEREAS, in accord with the Borough's salary ordinance, Elizabeth Calderone is entitled to a yearly stipend as Website Administrator/Social Media; and

WHEREAS, Elizabeth Calderone presently receives a stipend of \$3,000 for Website Administrator/Social Media; and

WHEREAS, the Governing Body wishes to update the yearly stipend for Elizabeth Calderone to \$6,000, the maximum amount allowed per the salary ordinance and is to be paid quarterly; and

WHEREAS, the Borough Administrator has reviewed this matter and recommends that the stipend to Elizabeth Calderone for Website Administrator/Social Media be updated to \$6,000 for the year 2019 and is to be paid quarterly.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that the present stipend to Elizabeth Calderone for Website Administrator/Social Media be updated to \$6,000 and is to be paid quarterly; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to keep a copy of this resolution on file in Elizabeth Calderone's personnel file.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

RESOLUTION APPROVING STIPEND FOR TECHNICAL ASSISTANT

**RESOLUTION NO. 19-217
SEPTEMBER 9, 2019**

WHEREAS, beginning July 1, 2019, the Borough Clerk and the Planning/Zoning Board Secretary have been performing extra duties of the Technical Assistant in addition to providing transition and training; and

WHEREAS, the Governing Body wishes to extend a one-time stipend to the Borough Clerk and Planning/Zoning Board Secretary in the amount of \$1,500 each for the extra duties, transition and training they have provided since July 1, 2019 to the Technical Assistant; and

WHEREAS, the Borough Administrator has reviewed this matter and recommends that a one-time stipend in the amount of \$1,500 be paid to the Borough Clerk and a one-time stipend in the amount of \$1,500 be paid to the Planning/Zoning Board Secretary for the extra work, transition and training they have provided to the Technical Assistant.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that a one-time stipend in the amount of \$1,500 be and is hereby approved to be paid to the Borough Clerk and the Planning/Zoning Board Secretary for their performance of extra duties, transition and training to the Technical Assistant; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to keep a copy of this resolution on file in the Borough Clerk's and Planning/Zoning Board Secretary's personnel files.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 9, 2019.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

BOROUGH OF WOODCLIFF LAKE

Bergen County, New Jersey

Ordinance No. 19-07

AN ORDINANCE TO AMEND CHAPTER 292 ENTITLED "SITE PLAN" OF THE BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, Chapter 292, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding the Site Plan Review within the Borough of Woodcliff Lake; and

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Article VI. Design Standards.

Sec. 292-33.1 Design standards for the B -1 Broadway (East and West) Business District and the S – O Special Office District

A. SITE PLANNING

(1) Residentially-Inspired Site Layout

A residential-style site layout is encouraged, including such features as:

- (a) Each building should be set back from Broadway to match the traditional setbacks of the older single-family homes along the corridor that have been converted to retail use.
- (b) The front twenty (20) feet of the required front yard should have a green lawn and extensive shrubs, trees, and other landscaping. If space constraints mean that parking cannot fit on the site if such a deep front lawn is provided, a narrower landscaped strip is possible at the front, but should not be less than ten (10) feet.
- (c) Where possible, such as in the case of comprehensive redevelopment, no parking should encroach on the required minimum front yard or be located between the building and Broadway. Surface parking spaces should be located along an interior side lot line and/or at the rear of the parcel, accessed from a side driveway.

(2) Vehicular Access and Buffering

- (a) Only one curb cut for vehicular access to/from Broadway is permitted per parcel, unless the parcel width is in excess of two hundred (200) feet. The maximum width of each curb cut shall be twenty-four (24) feet at the front lot line.

- (b) Corner lots are permitted an additional curb cut on the side street. The maximum width of each curb cut shall be twenty-four (24) feet at the side lot line.
- (c) In order to provide more flexibility in parking access and to facilitate shared parking between uses, easement or access agreements should be pursued to connect parking lots between adjacent parcels, where topography allows. Variances for parking within the required side yard setback may be granted in such cases. In this manner, an interior parcel could use an adjoining parcel's side street curb cut for secondary access, or two adjacent interior parcels could share their curb cuts so that one serves as an inlet and the other as an outlet.

(3) Pedestrian Safety and Amenities

- (a) In order to improve the appearance and pedestrian safety of the Broadway corridor, existing continuous curb cuts that are wider than twenty (20) feet at the front or side lot line shall be narrowed down, in the case of comprehensive redevelopment. Where possible a parcel has more than one (1) existing curb cut on Broadway, surplus curb cuts should be removed so that only one curb cut remains.
- (b) Where a curb cut is removed or narrowed, the sidewalk should be extended. This applies to parcels on either side of Broadway, even where adjoining properties still lack sidewalks. Sidewalks shall be paved with concrete of minimum clear width of four (4) feet, and where possible should include a grass planting strip of minimum width of three (3) feet separating the sidewalk from the roadway.
- (c) Walkways shall be provided through a property's front yard setback linking the public sidewalk on Broadway to building entries.

(4) Reservoir Views

- (a) Development should preserve or enhance views to the Woodcliff Lake Reservoir. While the train tracks create a physical separation from the Reservoir shoreline, the views to the Reservoir are a significant asset. Buildings, trees, and open spaces on the west side of Broadway should be sited in a manner that preserves existing views towards the Reservoir from Broadway.
- (b) Second-level restaurant and dining space is permitted and encouraged on both sides of Broadway when such space will be able to take advantage of views to the Reservoir. Such second-level space is only permitted in a mezzanine level, open and connected to the same business on the ground floor.

(5) Parking Lots and Paving

- (a) Placement
 - i. The existing zoning ordinance, at Section 380-78, Parking, requires that parking shall not be located closer than ten (10) feet to a side or rear lot line nor closer than thirty (30) feet to any residentially-zoned property. Both the B-1 and S-O Districts back onto the R-15 district, so parking is subject to the thirty (30) foot setback. In addition, Section 380-80, Buffers, requires that a thirty (30) foot

landscaped buffer be provided at rear property line where a non-residential use abuts a residential zone.

- ii. Provided that the parking setbacks and buffer requirements can be met at the rear of the lot, the ideal location for parking is at the rear of a parcel, behind the building. Where a retail user desires some parking to be visible from the street, or where the site layout is constrained, another appropriate location for parking is at the side of the lot.
- iii. If parking must be placed in front of the building, it should be aligned with the longest drive aisle(s) parallel to Broadway and shall be limited to a single or a double row. A single row of parking shall not exceed forty-two (42) feet in depth, as measured perpendicular to Broadway (roughly, a row of eighteen (18) foot deep parking spaces and a twenty-four (24) foot deep access aisle). A double row of parking shall not occupy more than sixty (60) feet of depth (typically two eighteen (18) foot deep parking spaces separated by a 24-foot access aisle), as measured perpendicular to Broadway.
- iv. Structured parking may be located fully or partially underground, or as tuck-under at-grade parking. Any parking level that is fully or partially above grade shall be located to the interior side or the rear of a building, away from view of public streets. Structured or tuck-under parking shall not be located within the front façade of a building; instead, it shall be located behind active uses (retail stores, lobbies, or offices, etc.) have a minimum depth of twenty (20) feet as measured back from the front façade.

(b) Screening and Landscaping

In addition to the Zoning: requirements for parking at Section 330-87 of the Zoning Ordinance, any front parking lot shall be softened with a low wall or fence of two (2) to three (3) feet in height, running along the front lot line to create a separation between the parking lot and the public sidewalk and right-of-way. Walls shall be constructed of stone or masonry blocks faced with stone or cultured stone. Fences shall be wood or wood-appearance composite. Suggested fence styles are picket, split-rail, and other small-town or farm-style fencing. Chain link fences are prohibited along the front lot line and along the side lot line in front of the front façade line of buildings.

(c) Pavement and Surface Coverage

- i. Porous paving (porous asphalt, porous concrete, or permeable interlocking pavers) is permitted as a means to allow increased surface coverage beyond the maximum permitted in zoning code. (See Section 380-46 of the Zoning Ordinance) Except within the 300-foot buffer to the Woodcliff Lake Reservoir, parcels are permitted to increase the surface coverage to seventy percent (70%) of the lot, provided that the overall performance of the site provides the same permeability as when conventionally paved at fifty percent (50%) of the lot. An engineering study showing permeability calculations is required. The Borough

will require a maintenance manual and agreement to ensure that the porous paving areas will be cleaned, vacuumed, replenished, or otherwise maintained so as to ensure their permeability every year.

- ii. For new development or redevelopment on parcels located within three hundred (300) feet of the Reservoir, NJDEP may require that site coverage not increase beyond existing conditions. As such, new buildings and parking lots may be restricted so that they do not occupy more land than already paved or covered. If additional land must be paved in order to create sufficient parking, the Borough suggests that porous paving be considered, subject to NJDEP approval.
- iii. Porous paving facilities may not be removed or altered if they were installed as part of an approved site plan in accordance with these Design Guidelines. The Borough Building Department shall maintain a database of these properties and may perform routine maintenance inspections.

B. BUILDING DESIGN

(1) Residentially-inspired Building Form

As the Borough is largely residential, residential-inspired building forms are encouraged. Styles should reference elements of neo-traditional residential design, such as pitched roofs, deep overhangs, prominent front porches or entries, and facades broken down into bays and other massing forms. Where appropriate to the intended use, multi-story retail or commercial buildings are encouraged to take the form of large houses, with bays, gables, ells, etc. The Borough is less interested in seeing modernist or contemporary designs.

(2) Floor Height

In buildings with first-floor retail or commercial space, the first floor is encouraged to have a minimum fifteen (15) foot floor-to-floor height, in order to create high-quality spaces that will be adaptable to many different tenants over the years. However, a floor to ceiling height of at least thirteen (13) feet is required.

(3) Massing and Detailing

(a) Horizontal Articulation: Bays

- i. Horizontal articulation refers to massing and detailing elements that break the building into a series of bays. Breaking down the apparent size of a building is particularly important with long, low buildings, in order to minimize the bulk and create a sense of rhythm in the façade. All building facades exceeding fifty (50) feet in width shall be divided horizontally into distinct bays, each with a maximum width of fifty (50) feet. The design and dimensions of bays along one building façade should create a varied articulation; a monotonous repetition of the same bay design across a very wide façade shall be avoided.
- ii. To be considered a distinct bay, the bay shall include both a physical change in depth of the façade plane of at least one (1) foot deep relative to adjoining bay(s). Bays should be further distinguished through elements such as columns, pilasters, downspouts, expansion joints, size and rhythm of window spacing, and roofline shape. Variation in surface material, texture, pattern, and color is

also appropriate, but alone is not sufficient. Vertical bays should extend through all stories of the building but may exclude upper "penthouse" stories that are substantially stepped back from the primary façade plane.

(b) Horizontal Articulation: Roofline

On long building facades, the roofline should vary both in height and in shape by means of cross-gables, tower elements, or the vertical expression of bays through the top floor. These elements provide a focal point and break up the building mass. The rooftop expression of gable, tower, or bay elements should extend visibly downwards in a structurally logical fashion through all levels of the building.

(c) Vertical Articulation

- i. Vertical articulation refers to massing and detailing elements that break a building vertically into a base, middle, and top, to help minimize appearance of height and create a human-scaled building form.
- ii. Depending on the height of a building, the base of the building may simply be defined as a trim band or it may be articulated within the entire first floor. Masonry materials are appropriate within the base as the primary material or as an accent. For buildings with retail first floor uses, the base shall include storefront windows, clear glazed doors, awnings or canopies, and façade-mounted lighting.
- iii. The middle of the building should be distinguished from the base by a horizontal belt course or trim cornice; a projecting roof or overhang; a change in façade plane; recessed balconies; changes in material or fenestration pattern; and/or other appropriate means.
- iv. Depending on the height and design of a building, the top of the building may be expressed as the roofline exclusively or may also include the entire top floor. Buildings that are two and a half (2 ½) stories should use the entire rooftop half-story as a means to provide visual interest in the façade, including with deep eave overhangs that create shadow lines, decorative roof surfacing such as dimensional asphalt shingles or standing-seam roofing, dormers and dormer windows, and decorative brackets and dentils along cornice lines. Rooftop terraces are encouraged within stepback areas of the roof.

v.

(4) Roof Form

In order to minimize overall building height on taller buildings and increase the sense of stature on single-story buildings, flat roofs are prohibited. Instead, a peaked or mansard roof form is required, which shall be one of the following types:

- (a) Peaked roofs on any permitted-height buildings may be gabled (one slope on each of two sides, and vertical walls on the other two sides), gambrel (two slopes on each of two sides, and vertical walls on the other two sides), or hip (a single, uniform slope on each side) form. Deep overhangs are encouraged on all pitched roofs.

- (b) On the tallest permitted buildings of two and a half (2 ½) stories, mansard roofs are another permitted roof form for the top level.
- i. Ideally, mansard roofs should be of the true mansard form, namely: a four-sided hip roof characterized by two (2) slopes on each of its sides, and in which the lower slope, punctured by dormer windows, at a steeper angle than the upper. This type of mansard roof can comply with the Borough's definition of a half story if the lower slope meets the upper slope at no more than five (5) feet above the floor level. The lower, steeper slope reduces the apparent height of the roof, and when combined with the upper, shallower slope, creates an additional floor of habitable space (a garret).
 - ii. A common, contemporary American interpretation of the mansard is a roof with a single steep slope on each side and a flat deck at the interior. The steeply-sloping sides often surround a top floor that is nearly as large as the floor below. This roof form is not an acceptable form for the tallest permitted building height of two and a half (2 ½) stories, because the Borough's definition of a half story requires a sloping roof to meet the exterior walls be no more than five (5) feet above the floor. Since this style of faux-mansard usually looks overly heavy and ponderous, it is discouraged on one (1) story and two (2) story building heights as well.
- (c) Shallow, false-gabled or false-gambrel roof shapes may be used to "ring" the entire perimeter of large roofs on one (1) or two (2) story buildings, screening a central flat roof at the interior, in order to conceal heating, ventilation and air conditioning equipment from persons at ground level. However, such form is not permitted on two and a half (2 ½) story buildings because the interior portion of the roof must be sloping.

Any cross-gables used in a roof shall extend fully back to intersect the primary peaked roof mass.

(5) Facade Design and Transparency

The following standards are intended to help create buildings that relate to the public street and that appear friendly and approachable, with clearly-visible entries, pedestrian-scaled detailing, and a high degree of transparency in the form of glazing.

(a) Entry Emphasis

- i. The entryway to first floor uses should be clearly highlighted within the façade as part of a prominent bay, projection, recess, or other architectural mass. Entry doors should be framed with contrasting trim, piers, columns, or pediments. The primary entry door to each retail or commercial space shall face towards Broadway.
- ii. Each retail entry door shall have clear glazing in at least the top half. Retail entries that are flush with the facade shall include an awning or canopy of at least four (4) foot depth that extends at a minimum across the width of the

entry, or across the whole storefront. Alternately, retail entries may be recessed within the façade. As an alternative to awnings, sidewalk arcades are permitted for buildings with more than one retail storefront, provided that they are constructed with sufficient height and width to create an airy, spacious walkway.

- iii. Where a building with retail space has parking spaces to the rear, a secondary pedestrian entrance shall be provided from the rear parking lot. The secondary retail entry or entries shall provide some visibility into the interior retail space.

(b) Transparency

- i. Windows are very important to create transparency, a feeling of openness, and a transition between inside private space and outside public space.
- ii. Retail façades shall have windows and doors that comprise at least fifty percent (50%) of the area of the first-level façade. Ground-floor window glazing should be recessed at least three (3) inches relative to surrounding façade plane, or framed by dimensional architectural features that cast shadows, such as deep trim, columns, or pilasters. The base of retail windows shall extend to within (24) inches of grade in order to enhance views into the interior space. However, for buildings taking the form of a large single-family home, the first level is only required to have twenty-five percent (25%) of its area as windows, and such windows do not need to extend to within twenty-four (24) inches of grade.
- iii. On the second floors of all buildings, windows shall comprise at least twenty-five percent (25%) of the area of the second-level facade. Upper-story windows shall be framed with generous trim on all sides, including deep sills and lintels, of at least one inch deep relative to the façade plane and to the window glass, in order to create shadow lines that lend visual interest to the façade. Windows on the second floor should be organized symmetrically and their spacing and pattern should align with windows on the first floor.
- iv. The vertical end walls of a gabled or gambrel roof shall include windows in the uppermost floor; however, no minimum area of transparency is required. Sloping peaked roof planes that enclose useable space shall have dormer windows spaced regularly in a pattern that relates to windows on a lower floor, so as to avoid large areas of blank roof.
- v. Window glazing should be clear or lightly tinted. Energy-efficient coatings that tint glass are permitted in doors and windows, provided that the coating closest to clear is chosen to meet the energy criteria. Colored or stained window glass is permitted only for retail clerestory or transom windows. Dark tinted, opaque, spandrel, and mirrored glass is prohibited except for service areas, mechanical rooms, emergency exit doors, and the like.

(6) Materials and Architectural Styles

- i. Building façade and roofing materials should be appropriate to Woodcliff Lake's image as a rural, village-like, small town. Since the Borough's history is

not linked strongly to farming or industrial uses, buildings should minimize references to overly heavy or aggressive industrial or functional styles. Instead, buildings should espouse neo-traditional styles and materials. Within a building, all facades that are adjacent to or easily visible from a public street, public walkway, or public open space should exhibit the same degree of architectural detailing.

- ii. Appropriate materials for these styles include wood or fiber-cement clapboard and wood shingle. Brick, stone, and other masonry are appropriate but only as accents, not as the primary façade material. Vinyl and aluminum siding are prohibited. Roofs may include asphalt or dimensional asphalt tile. Standing-seam metal works well on small overhangs and similar accent masses and is encouraged on large roof areas as long as it does not look overlay industrial in combination with the entire building design.
- iii. Façade cladding materials should be extended around corners and extensions to a logical break in plane in order to avoid an artificial, "pasted-on" appearance.

C. RELATED ITEMS

(1) Signage

(a) Retail Signage Types

In addition to signage permitted in the current zoning, each individual retail tenant space may have up to four (4) types of signage provided the maximum permitted dimensions of the signs individually and in aggregate, meet the restrictions in the zoning code:

- i. Façade signs (called "attached signs" in the zoning code) are mounted over the storefront window or entryway. They shall be placed within an entablature area over the storefront windows, a flat area framed by architectural detailing. Signage shall not be placed in a way that blocks windows or obstructs building architectural details. Preferred styles for retail signage within the entablature include flat painted signs, dimensional carved-relief signs, or channel-cut signs with individually pin-mounted letters. Façade signs shall be lit from above by gooseneck lighting mounted on the façade. Neither signage boards nor individual signage letters and graphics shall be interior-lit.
- ii. Hanging signs project perpendicularly from the façade so as to be seen by pedestrians on a walkway in front of the stores. They shall maintain at least seven (7) feet of vertical clear space below. Hanging signs may not be internally-lit.
- iii. Window signs are painted, etched, or otherwise applied to the glazing on the entry door or window. They shall be airy and largely transparent, without large blocks of solid color, so as to maintain visibility into the retail space. This signage type is an addition to what the current zoning permits.

- iv. Awning signs may be placed on fabric awnings spanning a retail storefront. Signage on the vertical front panel of an awning shall be limited to the name of the business (that is, lettering only) and shall be applied in only one color. Signage on the flat sloping area of an awning may include the business name and/or a graphic and shall be applied in one color only. This signage type is an addition to what the current zoning permits.

(b) Consistency in Storefront Signage

Retail signage for storefronts within the same building shall have a consistent format in terms of type of signage materials and mounting (for example, all made of individual metal dimensional letters, or all painted on wooden boards). It is not necessary for each sign to be identical in form; instead, each retailer should be permitted to use its own typefaces, graphic icons, and colors. However, use of more than a few colors within one store's sign is discouraged.

(c) Temporary Signs

The existing zoning code lacks any criteria for the type of temporary signs or posters that retailers and restaurants often place in their storefront windows, such as those that advertise store sales, advertise cigarette or alcohol brands, or list weekly sale prices for grocery items. These posters are often placed in windows for weeks, or indefinitely, blocking views into the business and making the building less attractive. These types of signs should not exceed ten percent (10%) of the first-floor façade area and should be removed after three (3) weeks, after which time no further such signs may be placed for at least three (3) weeks. Larger-area temporary signs are permitted if they are mounted as largely-transparent decals or painted lettering on glazing, allowing views through them into the business interior.

(2) Lighting

Gooseneck façade lighting is encouraged for sign illumination and as architectural accent lighting.

(3) Mechanical Equipment

- (a) Mechanical equipment shall be shielded from view of the public sidewalk. Ground-floor outdoor mechanical equipment, outdoor refuse areas, and outdoor storage shall be screened with high-quality fencing that is largely opaque. Chain link fencing is prohibited as a screening type.
- (b) Interior mechanical and service rooms that extend to the front façade of a building shall include glazing that is harmonious with the overall window pattern of the front façade, but said glazing may use translucent, opaque, or spandrel glass.

(4) Fencing and Walls

- (a) Most of the traditional single-family homes along Broadway that have been converted into businesses maintain a feeling of openness and greenery by means

of their *fenceless* landscaped front yards. To maintain this bucolic feeling, fences and walls exceeding three (3) feet in height are not permitted alongside lot lines within the minimum required front setback. Permitted fence and wall types along the front yard line and along the side lot line within the required minimum front setback include picket or split-rail fences and stone or masonry walls.

(b) Chain-link fences are only permitted along rear property lines.

(5) Outdoor Dining Areas

Outdoor restaurant seating helps enliven retail areas by bringing activity outside, fostering people-watching, and bridging the gap between the public street and the private retail food establishment. Outdoor dining areas that provide seating for patrons of a restaurant, café, or bakery or similar retail -food business are encouraged and permitted along Broadway, subject to the requirements set forth in Section 380-411 of the Zoning code. Heat lamps are encouraged in seating areas in order to extend outdoor dining into shoulder seasons (spring and fall). Umbrellas are encouraged for summertime shade.

(6) Landscaping and Open Space

(a) Site Landscaping Character

Site landscaping around buildings and parking lots shall build on natural open space features, including the Reservoir and the wooded hillsides sloping up away from the Reservoir, to strengthen Woodcliff Lake's self-image as a rural, bucolic place. Landscaping, fencing, and furnishings should suggest a rural or village-like appearance, such as with stone walls, picket fences, split-rail or other farm-type fencing, copses (small stands of trees), and meadow areas. Where possible, vegetation and building placement should enhance or preserve views down to the reservoir.

(b) Required Open Space Dedication on Larger Projects

Projects equal to or exceeding one (1.0) acre in size shall provide a publicly-accessible pocket park, courtyard, or plaza that meets the following standards:

- i. The open space shall be at least 2,000 square feet. It may be of any shape, but shall measure at least 25 feet in all dimensions, and all of the contributing open space shall be contiguous rather than fragmented.
- ii. The space shall be located between buildings and Broadway, or to the side of buildings and visible from Broadway, in order to be visible as a public amenity. Specifically, one edge of the space shall be adjacent to, or within sixty (60) feet, of Broadway. The required front yard area may be used to provide this open space.
- iii. Ideally, the public space should be adjacent to the entry to a complementary retail business, such as a café or small market, or the entrance of an office or upstairs use, so that pedestrian activity associated with the building can help

to enliven the open space. However, the space must be available for the general public to use, not just retail customers.

- iv. The space shall be well-lit with dark-sky compliant lighting (i.e., downcast and full cutoff so as to not cause glare or light pollution of the night sky).
- v. Seating in the form of benches, moveable chairs or low stone walls at least thirty (30) inches high and eighteen (18) inches wide is required.
- vi. The space shall include both softscape areas of landscaping with a mix of low vegetation and trees, and hardscape areas with decorative unit paving, gravel or other porous paving, and/or concrete.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

BOROUGH OF WOODCLIFF LAKE

Bergen County, New Jersey

Ordinance No. 19-08

AN ORDINANCE TO AMEND CHAPTER 380 ENTITLED "ZONING CODE" OF THE BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, Chapter 380, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding the Zoning Code within the Borough of Woodcliff Lake; and

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 380 Zoning

Article VI: Business Districts (B-1, B-2, B-3)

Sec 41.a Permitted uses in the B-1 District.

Within the B-1 business district, no lot, tract or parcel of land shall be used, and no building structure shall be constructed, altered, erected or placed to be used for any purpose other than the following:

A. Retail sales or service uses such as those listed below, as well as uses substantially similar to them, and except as where otherwise permitted conducted entirely within the confines of a building, and involving the sale of goods or rendering of services directly to the ultimate consumer:

- (1)** Stores for retail sales, including but not limited to: clothing, personal furnishings and accessories, and shoe stores; music, video, and bookstores; office supplies and stationery stores; antiques stores; camera and photographic supply stores; gift, novelty, craft, hobby and souvenir stores; jewelry and watch stores; luggage and leather goods stores; stores selling sporting and recreational good and supplies; furniture stores; drapery and curtain stores; carpet, floor covering, home décor and furnishing stores; florists, retail bakery stores; delicatessens and take-out food stores, grocery stores, fruit and vegetable markets, candy nut and confectionery stores, meat

and fish stores, and specialty food stores; and retail shopping centers combining a number of permitted retail stores.

- (2)** Shops for personal service and repairs, including but not limited to: beauty, barber shops, nail salons and day spas; shoe repair and tailors; appliance repair; locksmiths; photographers; laundry pick-up or drop-off centers; travel agencies; real estate offices; establishments selling and servicing electronic goods, computers and appliances; massage establishments employing only licensed massage and body therapists, and establishments offering physical fitness, training and wellness facilities, such as Pilates, yoga, cycling and cross-training.

B. Business, professional medical and executive offices.

C. Banks, financial institutions, insurance offices, but not drive-through banks.

D. Nursery schools and day-care centers.

E. Public parks, playgrounds and uses owned and operated by the Borough of Woodcliff Lake.

F. Clubs, lodges and fraternal organizations

G. Restaurants and coffee shops, excluding drive-through restaurants or drive-through coffee shops.

H. Accessory uses which are customary and incidental to the principal permitted uses.

I. Outdoor dining as an accessory use in conjunction with permitted restaurants and coffee shops, but only in conformance with the following supplementary standards:

- (1) Outdoor dining uses or outdoor dining areas shall be permitted as accessory uses only in conjunction with a permitted restaurant or coffee shop and shall be required to obtain site plan approval, including outdoor dining areas that are added to existing restaurants.
- (2) Outdoor dining area shall be permitted entirely within the front yard of the property containing the restaurants and/or wholly or partially within the side walk or the public right-of-way in front of the restaurant.
- (3) Outdoor dining areas shall be set back at least fifteen (15) feet from all residentially zoned property lines and ten (10) feet from all driveways.
- (4) Such setback area shall be suitably landscaped and screened as appropriate to block noise, glare, lighting and other potential impacts from adjoining properties and from vehicular movements within the property.

- (5) No outdoor entertainment, music or public address system shall be permitted within the outdoor dining area.
- (6) No exterior lighting that illuminates beyond the boundaries of the property or the outdoor dining area in excess of one-half footcandle shall be permitted.
- (7) In computing the number of off-street parking spaces required for restaurants with outdoor dining area, the outdoor dining area and its seating capacity shall be included. However, where such outdoor seating represents a relocation of indoor seating such that there will be no increase in the overall seating capacity of the restaurant, such areas shall not be included.
- (8) All signage, including signage on awnings, canopies and umbrellas and other fixtures, shall be in compliance with Borough codes regulating signage.
- (9) In the event that the outdoor dining extends to a sidewalk in front of another space in the same building or an adjacent property, the applicant shall obtain the written permission of the owner(s) and/or tenant(s), if any, of the building or space abutting any additional sidewalk frontage.
- (10) Outdoor dining areas that are to be located within the public right-of-way shall only be located on sidewalks that are at least eight (8) feet in width. Sidewalks less than eight (8) feet but more than six feet in width may be considered for outdoor dining areas, provided the additional public safety issues created by the narrower width, which issues would include sidewalk surface and separation of pedestrians from vehicular traffic, are adequately addressed.
- (11) Outdoor dining areas within a public right-of-way shall be located in a manner that promotes efficient and direct pedestrian movement. A minimum of one (1) unobstructed pedestrian path at least four (4) feet wide shall be maintained at all times.
- (12) The perimeter around the outdoor dining area on a side within a public right-of-way may be delineated using nonpermanent fixtures such as railings, potted plants, decorative chains, or other approved fixtures. The permanent anchoring of tables, chairs, umbrellas, awnings, canopies, railing or other fixtures may be approved by the approving Board, provided such anchoring meets all other applicable codes, ordinances and law and the applicant provides adequate assurances that the sidewalk will be repaired in a manner consistent with Borough requirements, or in the case of an outdoor dining area within the public right-of-way of a county road, the county requirements concerning sidewalk repair, in the event any permanently anchored fixture is removed. The approving Board may require as a condition of

approval that any fixture not permanently anchored shall be removed from the outdoor dining area during any time when the outdoor dining area or abutting business establishment is not open for business.

- (13) Tables, chairs, umbrella, canopies. Awnings and any other fixtures shall be of uniform design and shall be made of quality materials and workmanship to ensure the safety and convenience of users and to enhance the visual quality of the Broadway Corridor environment. Design materials and colors shall be compatible with the restaurant to which it is accessory and shall be approved by the Planning Board.

Sec 41.b Prohibited uses in the B-1 District.

Any uses other than those permitted by § 380-41.a are prohibited, but the following uses are expressly prohibited:

- A. Automotive uses, of any kind, except car rental establishments.
- B. Commercial amusements, either as a principal or accessory use, except as permitted in Chapter 92, Amusement Devices, of the Code of the Borough of Woodcliff Lake.
- C. Any drive-through or drive-in uses or service, whether principal or accessory.
- D. The sale of any product or service by outdoor vending machine.
- E. Supermarkets, pharmacies or drugstores, discount/warehouse clubs and big box general retail stores.
- F. Discount stores and auction houses.
- G. Business selling, distributing, cultivating, growing or facilitating the sale and/or use of either recreational and/or medicinal marijuana including any ancillary or related paraphernalia.

Sec 42.a Permitted uses in the B-2 and B-3 Districts.

Within the B-2 and B-3 business districts, no lot, tract or parcel of land shall be used and no building structure shall be constructed, altered, erected or placed to be used for any purpose other than the following:

- A. Business uses of a strictly retail sales or service type, conducted entirely within the confines of a building and involving the sale of goods or rendering of services directly to the ultimate consumer and limited to the following:

- (1) Stores for the retail sale and display of goods and products, provided that the area devoted to storage of said goods and products does not exceed the area devoted to sales and display,

except that area devoted to storage of farm products may exceed the area devoted to sales and display of farm products.

(2) Shops for personal service and repairs, such as beauty and barber shops, shoe repair, appliance repair, locksmiths, photographers, laundry and dry-cleaning establishments (excluding those which use equipment for laundry or dry cleaning processing on premises).

(3) Business, professional and executive offices and personal business service establishments such as travel agencies and real estate sales offices.

(4) Banks and similar financial institutions.

(5) Nursery schools and day-care centers.

B. Business use for the wholesale storage and sale of farm products conducted entirely within the confines of a building.

Sec. 42.b Prohibited uses in the B-2 and B-3 Districts.

Any uses other than those permitted by § 380-42.a are prohibited. Without in any manner limiting the generality and prohibition of this section, nothing contained in this section shall be construed to permit any of the following uses in any business district:

A. Accessory buildings and accessory parking structures, except farm accessory buildings.

B. Automotive uses, such as body and fender shops, automobile glass shops, radiator repair shops, muffler shops, transmission repair shops, new and used car lots, junkyards and automobile wrecking yards.

C. Car washing establishments.

D. Commercial amusements, either as a principal or accessory use, except as permitted in Chapter 92, Amusement Devices, of the Code of the Borough of Woodcliff Lake.

E. Commercial storage or warehouses.

F. Discount stores and auction houses.

G. Dog kennels, veterinary practices or animal hospitals.

- H.** Funeral parlors.
- I.** Hotels or motels.
- J.** Manufacture, assembly or treatment which is not clearly incidental to a permitted retail business use conducted on premises.
- K.** Massage parlors, saunas or steam baths and health spas.
- L.** Motorcycle and motorbike sales and service establishments.
- M.** Moving and storage warehouse establishments.
- N.** Outdoor parking or storage of trailers of all types.
- O.** Repair or machine shops, unless clearly accessory to a permitted retail use conducted on premises.
- P.** Residential use.
- Q.** Boardinghouse or rooming house.
- R.** Restaurants, except when permitted as a conditional use in the B-2 and B-3 Zones and subject to those requirements.
- S.** Sales, processing, assembling, servicing or storage of materials, merchandise, supplies or displays shall be prohibited in front, side or rear yards or any area of open space, including any aisle, sidewalk, walkway, driveway or accessway.
- T.** Self-operated and coin-operated dry-cleaning establishments and laundromats, and any other self-operated establishment.
- U.** Service stations (gasoline) for motor vehicles.
- V.** Stone yard or monument works.
- W.** Woodworking or metalworking shops.

X. Airplane and helicopter takeoff and landing areas.

Y. Any business involving the sale of fuel.

Z. Businesses selling, distributing, cultivating, growing and/or facilitating the sale and/or use of either recreational and/or medicinal marijuana, including any ancillary or related paraphernalia.

The following provisions in the current B-1, B-2 and B-3 zoning requirements Section 380-41.C are removed and placed in Section 380-11.2 of the Woodcliff Lake Zoning Code.

§380-11.2 AFFORDABLE HOUSING ZONE

A. There is hereby created an Affordable Housing Overlay Zone (AHO). The Affordable Housing Overlay Zone shall be located in the B-1 District on Lot 6 and Lot 7 in Block 2303.
[Added 12-16-2002 by Ord. No. 02-16]

(1) The permitted use under the Affordable Housing Overlay Zone, in addition to those uses permitted in the B-1 District, shall include multifamily dwelling units for low- and moderate-income residents in accordance with the regulations set forth by the Council on Affordable Housing.

(2) Within the Affordable Housing Overlay Zone, no lot, tract or parcel of land shall be used except for multifamily dwelling units for low- and moderate-income residents in accordance with the regulations set forth by the Council on Affordable Housing.

(3) The dimensional requirements of the B-1 Zone shall apply to uses permitted under the B-1 Zone. The following dimensional requirements are established for the Affordable Housing Overlay Zone:

- (a) Minimum lot area: 23,000 square feet.
- (b) Minimum lot frontage: 200 feet.
- (c) Minimum lot depth: 100 feet.
- (d) Minimum front yard: 20 feet.
- (e) Minimum side yard: one: five feet; both: 10 feet.
- (f) Minimum rear yard: five feet.
- (g) Maximum building coverage: 45%.
- (h) Maximum impervious coverage: 85%.
- (i) Maximum building height: 2 1/2 stories, 35 feet.
- (j) Maximum density: 18 dwelling units per acre.
- (k) Parking may be located in any side or rear yard. Eaves, open porches and roof overhangs may project into any required side yard and may project not more than two

feet into any required front yard or setback. Retaining wall structures may be located in any required yard setback.

(l) Notwithstanding Chapter 292, Site Plan Review, off-street parking stalls, except for handicapped spaces which shall comply with all regulations pertaining thereto, shall measure at least nine feet in width and 18 feet in length.

(m) Notwithstanding Chapter 292, Site Plan Review, the minimum aisle (interior driveway) width shall be 18 feet.

(n) Notwithstanding Chapter 292, Site Plan Review, the minimum width of a driveway connection to a public street at a ninety-degree angle shall be 21 feet.

(4) Notwithstanding the provisions of § 380-47, with respect to an application for development of a permitted use under the Affordable Housing Overlay Zone, ingress and egress will be permitted for the lots being developed from Coles Crossing Road.

(5) The residential site improvement standards of the State of New Jersey shall establish the requirements for the number of parking spaces and other site design.

(6) All multifamily dwelling units for low- and moderate-income residents shall be affirmatively marketed in accordance with the Council on Affordable Housing regulations. All rental units shall be rented in accordance with the Council on Affordable Housing regulations. Development of affordable housing shall be in accordance with the rules and regulations of the New Jersey Council on Affordable Housing.

(7) All of the provisions of this chapter, except as provided in this § 380-11.2, shall be applicable to the Affordable Housing Overlay Zone in the B-1 District.