

ORDINANCE

0-8-2020

BOROUGH OF NORTH CALDWELL, ESSEX COUNTY, NEW JERSEY

AN ORDINANCE OF THE BOROUGH OF NORTH CALDWELL AMENDING AND SUPPLEMENTING CHAPTER 107 OF THE CODE OF THE BOROUGH OF NORTH CALDWELL TO ESTABLISH A NEW IRO INCLUSIONARY RESIDENTIAL OVERLAY ZONE AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO

WHEREAS, in response to the New Jersey Supreme Court's decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 2, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled In the Matter of the Application of the Borough of North Caldwell, County of Essex, Docket No. ESX-L-4696-15, seeking a Judgment of Compliance and Repose approving its Housing Element and Fair Share Plan, in addition to related relief, and simultaneously filed a motion for temporary immunity, which was subsequently granted by the Court and is still in force and effect; and

WHEREAS, the Borough and Fair Share Housing Center ("FSHC") entered into a Settlement Agreement on December 11, 2018, which was subsequently approved by the Court via an Order entered on February 15, 2019, after a Fairness Hearing was held on January 25, 2019; and

WHEREAS, as part of the FSHC Settlement Agreement, and to address a portion of the Borough's combined Prior Round (1987-1999) and Round 3 (1999-2025) "unmet need", the Borough and Green Brook Realty Associates, LLC (hereinafter "Green Brook LLC"), the owner of a property located at Block 1600, Lot 1, entered into a separate Settlement Agreement on December 11, 2018 (hereinafter the "Green Brook Settlement Agreement"), which was also approved by the Court via an Order entered on February 15, 2019, after a Fairness Hearing was held on January 25, 2019; and

WHEREAS, the Green Brook Settlement Agreement contemplates that certain lands comprised of approximately 99 acres within the C Golf Course, Country Club and Open Space District, commonly referred to as Block 1600, Lot 1, is suited for inclusionary development; and

WHEREAS, the Borough wishes to foster development that provides a realistic opportunity for the construction of affordable housing, via inclusionary residential development; and

WHEREAS, the Green Brook Settlement Agreement provides for the property owner's development of an assisted living/memory care facility, consisting of 80 to 130 beds, 10% of which shall be affordable, 160 market rate age-restricted stacked flats and/or townhomes, 89 to 99 for-sale market rate non-age-restricted townhomes, up to 25 affordable age-restricted rental apartments and 25 affordable non-age-restricted family rental apartments, operation of a restaurant and/or banquet facility, and dedication of approximately 12 contiguous acres of buildable land to the Borough for the Borough's development into a school or other future municipal use, and providing for the Borough's adoption of an overlay zoning ordinance to facilitate the agreed upon development.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Caldwell in the County of Essex and the State of New Jersey as follows:

Section 1. Chapter 107 of the Code of the Borough of North Caldwell, Section 107-9, "Zoning districts enumerated" is hereby amended and supplemented by inserting the following new zone district into the list of zones:

IRO Inclusionary Residential Overlay Zone

Section 2. The Zoning Map is hereby amended to include the following new overlay zone: IRO Inclusionary Residential Overlay Zone: Block 1600, Lot 1. The underlying zone shall still be in effect; the overlay zone is supplemental to the underlying zone.

Section 3. Chapter 107 of the Code of the Borough of North Caldwell is hereby amended and supplemented by adding a new Section 107-26.1, "IRO Inclusionary Residential Overlay Zone" as follows.

§ 107-26.1 IRO INCLUSIONARY RESIDENTIAL OVERLAY ZONE

A. Purpose and Planning Rationale. The purpose of the IRO Inclusionary Residential Overlay Zone is to provide a realistic opportunity for the construction of affordable housing as part of a comprehensively planned inclusionary development, and thereby help to address a portion of the Borough's combined Prior Round (1987-1999) and Round 3 (1999-2025) "unmet need" as per the terms of the Settlement Agreement entered into between the Borough of North Caldwell and Fair Share Housing Center ("FSHC") on December 11, 2018 (hereinafter "FSHC Settlement Agreement") and the Borough and Green Brook Realty Associates, LLC (hereinafter "Green Brook LLC") on December 11, 2018 (hereinafter "Green Brook Settlement Agreement."). This overlay zone will conform with the

FSHC Settlement Agreement, the Green Brook Settlement Agreement, the Borough's Affordable Housing Ordinance (Article XVI of the Borough Code), the New Jersey Fair Housing Act ("FHA"), applicable Council on Affordable Housing ("COAH") regulations, the Borough's Housing Element and Fair Share Plan, which may be amended from time to time, and any applicable order of the Court, including a Judgment of Compliance and Repose Order.

B. Applicability. The following standards shall apply to development within the IRO Inclusionary Residential Overlay Zone. All other provisions of Chapter 107, Zoning and Land Use, of the North Caldwell Borough Code shall apply to development in the IRO Inclusionary Residential Overlay Zone only where specifically indicated, as applicable in this § 107-26.1 of the North Caldwell Code. Sections 45-1, 80-19, and 88-17 shall not apply in the IRO Inclusionary Overlay Zone. When development of a use permitted by the IRO Inclusionary Residential Overlay Zone is proposed, only the IRO Inclusionary Residential Overlay Zoning shall apply and the C Golf Course, Country Club and Open Space District zoning shall be of no force or effect. No overlay zoning, other than the IRO Inclusionary Residential Overlay zoning, shall apply to the Tract.

C. Definitions. The Definitions provided in Sections 107-7, 107-8, and 107-97 of the Borough of North Caldwell Code shall apply in the IRO Inclusionary Residential Overlay Zone, except as provided herein. The following definitions shall apply only within the IRO Inclusionary Residential Overlay Zone, shall supplement any non-conflicting definitions within Chapter 107 of the Borough Code, and shall supersede any conflicting definitions in the Borough Code, except for the definitions in the Borough's Affordable Housing Ordinance (Article XVI of the Borough Code).

- (1) AFFORDABLE - A sales price or rent within the means of a low-or moderate-income household as defined by COAH in its applicable regulations or an equivalent controlling New Jersey state agency; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.
- (2) AGE-RESTRICTED UNIT - A housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62

years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b) (2) of the Fair Housing Act, 42 U.S.C. § 3607.

- (3) APARTMENT - shall mean a Dwelling Unit in a Building having three (3) or more Dwelling Units that are leased to its occupants.
- (4) ASSISTED LIVING FACILITY - A housing development which is a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed. Apartment units offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.
- (5) ASSISTED LIVING AREA - the acreage of the Tract to be developed with an Assisted Living Facility.
- (6) BANQUET FACILITY - a facility providing meeting space, conference rooms, and ballrooms and offering services including catering, alcoholic and nonalcoholic beverage service, audio-visual services, and event planning.
- (7) BASEMENT - A story, wholly or partially underground, designed for living quarters or habitable use and having more than one-half (1/2) of its clear height above the average level of the adjoining ground.
- (8) BUILDABLE LAND - land that does not include wetlands, floodplains or any other restraints that would make construction on the land impracticable subject to the reasonable review and approval of the Borough.
- (9) BUILDING HEIGHT - the distance measured in feet from the first floor finished grade to the midpoint of the roof.
- (10) CELLAR - A story, wholly or partially underground, not designed for living quarters or habitable use and having more than one-half (1/2) of its clear height below the average level of the adjoining ground.

- (11) FIRST FLOOR DECK - a deck that extends from the first floor of a Townhouse that is not extended from a second floor, Townhouse Basement or Walkout Basement.
- (12) INTERNAL ROADWAYS - Private streets, roads, and/or right-of-ways connecting any two or more lots created by subdivision and located entirely in the Tract, with the exception of any roads that service the Municipal Site.
- (13) INTERNAL TRACT LOT LINE - The boundary between any two or more lots created by subdivision and located entirely within the IRO Inclusionary Residential Overlay Zone.
- (14) LOT - A piece, plot or parcel of land existing in common ownership, whether acquired in separate parcels or as a whole, abutting on a street or Internal Roadway, the location, dimension or boundaries of which are determined by the latest office record in the Register's Office of Essex County.
- (15) MARKET-RATE - Housing not restricted to low- and moderate-income households.
- (16) MUNICIPAL SITE - approximately 12 contiguous acres of Buildable Land to be conveyed by Deed to the Borough of North Caldwell by Green Brook, LLC suitable for future municipal use, including but not limited to potential school construction having accessible frontage on a public roadway.
- (17) NON-AGE-RESTRICTED UNIT - A Dwelling Unit for which there are no requirements as to the age of any occupant.
- (18) RESIDENTIAL LIVING AREA - the acreage of the Tract to be developed with Market Rate Age-Restricted Stacked Flats, Market Rate Age-Restricted Townhouses, Market Rate Non-Age-Restricted Townhouses, Affordable Age-Restricted Apartments, and/or Affordable Non-Age-Restricted Apartments.
- (19) RESIDENTIAL LIVING USES - Market Rate Age-Restricted Stacked Flats, Market Rate Age-Restricted Townhouses, Market Rate Non-Age-Restricted Townhouses, Affordable Age-Restricted Apartments, and/or Affordable Non-Age-Restricted Apartments.
- (20) RESTAURANT - a business or establishment where food and/or beverages are sold or dispensed for consumption by patrons who are served within the building at tables and may include a bar (assuming a valid consumption license is obtained by the restaurant operator), but

specifically excluding fast-food restaurants and drive-thru facilities.

- (21) STACKED FLAT - A portion of a Building or Structure designed for, or occupied by, no more than one Family or household and attached to one (1) or more Stacked Flats within the same Building or Structure by one (1) or more party walls. Stacked Flats, or portions of Stacked Flats may be located above another Stacked Flat and/or parking. Furthermore, each Stacked Flat shall be provided with cooking and sleeping facilities for the use of each family or household of the flat.
- (22) STORY - That portion of a building or structure, exclusive of Cellars and Townhouse Basements, but inclusive of Basements and Walkout Basements, contained between the surface of any floor above the average grade elevation and the surface of the next floor above it or, if there is no floor above it, then the space between the surface of highest floor and the top of the roof beams above it. Walkout Basements shall be considered a story in all instances.
- (23) TOWNHOUSE - a portion of a Building or Structure designed for, or occupied by, no more than one Family or household and attached to one (1) or more Townhouse within the same Building or Structure by one (1) or more party walls extending from the foundation. Townhouses, or portions of Townhouses may not be located above another Townhouse. Each Townhouse shall be provided with cooking, sleeping and sanitary facilities for the use of each Family or household of the Townhouse. Title to a Townhouse may be held in a fee simple, condominium, or cooperative ownership, or any combination thereof.
- (24) TOWNHOUSE BASEMENT - A story, wholly or partially underground, designed for habitable use and having less than one-half (1/2) of its clear height above the average level of the adjoining ground.
- (25) TRACT - the entirety of the parcel of land comprising the IRO Inclusionary Residential Overlay Zone, meaning Block 1600, Lot 1.
- (26) FAIRFIELD TRACT - the remainder of the existing Green Brook County Club, which includes Block 2003, Lot 1, Block 2101, Lot 8.03 and Block 19.02, Lot 13 located in Fairfield Township.
- (27) TRACT IMPERVIOUS COVERAGE - the percentage of the Tract that is developed with an Impervious Surface, excluding

any roads, streets, and Internal Roadways. To calculate Tract Impervious Coverage, the denominator shall be the gross acreage of the Tract, including 6 acres of the Municipal Site, and the numerator shall be the acreage of the Tract, excluding the Municipal Site, developed with Impervious Surfaces, excluding roads, streets, and Internal Roadways. The impervious coverage limitations stipulated in this ordinance shall not apply to the Municipal Site as they are not in any way intended to prevent or restrict the Borough from developing the Municipal Site for public purposes in a manner which may exceed such Tract coverage requirements.

- (28) WALKOUT BASEMENT - a Basement of a Townhouse that has direct access via a doorway to the exterior of the Townhouse from the Basement, which shall count as a building story.

D. Application Requirements.

- (1) Any application for development for any portion or the entirety of the IRO Inclusionary Residential Overlay Zone shall be submitted in accordance with the requirements of §107-5-6 § 107-34 through § 107-41 and § 107-43 through § 107-45 of the Borough of North Caldwell Code, except as provided herein. An application for development of permitted uses within the IRO Inclusionary Residential Overlay Zone shall delineate the boundaries of New Jersey Department of Environmental Protection regulated riparian buffers, flood plains, freshwater wetlands, freshwater wetland buffers, all existing wooded areas, excepting vehicular access and utilities which may be within such buffers. An application for development in the IRO Inclusionary Residential Overlay Zone shall also include existing setback dimensions, width and direction of flow watercourses, existing wooded areas signs, utility poles, electric lines, telephone lines, principal and accessory buildings or structures, catch basins, storm drainage facilities, sanitary sewers and utilities, design data supporting the adequacy of such existing facilities, curbs, sidewalks, driveways, fences, retaining walls, parking space areas and the layouts thereof and all off-street loading areas on the site and within 100 feet of the site.
- (2) Consistent with N.J.A.C. §5:93-10.1(b), the New Jersey Fair Housing Act (N.J.A.C. 52:27D-301 et seq), and Section 7 of the Green Brook Settlement Agreement, no unnecessary cost generative requirements shall apply to any development of permitted uses within the IRO

Inclusionary Residential Overlay Zone, including but not limited to the Planning Board/Zoning Board of Adjustment application checklist requirements B(5) (j), B(5)(o)(1), and B(7) and §107-36(C)(7) and (12), and §107-36(D)(3), §107-38(A) (1), §107-38(B)(1),(3),(6), and (8), §96-3A, §96-3B, §96-3C, §96-3D, §96-3E, §96-4, §96-6, and §96-7. Further to that end, notwithstanding §107-36(C) and 107-38(A), an application for development of permitted uses within the IRO Inclusionary Residential Overlay Zone shall not be required to delineate trees 6 inches or over in diameter, or existing landscaping but shall be required to delineate all existing wooded areas. Additionally, notwithstanding § 107-41(B), no application for development in the IRO Inclusionary Residential Overlay Zone shall be required to include the location of gas and electric transmission lines, telephone service or any other wire services, except that the location of all easements to be imposed, including easements for public utilities or copies of all easements, including those to public utilities, shall be provided to the extent practicable. Notwithstanding §107-41(B)(4)(a), all deeds of the municipal site to the Borough need not be presented to the Planning Board; however, site plan approval shall be conditioned upon the approval of any deeds of the municipal site by the Governing Body and the Borough Attorney.

- (3) Application for development of permitted uses in the IRO Inclusionary Residential Overlay Zone shall not be deemed an application for a Residential Cluster Plan.
- (4) For the avoidance of doubt, the North Caldwell Planning Board shall be the "Municipal Agency" to which all submissions shall be made and reviewed in connection with proposed development in the IRO Inclusionary Residential Overlay Zone, including but not limited to those required by §107-36D unless otherwise set forth herein.
- (5) The application fee for preliminary and final major subdivision and site plan approval in the IRO Inclusionary Residential Overlay Zone shall be subject to §107-45 and shall be determined at the time of the filing pursuant to the fee structure in place at the time of filing, but in no event shall exceed \$10,000. The initial escrow fee due at the time of initial filing of an application for development in the IRO Inclusionary Residential Overlay Zone shall be as determined by the joint decision of the Borough Engineer, the Borough Planner and the Borough Attorney. The

initial escrow fee shall be subject to increase and replenishment by the applicant as necessary to cover project costs from application through construction inspection subject to the joint decision of the Borough Engineer, the Borough Planner and the Borough Attorney.

- (6) Stormwater Management. Application for development in the IRO Inclusionary Residential Overlay Zone shall not be subject to §53-5 or §53-28 through §53-38. Applications for development in the IRO Inclusionary Residential Overlay Zone shall comply with the stormwater management standards of the Residential Site Improvement Standards and N.J.A.C. 7:8.
- (7) For the avoidance of doubt, development of permitted uses in the IRO Inclusionary Residential Overlay Zone shall constitute an Affordable Housing Development and be exempt from payment of Development Fees to the Affordable Housing Trust Fund pursuant to N.J.S.A. 52:27D-329.2 and § 107-95 through 107-106 of the Borough Code. Under no circumstances will Borough Affordable Housing Trust Fund money be used for project.
- (8) All Sections in Chapter 107 of the Borough Code shall apply to the IRO Inclusionary Residential Overlay Zone unless otherwise modified herein. Application may be made simultaneously for preliminary and final subdivision and/or site plan approval. Application for development to the Planning Board shall be deemed to also serve as application for an excavation and regrading permit, diversion permit, soil movement permit, grading, drainage and erosion control permit pursuant to §54, stormwater permit, tree removal permit, signs, retaining walls, fencing and sight line variances. The Planning Board has the authority to approve and issue, in conjunction with all other applicable agencies, excavation and regrading permits, diversion permit, stormwater permits, soil movement permits, grading, drainage, and erosion permits pursuant to § 54, tree removal, signs, retaining walls, fencing, and sight line variance applications in connection with any development proposed via application in the IRO Inclusionary Residential Overlay District.
- (9) Recognizing that because the existing structures have been refurbished periodically and as recently as 2003, the Tract is not a historic site, so no application or review by the

Historic Preservation Commission shall be required in connection with any application for development.

- (10) With the exception of such on and off-tract infrastructure necessary to provide potable water, waste water, and stormwater service to permitted uses to be developed on the Tract, is further the intent of this ordinance to not require off-site or off-tract improvements for development, unless the need for such improvements arise from the development and conditions within the Tract nor shall the approving authority require items deemed as "cost-generating" as prohibited by the Fair Housing Act (N.J.S.A. 52:27D-314), or as further prohibited and defined by COAH Prior Round Regulations (N.J.A.C. 5:93-10.1 to 10.5). A developer of the Tract shall cooperate with the Borough, Essex County and all public entities, public utilities, and private entities and individuals to assess the impact of any proposed development of the Tract to assure the stability of existing utility and access points along the Green Brook.
- (11) Any application for development of a Restaurant shall include the identity of the proposed Restaurant operator. The Borough shall have approval rights over any Restaurant operator, which approval shall be granted in writing by the Governing Body, and such approval not to be unreasonably withheld, provided such application conforms with the requirements of the IRO Inclusionary Residential Overlay Zone.
- (12) To the extent consistent with N.J.S.A. 40:55D-53, § 107-42 (regarding performance guarantees and inspection fees) and § 88-47 (maintenance bond) of the North Caldwell Code shall apply.

E. Permitted principal uses area as follows:

- (1) Assisted Living Facility.
- (2) Market Rate Age-Restricted Stacked Flats.
- (3) Market Rate Age-Restricted Townhouses.
- (4) Market Rate Non-Age-Restricted Townhouses.
- (5) Affordable Age-Restricted Apartments.
- (6) Affordable Non-Age-Restricted Apartments.
- (7) Public or parochial schools, including playgrounds and necessary buildings, but not a private school operated for profit.
- (8) Municipal buildings and facilities of the Borough of North Caldwell.

- (9) Banquet Facility.
- (10) Restaurant.

F. Accessory Uses.

- (1) Required Uses Accessory to Residential Living Units are as follows. Residential Living Required Accessory Uses shall utilize all or portions of or replace applicable amenities existing on the Tract in conjunction with the development of the Residential Living Units.
 - i. Clubhouse
 - ii. Outdoor swimming pool
 - iii. Fitness center
 - iv. Outdoor patio/barbecue area
 - v. Dog Park

- (2) Permitted Accessory Uses to All Permitted Uses in the IRO Inclusionary Residential Overlay Zone are as follows:
 - i. Signs.
 - ii. Buildings and uses customary and incidental to the principal use.
 - iii. Recreational facilities, clubhouse, lobbies, fitness facilities, outdoor barbecues, fire pits, gazebos, leasing and management offices, club rooms, lounges, libraries, business centers, game rooms, pool rooms, community gardens, rec rooms, children's play rooms, private theater rooms, community kitchens for tenant use, locker rooms, mail rooms, package storage areas, valet spaces, interior tenant amenities, provided that such amenities serve only the residents of the development of the Tract and Fairfield Tract and their guests.
 - iv. Attached private garages to the building in which they serve that are intended for the shelter and storage of motor vehicles and providing off-street parking.
 - v. Mechanical Equipment.
 - vi. Sports facilities, including but not limited to, paddle, bocce, or similar courts, putting greens and swimming pools.
 - vii. Tennis courts.
 - viii. Playground facilities
 - ix. Dog park or dog run.
 - x. Storage spaces unattached to Residential Living Units, but used exclusively by occupants of Residential Living Units, which are incorporated into the Building where the user's Residential Living Unit is located.
 - xi. Waste and recycling receptacles and dumpster enclosures.
 - xii. Fences and walls.

- xiii. Surface parking.
- xiv. Home-based business operations as may be permitted by law.
- xv. Maintenance facilities.
- xvi. Leasing Offices.

(3) Municipal Uses. Principal and accessory uses contained on the Municipal Site are intended for the exclusive use of North Caldwell residents except as may otherwise be authorized by the Borough.

G. Height Restrictions. The following limitations on Building Height shall apply to each Permitted Use.

| Permitted Use | Maximum Permitted Building Height |
|--|-----------------------------------|
| Assisted Living Facility | 3 Stories/ 45 feet |
| Market-Rate Age-Restricted Stacked Flats located more than 500 feet from public street existing at time of site plan application | 4 Stories over parking/55 feet |
| Market-Rate Age-Restricted Stacked Flats located less than 500 feet from public street existing at time of site plan application | 3 Stories over parking/45 feet |
| Age-Restricted and Non-Age-Restricted Townhouses | 3 Stories/45 feet |
| Age-Restricted and Non-Age-Restricted Affordable Apartment Buildings | 3 Stories/45 feet |

H. Tract Requirements

(1) The Tract may be subdivided into multiple Lots, such that each permitted use or a combination of permitted uses may be located on a separate lot. Notwithstanding the foregoing, the Tract shall be subdivided such that no Affordable Apartments shall be located on the same Lot as the Assisted Living Facility, Market Rate Age-Restricted Stacked Flats, Market Rate Age-Restricted Townhouses, or Market Rate Non-Age-Restricted Townhouses. To the extent necessary, access, drainage, and utilities to

subdivided lots within the Tract may be provided for via cross-easements.

- (2) Tract Design Requirements. The exterior building materials of the Affordable Buildings on the Tract shall be the same as those utilized on the Market-Rate Buildings on the Tract.
- (3) Impervious Coverage. Tract Impervious Coverage as defined herein shall not exceed 33%.
- (4) Approximately Twelve contiguous acres of Buildable Land shall be dedicated to the Borough for the Municipal Site as defined herein. The exact location of this dedication of municipal land shall be determined as part of the site planning process and good faith negotiations with the Borough.
- (5) Accessory Set-backs to Internal Roadways and Internal Tract Lot Lines. The Following accessory structures shall be considered as being consistent with all other set back requirements, subject to the buffering requirements in 10726.1I(2) and J(2):
 - a. Balconies, second floor decks, appurtenances such as HVAC units, stationary generators, and pedestrian structures such as stairs, pads, and roof overhangs may extend into any required setback from an Internal Roadway or Internal Tract Lot Line by no greater than six (6) feet provided that any such accessory structure within seventy-five (75) feet of any existing single-family residential lot or public right-of-way in North Caldwell, but outside of the Tract shall not be oriented towards any existing single-family residential lot or public right-of-way in North Caldwell, but outside of the Tract.
 - b. Patios and First Floor Decks may extend into any required setback from an Internal Roadway or Internal Tract Lot Line by no greater than ten (10) feet provided that any such accessory structure within seventy-five (75) feet of any existing single-family residential lot or public right-of-way in North Caldwell, but outside of the Tract shall not be oriented towards any existing single-family residential lot or public right-of-way in North Caldwell, but outside of the Tract.
 - c. Privacy partitions shall not extend further than any balcony, patio or deck.

- (6) Municipal Boundary Lines. For the avoidance of doubt, setbacks shall be required from all municipal boundary lines.

I. Assisted Living Facility Requirements.

- (1) Affordable Set-Aside. Ten percent (10%) of beds within an Assisted Living Facility shall be Affordable.
- (2) Buffer requirement. Where an Assisted Living Facility abuts an existing single-family residential lot or public right-of-way in North Caldwell, but outside of the Tract, there shall be a fifty (50) foot setback, which shall include a twenty-five (25) foot buffer immediately adjacent to such single-family lot, intended to provide year round screening which may be composed of a combination of the following: berming, fencing, existing landscaping, vegetation and/or proposed landscaping, subject to Planning Board approval. Notwithstanding the foregoing, retaining walls-, sidewalks, shielded lighting public and private streets, driveways, underground utilities, and landscaping shall be permitted in such buffer.
- (3) Area, Yard and Bulk Requirements. The area, yard, and bulk requirements for the Assisted Living Facility are as follows:

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|--|------------------|
| Minimum Assisted Living Area | 4 Acres |
| Maximum Density | 35 Beds per Acre |
| Maximum Assisted Living Beds per Tract | 130 |
| Minimum Assisted Living Beds per Tract | 80 |
| Minimum Building Setbacks from: | |
| Green Brook Road | 50 Feet |
| Central Avenue | 50 Feet |
| Internal Roadways | 25 Feet |
| Internal Tract Lot Line | 25 Feet |
| Municipal Lot Line | 25 Feet |
| Parking | Per RSIS |

J. Requirements for Residential Living Uses.

- (1) Area, Yard and Bulk Requirements. The area, yard, and bulk requirements for the Residential Living Uses are as follows:

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|---|--|
| Minimum Residential Living Area | 75 Acres(excludes assisted living) |
| Maximum Residential Living Units | 299 |
| Minimum Building Setbacks from Green Brook Road | 100 Feet (Non-Age-Restricted Townhouses) 200 Feet (Age-Restricted) 100 Feet (Affordable Apartments) |
| Minimum Building Setbacks from Central Avenue | 100 Feet (Non-Age-Restricted Townhouses) 200 Feet (Age-Restricted) 100 Feet (Affordable Apartments) |
| Minimum Building Setbacks: | |
| From Internal Roadways | 25 Feet |
| Building to Building | 20 Feet |
| Internal Tract Lot Lines | 25 Feet |
| Municipal Lot Line | 25 Feet |
| Parking | 2.0 spaces/Unit (Age-Restricted) 2.3 spaces/Unit (Non-Age-Restricted Townhouses) 1.5 spaces/Unit (Affordable Apartments) |

(2) Buffer requirement. Where Residential Living Uses abut an existing single-family residential lot or public right-of-way in North Caldwell, but outside of the Tract, there shall be a fifty (50) foot setback, which shall include a twenty-five (25) foot buffer immediately adjacent to such single-family lot, intended to provide year round screening which may be composed of a combination of the following: berming, fencing, existing landscaping, vegetation and/or proposed landscaping, subject to Planning Board approval. Notwithstanding the foregoing, retaining walls, sidewalks, shielded lighting public and private streets, driveways, underground utilities, and landscaping shall be permitted in such buffer.

K. Market-Rate Age Restricted Stacked Flats and Townhouse Requirements.

- (1) Maximum Units. The total of all Market-Rate Age-Restricted Stacked Flats and Market-Rate Age-Restricted Townhouses may not exceed 160 Dwelling Units.
- (2) Market-rate age restricted units shall have deed restrictions for such use.

- (3) Townhouse units shall be "for sale" without age restriction and including no more than three (3) bedrooms in any configuration.
- (4) All townhouse units shall have either a first floor master suite or an elevator. Second floor master suites shall be at least 500 square feet, including bathrooms and closets.

L. Market-Rate Non-Age-Restricted Townhouse Requirements.

- (1) Market-Rate Non-Age-Restricted Townhouse Design Requirements. Market-Rate Non-Age-Restricted Townhouses in the IRO Inclusionary Residential Zone shall be "for sale" market-rate units without age restriction. Market-Rate Non-Age-Restricted Townhouses shall include no more than three bedrooms. All Market-Rate Non-Age-Restricted Townhouses shall have a first floor master suite or an elevator. For those Market-Rate Non-Age-Restricted Townhouses with an elevator, the second floor master suites shall be at least 500 square feet, inclusive of bathroom and closet space.
- (2) Area, Yard and Bulk Requirements. In addition to those Area, Yard, and Bulk Requirements applicable to Residential Living Uses in the IRO Inclusionary Residential Overlay Zone, the following requirements shall apply.

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| Maximum Market-Rate Non-Age-Restricted Townhomes per Tract | 99 |
| Minimum Market-Rate Non-Age-Restricted Townhomes per Tract | 89 |

M. Affordable Apartments Requirements.

- (1) Affordable Non-Age-Restricted Units and Buildings Per Tract. Twenty-five (25) Affordable Non-Age Restricted Family Rental Apartments shall be provided.
- (2) Affordable Age-Restricted Units and Buildings Per Tract. The Total of Affordable beds within an Assisted Living Facility and Affordable Age-Restricted Apartments on the Tract shall be twenty-five (25) age-restricted rental Dwelling Units.
- (3) The Affordable Non-Age Restricted Units and Affordable Age-Restricted Units shall be located in two or more buildings, located on one or more Lots on the Tract. No

other permitted use shall be located within a Building containing Affordable Apartments.

- (4) Age-Restricted Affordable Units shall have deed restrictions for such use.
- (5) The rules governing the affordable housing residents' use of the amenities for the proposed project shall be determined collectively between the developer, the Borough and Fair Share Housing Center at the time of site plan application.
- (6) Trash.
 - a. Trash produced by the Affordable Apartments may be stored inside the Affordable Apartment building(s) and/or in outdoor trash containment areas.
 - b. All outdoor trash containment areas must be enclosed with a six (6) foot high enclosure to prevent windblown litter. The enclosure shall be opaque and constructed of materials consistent with the principal building(s) which it serves.
 - c. Landscape plantings shall be located to blend the outdoor trash enclosures into the visual environment and obscure them from view.

N. Banquet Facility and Restaurant Requirements.

- (1) The Banquet Facility and Restaurant shall be located and operated within the clubhouse. The existing clubhouse, inclusive of the Banquet Facility and/or Restaurant space, may be altered or renovated, provided that the square footage of the clubhouse, including any Banquet Facility and Restaurant, shall not be increased from the clubhouse square footage existing as of December 11, 2018.
- (2) The Restaurant shall include seating for no more than 150 indoor patrons and 50 outdoor patrons. Outdoor seating shall be setback a minimum of 100 feet from all residences.
- (3) Amplified music shall not be played outdoors after 10:00 p m.

O. Other Requirements.

- (1) Utilities. Applicant(s) for development in the IRO Inclusionary Residential Overlay Zone shall be responsible for creating, extending or improving on and off site infrastructure necessary to

provide adequate potable water, waste water, and stormwater service to the lot, including control of stormwater generated by the development of the Tract, which is the subject of an application for development.

- (2) Affordable Housing. In accordance with the FSHC Settlement Agreement, the Green Brook Settlement Agreement, the Borough's Affordable Housing Ordinance (Article XVI of the Borough Code), the Borough's Housing Element and Fair Share Plan, and any applicable Order of the Court, including a Judgment of Compliance and Repose Order, the following requirements for Affordable Housing shall apply:
 - a. Except as provided herein, all Affordable Apartments within the IRO Inclusionary Residential Overlay Zone shall comply with the Borough's Affordable Housing Ordinance at Article XVI, § 107-107 through § 107-128 of the Borough Code, applicable Council on Affordable Housing ("COAH") regulations, Uniform Housing Affordability Controls, N.J.A.C. 5:80:26-1 et seq. ("UHAC"), the Borough's Housing Element and Fair Share Plan, and any applicable Order of the Court, including a Judgment of Compliance and Repose Order. In the event of any conflict between the zoning for the IRO Inclusionary Residential Overlay Zone, and UHAC, the zoning for the IRO Inclusionary Residential Overlay Zone shall control, as long as it still complies with the Borough's Affordable Housing Ordinance (Article XVI of the Borough Code).
 - b. Deed Restrictions. Ten percent of Assisted Living beds and all Affordable Apartments shall be deed restricted as Affordable to Very Low, Low, or Moderate Income Households for a period of at least thirty (30) years from the date of the initial occupancy of each Affordable Unit (the "Deed Restriction Period"), until the Borough takes action to release the controls on affordability, so that the Borough may count each affordable unit against its obligation to provide affordable housing. The affordability controls shall not expire until such time, after thirty (30) years from the date of initial occupancy that the Borough takes action to release the controls on affordability, and that thereafter, the affordability controls shall continue in effect until the date on which the individual Affordable

Apartment shall become vacant, provided that the occupant household continues to earn a gross annual income of less than eighty (80%) of the applicable median income. If, at any time after the release of the affordability controls by the Borough, a rental household's income is found to exceed eighty percent (80%) of the regional median income, the rental rate restriction shall expire at the later of the next scheduled lease renewal of sixty (60) days.

- c. Income Distribution. Thirteen percent (13%) of the total number of Affordable Apartments must be for Very Low Income Households, thirty-seven (37%) shall be for Low Income Households, and fifty percent (50%) of shall be for Moderate Income Households. This distribution shall be met both cumulatively across all Affordable Apartments (age-restricted and non-age-restricted), and separately for each of the Affordable Age-Restricted Apartments and Affordable Non-Age-Restricted Apartments.
- d. Number of Affordable Units. The developer shall provide a minimum of fifty (50) affordable units to be incorporated in the development of the tract in accordance with the FSHC Settlement Agreement and the Green Brook Settlement Agreement. Twenty-five (25) of the affordable units shall be family rental units in one building and twenty-five (25) units shall be age-restricted senior rental units restricted to seniors (55 and over) located in a second building. Ten percent (10%) of the assisted living beds in the Assisted Living Facility shall qualify as affordable units and each of those beds shall count toward the required twenty-five (25) senior rental units. In the event the number of assisted living beds qualifying for affordable housing credits drops below thirteen (13), the developer shall construct one (1) senior rental affordable unit for each unit below thirteen (13) generated by the Assisted Living Facility, to assure that the Borough receives credit for all fifty (50) units.
- e. Bedroom Distribution.
 - i. Affordable Age-Restricted Apartments. Affordable Age-Restricted Apartments (excluding Affordable Assisted Living Facility beds) may be efficiency, one or two bedroom units, or any combination thereof, provided that the number of bedroom shall equal the number of Affordable Age-Restricted Apartments. This standard may be met by one-

bedroom units or by including a two- bedroom unit for each efficiency unit provided.

ii. Affordable Non-Age-Restricted Apartments. At least five (5) Affordable Non-Age-Restricted Apartments shall be three bedroom units. No more than four (4) of the Affordable Non-Age-Restricted Apartments shall be one bedroom units. The remainder of the Affordable Non-Age-Restricted Affordable Apartments may be two or three bedroom units, or any combination thereof.

f. Phasing Requirements. Construction of Affordable Apartments shall comply with N.J.A.C. 5:93-5.6(d) with the certificates of occupancy for market-rate dwelling units being phased with the certificates of occupancy for the affordable apartments in accordance with that regulation.

g. Administrative Agent. Administration of Affordable Apartments shall be by a qualified and experienced third party administrative agent, which may be the administrative agent for the Borough of North Caldwell.

h. Location Requirements. Within the IRO Inclusionary Residential Overlay Zone, Affordable units shall be located in two or more buildings. Such a building need not contain any market-rate units.

i. Other Affordable Housing Unit Requirements. Developers shall also comply with all of the other requirements of the Borough's Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, and (3) adaptability requirements.

(3)Circulation.

a. Roadways shall comply with Residential Site Improvement Standards.

b. Sidewalks. Notwithstanding the Residential Site Improvement Standards, sidewalks shall be required on one side of Internal Roadways.

(4)Residential Site Improvement Standards. To the extent any waiver, exemption, or exception is required from the Residential Site Improvement Standards due to an inconsistency with this zoning or otherwise,

the Borough Planning Board may liberally grant such waiver, exemption, or exception as permitted by law so as to refrain from imposing cost-generative requirements upon the application and/or development as such requirements are not allowed as per the Fair Housing Act (N.J.S.A. 52:27D-314) and COAH Prior Round Regulations (N.J.A.C. 5.93-10.1 to 10.5).

(5) Retaining Walls and Fencing.

- a. Orientation Toward Central Avenue or West Greenbrook Road. Any retaining wall, retaining wall tier, or fence oriented toward Central Avenue or West Greenbrook Road, and within seventy-five (75) feet of Central Avenue or West Greenbrook Road shall be no more than eight (8) feet in height, provided that there shall be a minimum distance between any retaining wall tiers of no less than ten (10) feet and all such walls or fences shall be screened with evergreen trees of a minimum height of six (6) feet.
- b. Internal Orientation. Any retaining wall, retaining wall tier, or fence oriented away from Central Avenue or West Greenbrook Road and away from any existing single-family residential lot, and more than seventy-five (75) feet from Central Avenue or West Greenbrook Road shall be no more than ten (10) feet in height, provided that there shall be a minimum distance between any tiered walls of no less than eight (8) feet.

(6) Landscaping. Landscaping shall be provided to promote a desirable visual environment, accentuate building design, define entranceways, provide screening for parking areas, garbage enclosures, buffer zones, and various equipment.

- a. A comprehensive landscape plan shall be prepared by a licensed landscape architect subject to Planning Board review and approval.
- b. Existing mature trees outside the limit of disturbance shall be preserved where practical. Within the buffers established by sections 107-26.1(I)(2) and 107-26.1(J)(2), existing vegetation adjacent to existing single-family residential uses and public roadways in North Caldwell, but outside of the Tract, shall be preserved where practical.

- c. The landscape plan shall provide for a variety of trees, shrubs, annual and/or perennial beds, groundcover, grasses and/or other plant material as determined by the Planning Board to be appropriate.
- d. Foundation plantings shall be installed along building walls, and where appropriate, porches and decks.
- e. Surface parking and loading areas shall be appropriately screened with landscape plantings.
- f. New parking areas containing 25 spaces or more shall have landscaped islands at least 6 feet in width to break up the expanse of pavement.
- g. Shade trees should be installed with a minimum caliper of 2.5 to 3 inches.
- h. Areas not improved with buildings, structures and other man-made improvements shall be landscaped, grassed, and/or provide functional recreation/open space.

(7) Shade Trees. Shade trees shall be planted at a distance of not more than fifty (50) feet from each other along all Internal Roadways.

(8) Lighting.

- a. On-site lighting shall protect and enhance the character and quality of the surrounding neighborhood.
- b. LED (light-emitting diode) light of the soft white category shall be incorporated into site, service and parking lot lighting.
- c. All exterior lights shall be designed so as to reduce glare, lower energy usage and direct lights only to where they are needed and away from existing residential homes.

(9) Signage. Within the IRO Inclusionary Residential Overlay Zone, the following shall apply:

- a. Ground signs. One (1) ground sign shall be permitted at each entrance to the Tract from a public roadway outside of the tract and one (1)

ground sign shall be permitted for each distinct permitted use at their respective entrances within the Tract.

- i. The face of each such ground sign shall not exceed 45 square feet in area, exclusive of any monument or structure to which the sign is affixed. The maximum height of a ground sign from the ground, including base support, shall be six feet. The sign may be internally or externally illuminated, provided the sign shall not incorporate scrolling, animation, or flashing elements. The sign materials and design should complement the architecture of the Building.
 - ii. Each such ground sign shall be set back a minimum distance of 10 feet from any Internal Roadway or public street so as to preserve sight triangles.
 - iii. Each ground sign shall be set back a minimum of 10 feet from any lot line.
 - iv. Ground signs shall not exceed a height of six (6) feet as measured from grade to the uppermost components of the sign.
 - v. Ground signs shall be setback a minimum of 50 feet from any another ground sign.
- b. Wall signs. Wall signs for purposes of address and unit number identification shall be permitted. A Restaurant or Banquet Facility shall be permitted one (1) wall sign not to exceed 40 square feet. No other wall signs shall be permitted.
- c. Directional signs not to exceed four (4) square feet shall be permitted where it is determined that such signage promotes the safe circulation of vehicles onsite.
- d. Temporary banners, pennants, and bunting. Banners, streamers, pennants and/or bunting used for sales or marketing purposes shall be permitted, provided they do not exceed four feet in height and do not impair traffic or create potential driver distraction. Such temporary signs shall only be permitted at each entrance to the tract from a public roadway outside of the Tract, and may otherwise be permitted within the tract at minimum setbacks of 50 feet from adjacent public roadways and properties outside the tract and 25 feet from other temporary signs. Temporary signs shall be permitted for an initial period of one year at the commencement of unit leasing/sales

after which, requests for extensions may be submitted to the Borough for review and approval.

- e. The area of sign shall be computed as the total square footage encompassing the lettering, illustration, logo or display, including any background, wall support, frame, base or other supporting element. If there is no circumscribed background, the sign area shall be computed as the product of the extreme limits of the lettering, illustration or display. This shall not be construed to include the base or supporting members of any sign which are used solely for such purpose. For signs with two display faces, the maximum area requirement shall be permitted on each side. Signs with more than two display faces are prohibited.

(10) Inapplicable Provisions. The following sections of the North Caldwell Zoning and Land Use Ordinance shall not apply to developments in the IRO Inclusionary Residential Overlay Zone.

- a. Section 107-13 (regarding location of buildings) shall not apply in the IRO Inclusionary Residential Overlay Zone because it is not intended for the multi-family residential development contemplated in the IRO Inclusionary Residential Overlay Zone.
- b. In lieu of Section 107-14 regarding tree removal, Sections 107-26.1.D(1), discussing the application requirement to include a delineation of certain New Jersey Department of Environmental Protection regulated features and certain wooded areas, and 0(6), discussing landscaping and tree preservation, of this Ordinance applies. Additionally, wooded areas of the Tract that are designated as wetland buffers or riparian buffers are otherwise required to be preserved pursuant to the New Jersey Department of Environmental Protection statutes and regulations.
- c. In lieu of Section 107-15 regarding topsoil removal, Section 107-26.1.D(8) of this Ordinance discussing applications for soil movement and drainage and erosion control permits applies.
- d. In lieu of Section 107-16 regarding retention of natural features, Section 107-26.10(5) (b) and the New Jersey Department of Environmental Protection rules and regulations shall govern the retention and preservation of natural features,

including brooks, rocks, drainage channels, and views.

- e. All roads to be constructed within the Tract shall remain private, meaning that they will not be dedicated to the municipality at any point in time. As such, the requirement in Section 107-17 (frontage on approved streets) is not applicable to development in the IRO Inclusionary Residential Overlay Zone.
- f. In lieu of Section 107-20 regarding residential parking requirements, Sections 107-26.1.I(3) and 10726.1.J(1) of this Ordinance, which provide the required number of parking spaces, and Residential Site Improvements Standards shall apply. Section 10720 shall apply to non-residential uses of, and commercial parking on the Tract. Notwithstanding the foregoing, nonresidential uses on the Tract shall not be required to increase the number of parking spaces as exist as the time of the adoption of this ordinance, unless application is made and approved to (i) increase the square footage of the clubhouse, including any Banquet Facility and Restaurant, beyond the square footage existing as of December 11, 2018 or (ii) to grant a use variance pursuant to N.J.S.A. 40:55D-70d.
- g. Given the topography of the Tract and the IRO Inclusionary Residential Zoning requirement for the inclusion of affordable housing and provided a detailed Soil Erosion and Sediment Control Plan is submitted with an application for development pursuant to Section 107-26.1.D(8) of this Ordinance, the New Jersey Department of Environmental Protection statutes and regulations regarding flood hazard areas shall apply in lieu of Section 107-30. The aforementioned Soil Erosion and Sediment Control Plan shall incorporate temporary sediment basins and other temporary drainage structures, which shall be constructed in accordance with a construction sequencing plan approved by the Borough. Such structures shall remain in place until permanent drainage structures are completed. Said plans shall comply with the statutes, rules, regulations, and requirements of the New Jersey Environmental Protection and the Hudson-Essex-Passaic Soil Conservation District.
- h. In lieu of Section 107-31 regarding signage, Section 107-26.1.0(9) of this Ordinance discussing

the signage requirements within the IRO Inclusionary Residential Overlay Zone applies.

- i. In lieu of Section 107-32 regarding fences and retaining walls, Section 107-26.10(5) of this Ordinance discussing the retaining wall and fencing requirements in the IRO Inclusionary Residential Overlay Zone applies.
- j. In lieu of Section 107-46, regarding street design, and 107-47, regarding block design, Sections 107-26.1.0(3)(a), (b) of this Ordinance, Section 107-26.1.0(4) of this Ordinance and the Residential Site Improvement Standards apply.
- k. In lieu of Section 107-48 regarding lot design, Section 107-26.1.H regarding subdivision of the Tract, Section 107-26.1.I regarding the bulk requirements for an Assisted Living Facility, Section 107-26.1.J regarding the bulk requirements for Residential Living Uses, Section 107-26.1.K regarding the bulk requirements for Market-Rate Age-Restricted Stacked Flats and Townhouses and Section 107-26.1.L regarding the bulk requirements for Market-Rate Non-Age-Restricted Townhouses apply.

Section 4. The Planning Board hearing an application for development within the IRO Inclusionary Residential Overlay Zone shall be authorized to grant such variances, waivers, and exceptions as they deem appropriate pursuant to law.

Section 5. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of North Caldwell, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Borough of North Caldwell are hereby ratified and confirmed, except where inconsistent with the terms hereof. If there are any inconsistencies between this Ordinance and the Settlement Agreement, the Settlement Agreement will control.

Section 7. The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Essex County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 8. After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of North Caldwell for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 9. Upon adoption by the Borough Council, this Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 10. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Essex County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED: June 23, 2020
 Moved By: Council President Santomauro
 Seconded By: Councilman Chiaia

| COUNCIL MEMBER | YES | NO | ABSTAIN | ABSENT | COUNCIL MEMBER | YES | NO | ABSTAIN | ABSENT |
|----------------|-----|----|---------|--------|----------------|-----|----|---------|--------|
| ASTORINO | X | | | | REES | X | | | |
| CHIAIA | X | | | | SANTOMAURO | X | | | |
| KESSLER | X | | | | TILTON | X | | | |

PUBLIC HEARING:

ADOPTED:
 Moved By:
 Seconded By:

| COUNCIL MEMBER | YES | NO | ABSTAIN | ABSENT | COUNCIL MEMBER | YES | NO | ABSTAIN | ABSENT |
|----------------|-----|----|---------|--------|----------------|-----|----|---------|--------|
| ASTORINO | | | | | REES | | | | |
| CHIAIA | | | | | SANTOMAURO | | | | |
| KESSLER | | | | | TILTON | | | | |

ATTEST:

 Tami Michelotti, Borough Clerk

 Joseph H. Alessi, Mayor

