

**REGULAR MEETING
OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS
WAS HELD THIS EVENING IN THE MUNICIPAL BUILDING**

Monday, October 17, 2016

Council President Louis Fontana called the meeting to order at 9:41 p.m. with the following members present: James Damiano, Pamela Porter, and William Liess. Also present were Mayor Darlene Conti, Township Attorney Leslie London, Township Engineer Dennis Lindsay, Township Planner Jeff Janota, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: Councilmember Joseph Maceri

Township Employees present: DPW Superintendent Philip Simone, DPW Secretary Joyce Schwartz, Deputy Registrar Marlene Simone, Library Director Chris Pelchat-Miller, and Police Chief Steven Post

Following the Salute to the Flag, the Statement of Public Notice was read.

STATEMENT OF PUBLIC NOTICE: Take notice that adequate notice of this meeting was provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 8, 2016; a copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date; additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

APPROVAL OF MINUTES

It was moved by Councilmember Liess, seconded by Councilmember Damiano, that the Minutes of the Workshop meetings of December 14, 2015, June 13, 2016, July 11, 2016, August 8, 2016, and September 12, 2016 and the Minutes of the Regular meetings of July 13, 2015, May 23, 2016, June 13, 2016, July 11, 2016, August 8, 2016, and September 12, 2016 be and they were approved.

Poll:	Ayes:	Porter, Liess, Damiano and Council President Fontana
	Nays:	None

The Council President declared the motion passed.

REMARKS FROM CHAIR

Council President FONTANA commented that the meeting Minutes are now up to date. He attended the annual mass for Firemen at Holy Angels, and remarked the event was well attended. He announced the Halloween Bash will be held at the Recreation Center from 10 a.m. to 2 p.m. on October 29, 2016.

COUNCIL MEMBER REPORTS

Councilmember DAMIANO also remarked it was nice to see everyone come together at the Firemen's mass.

Councilmember PORTER commented the Firemen's mass was poignant. She publicized the Senior Advisory Board is sponsoring the Harvest Moon Dance at the Civic Center on Friday; there are only nine spots left. The Municipal Alliance is hosting a dance for fifth and sixth graders at the Recreation Center on November 4, 2016. The Little Falls Education Foundation is hosting an Oktoberfest fundraiser at the Russian Hall this Friday. Tickets can be purchased through their website at a \$5 discount. Councilmember PORTER also announced several students from School #1 will be participating in the sectional NFL Pass, Punt, and Kick contest in Garfield.

Councilmember LIESS reported the Regional Flood Board convened last week to address the Peckman River, shoals, and the associated damage. He stated the Flood Board is working to secure funds to acquire the proper equipment to remove shoals, restore property, and maintain proper river flow. He will provide updated reports as information becomes available.

MAYOR'S REPORT

At this time Mayor Conti read a Proclamation that declared October Breast Cancer Awareness Month and November 17th World Pancreatic Cancer Day.

Mayor Conti recalled the Fireman's mass was heartwarming. She announced the Little Falls Business Association hosted a successful Fall Festival.

ATTORNEY'S REPORT

Ms. London had nothing to report.

PUBLIC COMMENT

It was moved by Councilmember Porter, seconded by Councilmember Damiano, that the meeting be and it was opened to the public.

Poll:	Ayes:	Porter, Liess, Damiano and Council President Fontana
	Nays:	None

The Council President declared the motion passed.

No one having coming forward to be heard, it was moved by Councilmember Porter, seconded by Councilmember Damiano, that the meeting be and it was closed to the public.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

CONSENT AGENDA

All items on the Consent Agenda were considered to be routine and were enacted with a single motion. Any items under REQUISITIONS carried a Treasurer’s certification as to sufficiency of funds. At this time, Mrs. Kraus noted the Consent Agenda included Resolution J and Resolution K, pertaining to the Streetscape Program discussed in the Workshop meeting.

REPORTS

Municipal Clerk’s Report – Month of September 2016

MUNICIPAL CLERKS REPORT
 Month of September 2016

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$300.00	
Pre-paid Business Licenses		
Raffle Licenses	\$40.00	\$340.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$696.00	
Marriage Licenses-LF	\$39.00	
Marriage Licenses-NJ	\$325.00	\$1,060.00
MRNA		
Street Maps	\$3.00	
Zoning Maps	\$9.00	
Zoning Ordinances		
Document Copies	\$17.72	
Garage Sales	\$35.00	
Misc. Fees & Refunds:		
TOTAL MRNA		<u>\$64.72</u>
TOTAL CURRENT ACCOUNT		<u>\$1,464.72</u>
TOTAL TO TREASURER		<u>\$1,464.72</u>

Municipal Clerks Dog/Cat License Report - Month of September 2016

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT
 Month of September 2016

Dog Licenses issued September 1, 2016 thru September 30, 2016		
Nos. 341 to 350 = 10 Licenses		
Amount due Little Falls		\$68.00
Amount due State		\$15.00
Total Cash Received		\$83.00
Cat Licenses issued September 1, 2016 thru September 30, 2016		
Nos. 0 to 0		
Licenses Issued		
Total Cash Received		<u>\$0.00</u>
Total to Treas.		<u>\$83.00</u>

Tax Collector’s Report – Month of September 2016

MONTHLY REPORT

Municipality of Township of Little Falls
 Office of the Tax Collector
 Township of Little Falls Current Account, Lakeland Bank
 Revenues Collector for the Month of September 2016

Categories 01-	September 1-30, 2016	2016 Year to Date
2016 Taxes	\$307,336.76	\$33,846,584.71
2015 Taxes	107,268.22	680,702.82
2014 Taxes	0.00	392.22
Prepaid 2017 Taxes	73,054.00	73,054.00
Interest	27,543.09	129,467.00
Cost of Tax Sale	1,372.00	1,372.00
Duplicate Tax Bills	5.00	290.00
Tax Searches	0.00	10.00
Insufficient Check Charge	20.00	140.00
6% Penalty Fee	3,553.25	17,141.60
GRAND TOTALS	\$520,152.32	\$34,749,154.35

Delinquent 2015 Taxes \$843.51 (1st-4th Qtrs.)
 Delinquent 2016 Taxes 602,875.83(1st-3rd Qtrs.)
Total Delinquent Taxes \$603,719.34

2016 Refunds this month = -\$ 453.00
 2016 Year to date refunds = -\$44,935.26
Breakdown of refunds for years 2013-2016 completed in 2016(see attached).

REFUNDS IN THE YEAR 2016

Months	All/Any 2015	2014 STCJ	2015 STCJ	2016 STCJ	2016 CBJ	Regular 2016	2016 Veteran / Widow	2016 Senior/ Disabled	Exempt 2016	2016 Homestead Benefit	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
February	\$7,682.87	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,682.87
March	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
April	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00
May	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
June	\$33,632.85	\$0.00	\$0.00	\$0.00	\$0.00	\$6,448.35	\$0.00	\$0.00	\$0.00	\$0.00	\$40,081.20
July	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,333.31	\$0.00	\$0.00	\$0.00	\$788.88	\$19,122.19
August	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,019.23	\$0.00	\$0.00	\$0.00	\$2,892.49	\$18,911.72
September	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$453.00	\$0.00	\$0.00	\$0.00	\$0.00	\$453.00
Totals	\$41,565.72	\$0.00	\$0.00	\$0.00	\$0.00	\$41,253.89	\$0.00	\$0.00	\$0.00	\$3,681.37	\$86,500.98

Note: The above figures represent the months that the Tax Collector did the adjustments in the computer; the Resolution(s) may have been adopted in the next month.

STCJ = State Tax Court Judgments.
CBJ= County Board Judgments.

Municipality of Township of Little Falls
Office of the Tax Collector
Township of Little Falls Tax Collector Trust 1 (Lien Monies), Lakeland Bank
Revenues for the Month of September 2016

	<u>Deposit</u>	<u>2016 Year-to-Date</u>
January 2016	\$7,837.59	\$ 7,837.59
February 2016	\$ 0.00	\$ 7,837.59
March 2016	\$ 0.00	\$ 7,837.59
April 2016	\$17,102.85	\$24,940.44
May 2016	\$62,883.00	\$87,823.44
June 2016	\$ 0.00	\$87,823.44
July 2016	\$ 0.00	\$87,823.44
August 2016	\$ 7,651.19	\$95,474.63
September 2016	\$ 2,500.00	\$97,974.63
Total Collected as of September 30, 2016		\$97,974.63

*Revised page D.W. 10-11-16

Municipality of Township of Little Falls
Office of the Tax Collector
Township of Little Falls Tax Collector Trust 2 (Lien Premium Monies), Lakeland Bank
Revenues for the Month of September 2016

	<u>Liens with Premiums Redeemed/ (-)(+)</u>	<u>Bal. /Dep. (+)</u>
Balance Brought Forward (January 1, 2016)		\$270,300.00
January 2016	\$ 0.00	\$270,300.00
February 2016	\$ 0.00	\$270,300.00
March 2016	\$ 0.00	\$270,300.00
April 2016	\$-15,000.00	\$255,300.00
May 2016	\$-28,000.00	\$227,300.00
June 2016	\$ 0.00	\$227,300.00
July 2016	\$ 0.00	\$227,300.00
August 2016	\$ 0.00	\$227,300.00
*September 2016	\$- 1,800.00	\$225,500.00
September 2016 (Premiums paid @ tax sale)	\$+70,000.00	\$295,500.00
Ending Balance as of September 30, 2016		\$295,500.00

APPLICATIONS

Raffle- Annual Calendar Raffle, Our Lady of the Holy Angels Church, 12/23/16-3/22/17, 9:30 a.m., 465 Main Street, Little Falls

NJ State Firemen's Association- Joseph Sproviero, Riker Avenue, Singac Fire Company #3

Blue Light Permit- Angelo S. Gentile, Van Pelt Place, Little Falls Fire Department

RESOLUTIONS

Cancellation of Unpaid Property Taxes Due to FEMA Closings

RESOLUTION (A) 16-10-17#1

WHEREAS, the Township of Little Falls purchased the following properties through the FEMA program in the Years 2015-2016; and **WHEREAS**, the 2016 taxes have been pro-rated from the closing dates for the closings occurring in the Year 2016 and canceled in full for the closings in 2015; and

WHEREAS, the Township is requesting that their portion of the taxes be made exempt from the closing date, and the total unpaid taxes be canceled for the pro-rated amount or for the full calendar year 2016; and

WHEREAS, these properties will be made tax exempt by our Tax Assessor as of January 1, 2017:

<u>BLOCK/LOT QUAL.</u>	<u>OWNER/ LOCATION/ CLOSING DATE/ TOTAL 2016 TAXES</u>	<u>CANCEL UNPAID AMOUNT TOWSP PORTION</u>	<u>2016 ASSESSED VALUE</u>
80/17	Thorn, Gregg-47 Zeliff Av February 11, 2016 Total 2016 taxes \$4,275.77	\$3,783.62	54,000 (L) 83,000 (I) 137,000
80/22	Plummer, Homeor- 37 Zeliff Av December 30, 2015 Total 2016 taxes \$4,319.46	\$4,319.46	53,000 (L) 85,400 (I) 138,400
81/9	Burbano, G & K-44 Zeliff Av December 30, 2015 Total 2016 taxes \$5,159.01	\$5,159.01	53,000 (L) 112,300 (I) 165,300
87/28	Beaumont, Gregory- 50 Parkway June 3, 2016 Total 2016 taxes \$4,353.80	\$2,528.82 <u>80,500</u> (I)	59,000 (L) 139,500
Total amount to be canceled =		\$15,790.91	

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls on this 17th day of October 2017 that the unpaid taxes on the above block and lots for 2016 be canceled in the amount of \$15,790.91.

Contract Award for CDBG-DR Asbestos and Lead Paint Assessments

**RESOLUTION [B] 16-10-17 - #2
ACCEPTING BID AND AWARDING CONTRACT FOR
CDBG-DR ASBESTOS AND LEAD PAINT ASSESSMENT**

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on October 4, 2016 for CDBG-DR Asbestos & Lead Paint Assessment, and the bids were opened and read publicly as follows:

LEW Corporation
Mountainside, NJ
Bid: \$845.00 per home

Mandell Lead Inspectors, Inc.
Totowa, NJ
Bid: \$1,150.00 per home

The RBA Group, Inc.
Parsippany, NJ
Bid: \$1,399.00 per home

Pennoni
Philadelphia, PA
Bid: \$2,500.00 per home

and, **WHEREAS**, the Township Attorney has reviewed the bids for legal sufficiency; and
WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2016 budget; and
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls as follows:

1) That the bid of

LEW Corporation
1090 Bristol Road
Mountainside, NJ 07092-2372

in the amount of

\$845.00 per home

be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a Contract in a form approved by the Township Attorney for the designated services at the bid price hereinabove cited, subject to the successful Contractor's filing the required form of Affirmative Action compliance and Payroll Certification for Public Works Projects; and

3) That the Clerk be and he is hereby authorized and directed to return to the unsuccessful bidder(s) any Certified checks and/or Bid Bonds received from them as surety, with the exception of the surety received from the second-lowest bidder, which shall be retained for a period not to exceed sixty (60) days or until a contract in a form satisfactory to the Township Attorney shall have been executed with the low bidder, whichever shall come first.

Award of Contract for Janitorial Services

**RESOLUTION [C] 16-10-17 -
ACCEPTING BID AND AWARDING CONTRACT FOR
JANITORIAL SERVICES**

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on October 4, 2016 for Janitorial Services, and the bids were opened and read publicly as follows:

Ocean Clean, Inc.
Bid: \$1,875.00 per month

Integrity Facility Service, Inc.
Bid: \$2,190.00 per month

North Jersey Friendship House, Inc.
Bid: \$2,946.67 per month

First Comm. Development Corp of NJ
Bid: \$3,183.00 per month

Manhattan Maintenance Company
Bid: \$3,771.98 per month

Star Building Services, Inc.
Bid: \$4,281.00 per month

and, **WHEREAS**, the Township Attorney has reviewed the bids for legal sufficiency; and
WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2016 budget; and
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls as follows:

1) That the bid of

Ocean Clean, Inc.
P.O. Box 256
Cedar Grove, NJ 07009

in the amount of

\$1,875.00 per month

be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a Contract in a form approved by the Township Attorney for the designated services at the bid price hereinabove cited, subject to the successful Contractor's filing the required form of Affirmative Action compliance and Payroll Certification for Public Works Projects; and

3) That the Clerk be and he is hereby authorized and directed to return to the unsuccessful bidder(s) any Certified checks and/or Bid Bonds received from them as surety, with the exception of the surety received from the second-lowest bidder, which shall be retained for a period not to exceed sixty (60) days or until a contract in a form satisfactory to the Township Attorney shall have been executed with the low bidder, whichever shall come first.

Administrative Agent Services for Affordable Housing Plan

RESOLUTION [D] 16-10-17 - #4

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A CONTRACT WITH COMMUNITY GRANTS, PLANNING & HOUSING, LLC ("CGP&H) FOR PROVISION OF ADMINISTRATIVE AGENT SERVICES REGARDING THE TOWNSHIP'S AFFORDABLE HOUSING PLAN

WHEREAS, the Township of Little falls ("Township") is a public body corporate and politic of the State of New Jersey; and
WHEREAS, there is a need for the Township to procure the services of a qualified firm to serve as the Township's Administrative Agent regarding the Township's Affordable Housing Plan; and

WHEREAS, the Township has received a proposal from CGP&H, a firm with expertise and experience in providing such professional services; and

WHEREAS, the Township desires to award a contract to CGP&H to provide such services to the Township in accordance with their proposal; and

WHEREAS, the costs for such services shall not exceed \$17,500, and payment for such services will be made from the Township's Affordable Housing Trust Fund, and adequate funds are available for the provision of such services.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls, County of Passaic, and State of New Jersey, as follows:

1. The Township hereby awards a contract to CGP&H in an amount not to exceed \$17,500 to serve as the Township's Administrative Agent for the Township's Affordable Housing Plan.
2. This Resolution shall take effect immediately.

Submission of 2016 Housing Element and Fair Share Plan

RESOLUTION [E] 16-10-17 - #5

RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF THE TOWNSHIP'S 2016 HOUSING ELEMENT AND FAIR SHARE PLAN TO THE NEW JERSEY SUPERIOR COURT FOR REVIEW AND APPROVAL

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015)(the "2015 Case"). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing ("COAH") to the New Jersey Superior Court, and established a transitional process for municipalities, like the Township of Little Falls, to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans ("HEFSP") as being constitutionally compliant and seeking judicial protections and immunity; and

WHEREAS, pursuant to N.J.S.A. 52:27D-313 and the 2015 Case, the New Jersey Superior Court has the authority to enter an Order granting protection and repose against exclusionary zoning litigation to a municipality that is in compliance with its affordable housing obligations under the Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; and

WHEREAS, on July 7, 2015, the Township of Little Falls (the "Township") filed a declaratory judgment action with the New Jersey Superior Court seeking to declare its HEFSP as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period (the "Declaratory Judgment Action"). In that filing, the Township also sought a determination from the Superior Court with respect to the Township's future use and disposition of the Township's Affordable Housing Trust Funds, as directed by the New Jersey Appellate Division in the case, In Re Failure of the Council on Affordable Housing to Adopt Trust Fund Commitment Regulations; and

WHEREAS, the Superior Court of New Jersey has ordered that municipalities that filed declaratory judgment actions must submit an updated HEFSP that address their affordable housing obligations as calculated by their respective municipal experts; and

WHEREAS, the Township's Planning Consultant, Jeffrey L. Janota, PP, AICP, of H2M Architects + Engineers, has prepared an updated HEFSP dated October 2016 (the "2016 HEFSP"), and an updated Spending Plan, that addresses the Township's affordable housing obligations in accordance with the Reports issued by the Special Court Master, Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. with respect to the Township's 2016 HEFSP; and

WHEREAS, Council has reviewed the 2016 HEFSP and authorizes its submission to the Court for review and approval; and

WHEREAS, upon approval of the 2016 HEFSP by the Court, the 2016 HEFSP will be submitted to the Planning Board of the Township for approval as an amendment to the Master Plan of the Township of Little Falls, and then submitted to Council for endorsement.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Little Falls, County of Passaic, State of New Jersey, they being the Governing Body thereof as follows:

1. The Council hereby approves the submission of the 2016 HEFSP to the New Jersey Superior Court for review and approval.
2. This Resolution shall take effect immediately.

Transfer of Plenary Retail Consumption License

TOWNSHIP OF LITTLE FALLS PASSAIC COUNTY NEW JERSEY RESOLUTION [F] 16-10-17 - #6

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1605-33-009-006, heretofore issued to LMC Caterers, Inc. for premises located at 215 Newark Pompton Turnpike, Little Falls, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Little Falls Township Council does hereby approve, effective October 17, 2016, the transfer of the aforesaid Plenary Retail Consumption License to Mansion Caterers, Inc., t/a The Falls, and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Mansion Caterers, Inc. t/a The Falls, whose mailing address is 128 Fairway Avenue, Verona, New Jersey 07044, effective October 17, 2016.

Complete Streets Policy

RESOLUTION [G] 16-10-17 - #7

RESOLUTION ADOPTING A COMPLETE STREETS POLICY WHEN FISCALLY PRUDENT

WHEREAS, the Township of Little Falls is committed to creating a cost effective pedestrian and bikeway system that makes walking and cycling a viable alternative to driving, and which improves bicyclist and pedestrian safety, by creating street corridors that safely accommodate all road users of all abilities and disabilities; and

WHEREAS, the New Jersey Department of Transportation's Complete Streets Policy states "A Complete Street is defined as a means to provide safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options"; and

WHEREAS, significant accomplishments have already been achieved by incorporating pedestrian safety and traffic calming measures when public streets are improved; and

WHEREAS, the Mayor and Council of the Township of Little Falls supports this "complete streets" initiative and wishes to reinforce its commitment to creating a comprehensive, integrated, connected street network that safely accommodates all road users of all abilities and disabilities and for all trips.

NOW, THEREFORE, BE IT RESOLVED that all public street projects, both new construction and reconstruction (excluding maintenance) undertaken by the Township of Little Falls shall be designed and constructed as "complete streets" whenever feasible to do so in order to safely accommodate travel by pedestrians, with special priority given to bicyclist and pedestrian safety, and subject to the following conditions:

- a. Pedestrian and bicycle facilities shall not be required where they are prohibited by laws.
- b. Public transit facilities shall not be required on streets not serving as transit routes and the desirability of transit facilities will be determined on a project specific basis.

Light Industrial Zone Redevelopment Study

RESOLUTION [H] 16-10-17 - #8

RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 77, LOTS 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, 20.01 ON THE TAX MAP OF THE TOWNSHIP SHOULD BE DESIGNATED AS AN 'AREA IN NEED OF REDEVELOPMENT' AND/OR AN 'AREA IN NEED OF REHABILITATION' PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment and/or rehabilitation; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment or rehabilitation under the Redevelopment Law the Township Council ("**Township Council**") of the Township of Little Falls (the "**Township**") must authorize the planning board of the Township (the "**Planning Board**") to conduct a preliminary investigation of the area and make recommendations to the Township Council; and

WHEREAS, the Township Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known as Block 77, Lots 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, and 20.01, on the tax map of the Township (hereinafter the "**Study Area**"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-14*, and should be designated as an area in need of redevelopment and/or rehabilitation; and

WHEREAS, if the Planning Board determines to recommend that the Study Area should be designated as an area in need of redevelopment or rehabilitation, pursuant to the Redevelopment Law, the Township Council requests that the Planning Board also prepare a redevelopment plan for the Study Area and submit same to the Township Council for its consideration; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the Township and Township Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, not including the power of eminent domain (hereinafter referred to as a "**Non-condemnation Redevelopment Area**").

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* and/or *N.J.S.A. 40A:12A-14* to be designated as an area in need of redevelopment and/or rehabilitation under the Redevelopment Law.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6* & *12A-14*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment or rehabilitation. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Township Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Council as to whether the Township Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. If the Planning Board recommends the Study Area be designated as a Non-condemnation Redevelopment Area, the Planning Board is further directed to prepare a redevelopment plan for the Study Area, pursuant to Section 7(f) of the Redevelopment Law. Upon completion of the redevelopment plan, the Planning Board shall transmit the plan to the Township Council for its consideration.

Section 8. This Resolution shall take effect immediately.

Transit Village Submission

RESOLUTION [I] 16-10-17 - #9

TRANSIT VILLAGE SUBMISSION RESOLUTION

WHEREAS, the NJ Department of Transportation (NJDOT) has created a Smart Growth community revitalization and redevelopment program known as the Transit Village Initiative; and

WHEREAS, the Transit Village Initiative supports Smart Growth, revitalization and redevelopment within walking distance of transit for the purpose of increasing transit ridership, reducing automobile congestion and improving air quality in the State of New Jersey; and

WHEREAS, the NJDOT along with NJ TRANSIT, the Department of Community Affairs, the Department of Environmental Protection, the Redevelopment Authority, the Council on the Arts, Main Street New Jersey, the Economic Development Authority, the Office for Planning Advocacy and the Housing and Mortgage Finance Agency are partners in the Transit Village Initiative and make up the Transit Village Task Force; and

WHEREAS, the NJDOT may designate a Transit Village after the municipality has achieved the Transit Village Criteria established by the Transit Village Task Force; and

WHEREAS, once a municipality has been deemed a Transit Village, the Transit Village Task Force will provide that municipality with (1) a contact person in each of the state agencies that make up the Transit Village Task Force; (2) technical assistance from each agency; (3) up-to-date information on grants, loans, programs or other opportunities; (4) priority funding where feasible; and (5) access to special information meetings, educational programs and research information; and

WHEREAS, the governing body of the Township of Little Falls desires to apply to the NJDOT for Transit Village designation.

NOW THEREFORE BE IT RESOLVED by the governing body of Township of Little Falls in the county of (county), State of New Jersey, that Township of Little Falls requests to be considered for Transit Village designation; and

BE IT FURTHER RESOLVED that the governing body of Township of Little Falls is committed to Smart Growth and is willing to accept meaningful growth in terms of jobs, housing and population within the transit village development district; and

BE IT FURTHER RESOLVED that the governing body of Township of Little Falls hereby commits to the implementation of the compact, mixed-use, transit-supportive vision as represented in the Transit Village Statement of Qualification; and

BE IT FURTHER RESOLVED that the governing body of Township of Little Falls has identified Jeffrey L. Janota, PP, AICP, who is knowledgeable in municipal planning, development and/or economic issues, to be the primary contact person to the Transit Village Task Force; and

BE IT FURTHER RESOLVED that if designated a Transit Village, the governing body of Township of Little Falls will commit to submitting annual updates as required by the Transit Village Task Force; and

BE IT FURTHER RESOLVED that if designated, the governing body of Township of Little Falls will continuously strive to improve the quality of the transit village district; and

BE IT FURTHER RESOLVED that in the event that the Transit Village Task Force determines that a designated Transit Village is no longer acting consistently with the Transit Village program goals, the Transit Village Task Force may suspend designation and/or withhold program benefits.

Grant Contract with DOT for Streetscape Program

RESOLUTION [J] 16-10-17 - #10

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE LITTLE FALLS MAIN STREET/MORRIS CANAL STREETScape INTER-CONNECT

NOW, THEREFORE, BE IT RESOLVED, that the Council of Little Falls formally approves the grant application for the above stated project;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as TA-2016-Little Falls Main Street/Morris Canal Streetscape Inter-connect – 00092.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Little Falls, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Little Falls Main Street/Morris Canal Streetscape Inter-Connect

RESOLUTION [K] 16-10-17 - #11

BE IT RESOLVED, by the Mayor and Township Council of the Township of Little Falls, that application is made to the Commissioner of Transportation for aid under the Transportation Alternatives Program for:

LITTLE FALLS MAIN STREET/MORRIS CANAL STREETScape INTER-CONNECT

WHEREAS, the Township Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

BE IT RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble and submit the necessary documentation on behalf of the Township of Little Falls for the stated project(s).

CORRESPONDENCE

Request from the Little Falls Woman’s Club for Permission to Hang a Banner in Wilmore Road Park to Advertise the Annual Holiday House Tour on December 10, 2016

It was moved by Councilmember Porter, seconded by Councilmember Damiano, that the Consent Agenda be approved as printed.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

REGULAR AGENDA

NEW BUSINESS

Ordinance No. 1245- It was moved by Councilmember Porter, seconded by Councilmember Damiano, that the public hearing of Ordinance No. 1245, “**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE ZONING PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH A SOLAR SYSTEMS ORDINANCE,**” be and it was opened.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Porter, seconded by Councilmember Damiano, that the public hearing on Ordinance No. 1245 be and it was closed.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Liess, seconded by Councilmember Porter, that Ordinance No. 1245 be and it was adopted.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1246 - It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the public hearing Ordinance No. 1246, “**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE ZONING PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH A SMALL WIND ENERGY SYSTEMS ORDINANCE,**” be and it was opened.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

John Veteri, 133 Prospect Street, reiterated his objections to the proposed Ordinance as it related to number, size, and noise.

Councilmember DAMIANO stated the Council can amend and revisit the ordinance if necessary. Councilmember PORTER concurred.

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1246 be and it was closed.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that Ordinance No. 1246 be and it was adopted.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1265 - It was moved by Councilmember Porter, seconded by Councilmember Damiano, that the public hearing Ordinance No. 1265, "**AN ORDINANCE AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, FERAL CATS,**" be and it was opened.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Liess, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1265 be and it was closed.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that Ordinance No. 1265 be and it was adopted.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1266 - It was moved by Councilmember Damiano, seconded by Councilmember Liess, that the public hearing Ordinance No. 1266, "**ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP OF LITTLE FALLS CODE CHAPTER 7 ARTICLE I, SECTION 7-15, 'TRAFFIC, ON-STREET REGULATIONS, ROUTES FOR TRUCKS OVER FOUR TONS,'**" be and it was opened.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Damiano, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1266 be and it was closed.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

The Council accepted the amendments posed during the Workshop Meeting. Due to the modifications recommended, which were deemed significant by legal counsel, it was advised that the ordinance will be re-advertised and heard at the next Regular Meeting.

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that Ordinance No. 1266 be amended to indicate a truck weight of 126,000 pounds and be carried to the next Regular Meeting.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1267 - It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the public hearing Ordinance No. 1267, "**BOND ORDINANCE PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$230,000 FOR THE STORMWATER COLLECTION, CONVEYANCE, AND ROADWAY**"

IMPROVEMENTS AT MORNINGSIDE CIRCLE IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$218,500 BONDS OR NOTES OF THE TOWNSHIP FOR THE FINANCING PART OF THE APPROPRIATION,” be and it was opened.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Damiano, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1267 be and it was closed.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that Ordinance No. 1267 be and it was adopted.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

At this time, Mr. Lindsay stated it was appropriate to take action to award a bidder. Qualifications and references were reviewed. He therefore recommended awarding a contract to the lowest bidder, Reivax Contracting, for \$505, 725.

It was moved by Councilmember Damiano, seconded by Council President Fontana, to award a contract to Reivax Contracting for \$505,725.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1268 - It was moved by Councilmember Damiano, seconded by Councilmember Porter, that there be introduced and at the meeting of November 28, 2016 set as the date for the public hearing of the following Ordinance with amendments agreed upon at the October 17, 2016 Workshop meeting:

ORDINANCE NO. 1268
ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE TO REGULATE THE PARKING RESTRICTIONS ON CERTAIN STREETS

WHEREAS, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and **WHEREAS**, the Township’s Code of General Ordinances (“Code”) currently prohibits parking at all times on certain specified streets in the Township; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 7, Subchapter 7-13 of the Code to prohibit parking on additional designated streets, or portions thereof; and

WHEREAS, the Municipal Council has also determined to amend Chapter 7, Subchapters 7-11 and 7-14 of the Code to eliminate the two (2) hour parking restrictions on certain designated streets; and

WHEREAS, the Municipal Council has determined to amend Subchapters 7-13, 7-11 and 7-14 of the Code to read as follows (additions are underlined and deletions are with strikes):

Subchapter 7-13:

A. “No person shall park a vehicle at any time upon any streets or parts thereof as described”:

Name of Street	Side	Location
<u>Kingwood Drive</u>	<u>South</u>	<u>On the easterly side of the roadway from Francisco Avenue to a point 662 feet south thereof</u>
<u>Kingwood Drive</u>	<u>North</u>	<u>On the easterly side of the roadway from Francisco Avenue to a point 630 feet north and then the Northerly side of the street to Houston Road</u>

Subchapter 7-11:

A. “No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Saturdays, Sundays and public holidays) upon any of the streets or parts of streets described”:

Name of Street	Sides	Time Limit	Hours	Location
Beattie Court	Both	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	Entire length
Browertown Road	a. East	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 310 feet from the northerly curbline of Long Hill Road to a point 900 feet south of the West Paterson
	b. West	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 340 feet from the northerly curbline a point 950 feet south of the West Paterson Borough line
Camp Bal Place [Added 10-25-2004 by Ord. No. 949]	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Entire length
Canterbury Lane [Added 9-25-2006 by Ord. No. 998]	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Entire length, except within 50 feet of the intersection of Canterbury Lane and Turnberry Road
Capalbo Avenue	South	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 236 feet from the westerly curbline of Lower Notch Road to its end
Center Avenue	West	1 hr.	8:00 a.m. to 8:00 p.m.	Between Main Street and Walnut Street

Charles Street	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Cedar Grove Road and Martin Place
Conners Road	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Stewart Avenue and Colonial Drive
De Young Drive	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Entire length
First Avenue	East	30 min.	9:00 a.m. to 8:00 p.m.	Beginning 25 feet from the northerly curbline of Wilmore Road to a point 55 feet north therefrom
Francisco Avenue	a. North	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Cedar Grove Road and Stephens Place
	b. South	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 30 feet from the easterly curbline to Cedar Grove Road to a point 500 feet west of Long Hill Road
Glen Rock Road [Added 11-26-2012 by Ord. No. 1165]	Both	2 hrs.	9:00 a.m. to 9:00 p.m.	From the intersection of Oak Crescent Road to the intersection of Long Hill Road
Highland Avenue [Added 6-8-2009 by Ord. No. 1067]	Both	2 hrs.	9:00 a.m. to 9:00 p.m.	Entire length
Hopson Avenue	a. West	2 hrs.	9:00 a.m. to 4:00 p.m.	From Cedar Grove and its end
	b. East	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 100 feet from the northerly curbline of East Main Street north to its end
Hudson Street	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Cedar Grove Road and its end
Lower Notch Road	a. West	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 300 feet from the northerly curbline of Long Hill Road to Overlook Avenue
	b. East	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 25 feet from the northerly curbline of Long Hill Road to a point 175 feet north therefrom
Lynn Place	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Capalbo Avenue and Stewart Avenue
Main Street	a. North	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 105 feet from the westerly curbline of Maple Street to the easterly curbline of Center Avenue
	b. South	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 105 feet from the easterly curbline of Center Avenue to a point 89 feet east therefrom
	c. South	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 25 feet from the easterly curbline of Stevens Avenue to a therefrom
	d. South	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 210 feet west from the west curbline of Stevens Avenue and from said point extending easterly 110 feet east
	e. South	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 80 feet east from the east curbline of Stevens Avenue and from said point extending easterly 85 feet east
	f. North	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 50 feet west from the west curbline of Paterson Avenue and from said point extending westerly 130 feet west
	g. North	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 305 feet west from the west curbline of Paterson Avenue and from said point extending westerly 210 feet west
	h. South	30 min.	9:00 a.m. to 8:00 p.m.	Beginning 25 feet from the westerly curbline of Newark Pompton Turnpike to a point 100 feet west therefrom
	i. North	15 min.	9:00 a.m. to 8:00 p.m.	Beginning 25 feet from the westerly curbline of Arlington Place to a point 249 feet west therefrom
	j. South	15 min.	9:00 a.m. to 8:00 p.m.	Beginning 100 feet from the easterly curbline of Paterson Avenue to a point 125 feet therefrom
Martin Place	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Charles Street and its end
Montclair Avenue	a. Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Main Street and the Township of Cedar Grove Line
	b. Both	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	From Main Street to Cedar Grove line
Overmont Road [Added 6-8-2009 by Ord. No. 1067]	Both	2 hrs.	9:00 a.m. to 9:00 p.m.	Entire length
Paterson Avenue	a. East	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 25 feet from the northerly curbline of Main Street to a point 75 feet north therefrom
	b. West	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 25 feet from the northerly curbline of Main Street to a point 159 feet north therefrom
Railroad Avenue	a. North	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Union Avenue and Montclair Avenue
	b. North	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	

Randolph Place	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between East Main Street and Hudson Street
Smalley Street	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Hopson Avenue and its end
Stevens Avenue	a. East	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 165 feet south from the south curbline of Main Street and from said point extending northerly 40 feet north
	b. East	1 hr.	8:00 a.m. to 8:00 p.m.	Between Main Street and Stanley Street
	c. East	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 145 feet from the southerly curbline of Stanley Street to a point 279 feet therefrom
	d. West	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 76 feet from the southerly curbline of Main Street to a point 122 feet south therefrom
	e. West	1 hr.	8:00 a.m. to 8:00 p.m.	Between Warren Street and Walnut Street
Stewart Avenue	a. South	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Browertown Road and its end
	b. North	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Conners Road and its end
Thomas Street	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Martin Place and its end
Turnberry Road [Added 9-25-2006 by Ord. No. 998]	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Entire length of that portion of Turnberry Road which was dedicated for public use pursuant to Township of Little Falls Ordinance No. 976, except within 50 feet of the stop sign at the intersection of Turnberry Road and Main Street
Union Avenue	a. Both	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	Main Street to Railroad Avenue
	b. East	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 130 feet from the northerly curbline of Walnut Street to
	c. West	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 25 feet from the southerly curbline of Main Street to a therefrom
Walnut Street	a. Both	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	From the points of no parking to Center Avenue
	b. North	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	From Union Avenue to a point 285 feet east thereof
Warren Street	a. North	1 hr.	8:00 a.m. to 8:00 p.m.	Between Stevens Avenue and its end
	b. South	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 170 feet from the westerly curb-line of Stevens Avenue to its end
Wilmore Road	Both	30 min.	9:00 a.m. to 8:00 p.m.	Between First Avenue and Second Avenue
Yolanda Drive	Both	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	Entire length

Subchapter 7-14:

A. "No person shall park a vehicle between the hours specified upon any of the following described streets or parts of streets":

Name of Street	Sides	Hours	Location
Amity Street	West	5:00 p.m. to 8:00 p.m., weekdays; 10:00 a.m. to 3:00 p.m., Sundays	Entire Length
Haines Place	South	5:00 p.m. to 8:00 p.m., weekdays; 10:00 a.m. to 3:00 p.m., Sundays	Entire Length
Hillcrest Drive	Both	7:00 a.m. to 10:00 a.m., Monday through Friday	Entire Length
Houston Road	Both	7:00 a.m. to 10:00 a.m., Monday through Friday	Entire Length
Jacobus Avenue	Both	7:00 a.m. to 10:00 a.m., Monday through Friday	Entire Length
Lower Notch Road	Both	8:00 a.m. to 10:00 a.m.	From Long Hill Road to Route 46
Park Place	South	5:00 p.m. to 8:00 p.m., weekdays; 10:00 a.m. to 3:00 p.m. Sundays	Entire Length
Railroad Avenue	South	10:00 a.m. to 12:00 noon Monday through Friday	
Veranda Avenue	West	8:00 a.m. to 5:00 p.m., Monday through Saturday	Amity Street to Park Place

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

- The aforementioned recitals are incorporated herein as though fully set forth at length.
- The Municipal Council hereby amends Subchapter 7-13 of the Code to read as follows:

Name of Street	Side	Location
Kingwood Drive	South	On the easterly side of the roadway from Francisco Avenue to a point 662 feet south thereof
Kingwood Drive	North	On the easterly side of the roadway from Francisco Avenue to a point 630 feet north and then the Northerly side of the street to Houston Road

- The Municipal Council hereby amends Subchapter 7-11 of the Code to read as follows:

Name of Street	Sides	Time Limit	Hours	Location
Browertown Road	a. East	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 310 feet from the northerly curbline of Long Hill Road to a point 900 feet south of the West Paterson
	b. West	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 340 feet from the northerly curbline a point 950 feet south of the West Paterson Borough line
Camp Bal Place [Added 10-25-2004 by Ord. No. 949]	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Entire length
Canterbury Lane [Added 9-25-2006 by Ord. No. 998]	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Entire length, except within 50 feet of the intersection of Canterbury Lane and Turnberry Road

Capalbo Avenue	South	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 236 feet from the westerly curblines of Lower Notch Road to its end
Center Avenue	West	1 hr.	8:00 a.m. to 8:00 p.m.	Between Main Street and Walnut Street
Charles Street	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Cedar Grove Road and Martin Place
Conners Road	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Stewart Avenue and Colonial Drive
De Young Drive	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Entire length
First Avenue	East	30 min.	9:00 a.m. to 8:00 p.m.	Beginning 25 feet from the northerly curblines of Wilmore Road to a point 55 feet north therefrom
Francisco Avenue	a. North	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Cedar Grove Road and Stephens Place
	b. South	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 30 feet from the easterly curblines to Cedar Grove Road to a point 500 feet west of Long Hill Road
Glen Rock Road [Added 11-26-2012 by Ord. No. 1165]	Both	2 hrs.	9:00 a.m. to 9:00 p.m.	From the intersection of Oak Crescent Road to the intersection of Long Hill Road
Highland Avenue [Added 6-8-2009 by Ord. No. 1067]	Both	2 hrs.	9:00 a.m. to 9:00 p.m.	Entire length
Hopson Avenue	a. West	2 hrs.	9:00 a.m. to 4:00 p.m.	From Cedar Grove and its end
	b. East	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 100 feet from the northerly curblines of East Main Street north to its end
Hudson Street	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Cedar Grove Road and its end
Lower Notch Road	a. West	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 300 feet from the northerly curblines of Long Hill Road to Overlook Avenue
	b. East	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 25 feet from the northerly curblines of Long Hill Road to a point 175 feet north therefrom
Lynn Place	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Capalbo Avenue and Stewart Avenue
Main Street	a. North	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 105 feet from the westerly curblines of Maple Street to the easterly curblines of Center Avenue
	b. South	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 105 feet from the easterly curblines of Center Avenue to a point 89 feet east therefrom
	c. South	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 25 feet from the easterly curblines of Stevens Avenue to a therefrom
	d. South	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 210 feet west from the west curblines of Stevens Avenue and from said point extending easterly 110 feet east
	e. South	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 80 feet east from the east curblines of Stevens Avenue and from said point extending easterly 85 feet east
	f. North	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 50 feet west from the west curblines of Paterson Avenue and from said point extending westerly 130 feet west
	g. North	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 305 feet west from the west curblines of Paterson Avenue and from said point extending westerly 210 feet west
	h. South	30 min.	9:00 a.m. to 8:00 p.m.	Beginning 25 feet from the westerly curblines of Newark Pompton Turnpike to a point 100 feet west therefrom
	i. North	15 min.	9:00 a.m. to 8:00 p.m.	Beginning 25 feet from the westerly curblines of Arlington Place to a point 249 feet west therefrom
	j. South	15 min.	9:00 a.m. to 8:00 p.m.	Beginning 100 feet from the easterly curblines of Paterson Avenue to a point 125 feet therefrom
Martin Place	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Charles Street and its end
Montclair Avenue	a. Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Main Street and the Township of Cedar Grove Line
	b. Both	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	From Main Street to Cedar Grove line
Overmont Road [Added 6-8-2009 by Ord. No. 1067]	Both	2 hrs.	9:00 a.m. to 9:00 p.m.	Entire length
Paterson Avenue	a. East	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 25 feet from the northerly curblines of Main Street to a point 75 feet north therefrom
	b. West	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 25 feet from the northerly curblines of Main Street to a point 159 feet north therefrom
Railroad Avenue	a. North	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Union Avenue and Montclair Avenue
Randolph Place	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between East Main Street and Hudson Street
Smalley Street	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Hopson Avenue and its end
Stevens Avenue	a. East	1 hr.	9:00 a.m. to 7:00 p.m.	Beginning at a point 165 feet south from the south curblines of Main Street and from said point extending northerly 40 feet north
	b. East	1 hr.	8:00 a.m. to 8:00 p.m.	Between Main Street and Stanley Street
	c. East	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 145 feet from the southerly curblines of Stanley Street to a point 279 feet therefrom
	d. West	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 76 feet from the southerly curblines of Main Street to a point 122 feet south therefrom

Stewart Avenue	e. West	1 hr.	8:00 a.m. to 8:00 p.m.	Between Warren Street and Walnut Street
	a. South	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Browertown Road and its end
	b. North	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Connors Road and its end
Thomas Street	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Between Martin Place and its end
Turnbury Road [Added 9-25-2006 by Ord. No. 998]	Both	2 hrs.	9:00 a.m. to 4:00 p.m.	Entire length of that portion of Turnberry Road which was dedicated for public use pursuant to Township of Little Falls Ordinance No. 976, except within 50 feet of the stop sign at the intersection of Turnberry Road and Main Street
Union Avenue	b. East	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 130 feet from the northerly curblineline of Walnut Street to
	c. West	2 hrs.	9:00 a.m. to 4:00 p.m.	Beginning 25 feet from the southerly curblineline of Main Street to a therefrom
Walnut Street	a. Both	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	From the points of no parking to Center Avenue
	b. North	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	From Union Avenue to a point 285 feet east thereof
Warren Street	a. North	1 hr.	8:00 a.m. to 8:00 p.m.	Between Stevens Avenue and its end
	b. South	1 hr.	8:00 a.m. to 8:00 p.m.	Beginning 170 feet from the westerly curb-line of Stevens Avenue to its end
Wilmore Road	Both	30 min.	9:00 a.m. to 8:00 p.m.	Between First Avenue and Second Avenue
Yolanda Drive	Both	2 hrs.	10:00 a.m. to 12:00 noon Monday through Friday	Entire length

4. The Municipal Council hereby amends Subchapter 7-14 of the Code to read as follows:

Name of Street	Sides	Hours	Location
Amity Street	West	5:00 p.m. to 8:00 p.m., weekdays; 10:00 a.m. to 3:00 p.m., Sundays	Entire Length
Haines Place	South	5:00 p.m. to 8:00 p.m., weekdays; 10:00 a.m. to 3:00 p.m., Sundays	Entire Length
Hillcrest Drive	Both	7:00 a.m. to 10:00 a.m., Monday through Friday	Entire Length
Jacobus Avenue	Both	7:00 a.m. to 10:00 a.m., Monday through Friday	Entire Length
Lower Notch Road	Both	8:00 a.m. to 10:00 a.m.	From Long Hill Road to Route 46
Park Place	South	5:00 p.m. to 8:00 p.m., weekdays; 10:00 a.m. to 3:00 p.m. Sundays	Entire Length
Veranda Avenue	West	8:00 a.m. to 5:00 p.m., Monday through Saturday	Amity Street to Park Place

5. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 7 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing parking on Township streets enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

6. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

7. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

8. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
Nays: None

The Council President declared the motion passed.

Ordinance No. 1269-It was moved by Councilmember Damiano, seconded by Councilmember Porter, that there be introduced and the meeting of November 28, 2016 set as the date for the public hearing of the following:

**ORDINANCE NO. 1269
TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY
AN ORDINANCE A ESTABLISHING A NEW CHAPTER 109 ENTITLED "LAND USE PROCEDURES" OF THE
CODE OF THE TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY.**

BE IT ORDAINED, by the Township Council of the Township of Little Falls, in the County of Passaic, and State of New Jersey, as follows:

Section 1. Enactment. The Code of the Township of Little Falls is hereby amended and supplemented with a new Chapter 109 entitled "Land Use Procedures", which Chapter shall read in its entirety as follows:
Chapter 109 LAND USE PROCEDURES

ARTICLE I. PLANNING BOARD ORGANIZATION & POWERS.

109-1. Establishment. There is hereby established in the Township of Little Falls a municipal planning board that shall be known as the Planning Board of the Township of Little Fall (hereinafter referred to as "Board").

109-2. Membership.

A. The Board shall consist of nine members consisting of the following four classes:

(1) Class I: The Mayor or the Mayor's designee in the absence of the Mayor. The Mayor's designee, if any, shall be a resident of the Township of Little Falls whose designation shall be made in writing and filed with the Municipal Clerk and the Secretary of the Planning Board.

(2) Class II: One of the officials of the municipality, other than a member of the governing body, to be appointed by the Mayor, provided that so long as there exists an Environmental Commission in the Township, the member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 shall be deemed to be the Class II Planning Board member for purposes of this section in the event that there be among the Class IV or alternate members of the Planning Board a member of the Board of Education.

(3) Class III: A member of the governing body, to be appointed by it.

- (4) Class IV: six other citizens of the municipality, to be appointed by the Mayor. The Class IV members shall hold no other municipal office, position or employment, except that one such member may be a member of the Historic Preservation Commission and one member may be a member of the Board of Education. So long as there exists a Township Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board, as required by N.J.S.A. 40:56A-1, shall be a Class IV Planning Board member, unless there be among the Class IV or alternate members of the Planning Board both a member of Historic Preservation Commission and a member of the Board of Education, in which case the member common to the Planning Board and Township Environmental Commission shall be deemed a Class II member of the Planning Board. For the purpose of this section, membership on a municipal board or commission whose function is advisory in nature, and the establishment of which is discretionary and not required by statute, shall not be considered the holding of municipal office.
- B. Alternate Members.
- (1) The Mayor shall appoint not more than four alternate members who shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of appointment as "Alternate No. 1," "Alternate No. 2," "Alternate No. 3" and "Alternate No. 4."
- (2) No member or alternate shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest. Any member other than a Class I member may, after public hearing if he or she request one, be removed by the governing body for cause.
- (3) Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. Alternates shall be counted for purposes of a quorum. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote first, Alternate No. 2 shall vote second, Alternate No. 3 shall vote third, and Alternate No. 4 shall vote last.
- 109-3. Terms of Office.
- A. The term of the Class I member shall correspond with his/her official tenure. If the Class I member is the Mayor's designee in the Mayor's absence, the designee shall serve at the pleasure of the Mayor during the Mayor's official tenure. The terms of the members composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first, except for a Class II member who is also a member of the Environmental Commission.
- B. The term of a Class IV member who is also a member of the Historic Preservation Commission or the Board of Education shall terminate whenever he or she is no longer a member of such other body or at the completion of his or her Class IV term, whichever occurs first. The terms of a Class II or Class IV member who is also a member of the Environmental Commission shall be for three years or terminate at the completion of his or her term of office as a member of the Environmental Commission, whichever occurs first.
- C. All Class IV members shall be appointed for terms of four years except as otherwise herein provided. All terms shall run from January 1 of the year in which the appointment was made.
- D. The terms of alternate members shall be for two years, running from January 1 of the year in which the appointment was made, and the term of not more than one alternate member shall expire in any one year. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.
- 109-4. Vacancies. If a vacancy of any class shall occur for any reason other than expiration of term, it shall be so filled by appointment as provided by law.
- 109-5. Organization of Board. The Planning Board shall elect a Chair and Vice Chair at its annual reorganization, such Chair and Vice Chair to be Class IV members. The Chair, or in the Chair's absence, the Vice Chair, shall preside over and control the order of all meetings and, with the advice and consent of the members of the Board and assistance of counsel, rule upon questions of procedure and admissibility of evidence. The Board may adopt such rules as it deems necessary and efficient for its operation.
- 109-6. Board Attorney. There is hereby created the office of Planning Board Attorney. The Planning Board may annually appoint, fix the compensation of or agree upon the rate of compensation of the Planning Board Attorney, who shall be an attorney other than the Township Attorney. Fees will be consistent with Attorney fees approved by the Governing Body established in the annual approved Township budget.
- 109-7. Board Professionals. The Planning Board may appoint and employ the services of a Board Engineer and such other experts and services as it may deem necessary. The Board shall not, however, exceed, exclusive of gifts or grants, the amount appropriated by the governing body for its use.
- 109-8. Board Secretary. The Planning Board may appoint and employ a Board Secretary as it may deem necessary and such Board Secretary need not be a member of the Board but shall be a Township employee.
- 109-9. Board Powers and Jurisdiction. The Planning Board shall have all powers as conferred to such Boards pursuant to the Municipal Land Use Law as codified at N.J.S.A. 40:55D-1 et seq. These powers include, but are not limited to:
- A. To make and adopt and from time to time amend a Master Plan for the physical development of the municipality, pursuant to N.J.S.A. 40:55DD-28, which Master Plan shall give due consideration to the relationship between the proposed physical development of the Township and the Master Plan for those areas outside its boundaries which in the Board's judgment bear essential relation to the planning of the municipality.
- B. To administer the provisions of this Chapter and Chapter 280 of the Code of the Township of Little Falls, in accordance with the provisions of said chapters and the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.
- C. To approve conditional use applications in accordance with the provisions of Chapter 280, Zoning, and N.J.S.A. 40:55D-67.
- D. To participate in the preparation and review of programs or plans required by state or federal law or regulations.
- E. To administer site plan and subdivision and site plan control, review and approval, take action as to the Official Map, grant variances, exception and waivers as to the provisions of this Chapter and Chapter 280, and as permitted and authorized by the Municipal Land Use Law.
- F. To exercise such powers and functions authorized by the Municipal Land Use Law and other statutes and laws.
- G. To consider and make report to the governing body within 35 days after referral as to any proposed development regulation submitted to it pursuant to the provisions of N.J.S.A. 40:55D-26a, and also to review other matters specifically referred to the Planning Board by the governing body pursuant to the provisions of N.J.S.A. 40:55D-26b.
- H. To perform such other advisory duties as are assigned to it by ordinance or resolution of the governing body for the aid and assistance of the governing body or other agencies or officers.
- I. To issue subpoenas, administer oaths and take testimony in accordance with the provisions of the County and Municipal Investigations Law of 1953 (N.J.S.A. 2A:67A-1 et seq.).
- J. Pursuant to N.J.S.A. 40:55D-25(c), to exercise to the same extent and subject to the same restrictions, all powers of a zoning board of adjustment, including granting relief pursuant to N.J.S.A. 40:55D-70(c) and pursuant to N.J.S.A. 40:55D-70(d), however, Class I and Class III members shall not be permitted to participate by voice or vote in such matters, such powers to further include the power to hear and decide appeals where it is alleged by the Applicant that there is error in any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of Chapter 280 and to hear and decide requests for interpretation of the Zoning Map, Chapter 280, and special zoning questions.
- K. To hear and decide appeals of determinations or orders of the administrative and/or zoning officer.
- L. To hear and decide requests for interpretation of the zone map and zoning ordinance, and such special questions as may arise concerning same.
- M. Grant variances from the requirements of the zoning ordinance in accordance with law and grant waivers as the Board deems reasonable from the requirements of the Land Use Procedures Ordinance.
- N. In the event of a conflict or inconsistency between this Chapter and the Municipal Land Use Law, the Municipal Land Use Law shall govern.

ARTICLE II. PLANNING BOARD PROCEDURES.

109-10. Conflict of Interests. No member of the Planning Board shall act on any matter in which he or she has either directly or indirectly any personal or financial interest. Whenever any such member shall disqualify himself or herself from acting on a particular matter, he or she shall not continue to sit with the Board on the hearing of such matter nor participate in any discussion or decision relating thereto.

109-11. Meetings & Hearings.

- A. Meetings of the Planning Board shall be scheduled no less often than once a month, and any meeting so scheduled shall be held as scheduled unless canceled for lack of applications for development to process or for lack of a quorum.

- B. Special meetings may be provided for at the call of the Chair or on the request of any five Board members, which shall be held on notice to its members and the public in accordance with all applicable legal requirements.
- C. No action shall be taken at any meeting without a quorum being present.
- D. All actions shall be taken by majority vote of the members present at the meeting except as otherwise required by any provision of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., or this chapter. Failure of a motion to receive the number of votes required to approve an application for development shall be deemed an action denying the application.
- E. All regular meetings and all special meetings shall be open to the public. Notice of all such meetings shall be given in accordance with the requirements of the Open Public Meetings Act.
- F. A member of a Board who was absent for one or more of the meetings at which a hearing was held shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his or her absence from one or more of the meetings; provided, however, that such Board member has available to him or her the transcript or recording of all the hearings from which he or she was absent and certifies in writing or on the record to the Board that he or she has read such transcript or listened to such recording.
- G. The Chair shall preside over all meetings and ensure the efficient and proper conduct of same and shall be empowered to adjust the agenda. The Chair shall also preside over all hearings and shall ensure the efficient conduct and order of same. The Chair, with the advice of the Board Attorney, shall make such necessary rulings as to admissibility of witnesses and evidence presented, subject to an override by the majority of the Board by motion. The Chair shall control the order of questioning based upon the application being heard, however, for applications as determined under the Municipal Land Use Law to require a public hearing, interested parties or members of the public shall be given at least one opportunity during the hearing to be heard and/or cross examine witnesses. Technical rules of evidence need not apply, but questions and evidence may be excluded as to relevancy, hearsay, repetitiveness, or weak reliability. The Chair, or Board Attorney as authorized, shall be authorized to administer oaths and direct the issuance of subpoenas to compel the attendance of witnesses or production of tangible evidence for any hearing. An individual repetitively interrupting or obstructing the efficiency of the Board's business, or otherwise exhibiting conduct that is disorderly so as to be contemptuous during any hearing or meeting, shall be subject to removal by motion and upon majority ruling of the Board. Basic rules of general order shall be generally applied for all business and actions of the Board. In the absence of the Chair, the Vice Chair shall be deemed the presiding officer, and in both their absences, the next most senior member of the Board shall be deemed the presiding officer, however, Class I and Class III members shall be prohibited from being the presiding officer.

109-12. Minutes and Recording . Minutes of every regular or special meeting shall be kept and shall include the names of the persons appearing and addressing the Board and of the persons appearing by attorney, the action taken by the Board, the findings, if any, made by it and reasons therefore. The minutes shall thereafter be made available for public inspection during normal business hours at the office of the administrative officer. Any interested party shall have the right to compel production of the minutes for use as evidence in any legal proceeding concerning the subject matter of such minutes. Such interested party may be charged a reasonable fee for reproduction of the minutes for his or her use as provided for in the rules of the Board. Every meeting shall be sound recorded so as to enable any interested individual to listen to such meeting and a copy of such recording shall be provided to any individual so as to allow them to make a certified transcript of same.

ARTICLE III. APPLICATIONS GENERALLY.

109-13. Applications & Appeals. Applications for development or appeals within the jurisdiction of the Board shall be made by the filing of such application forms, fees, and required plans and documents and information as per the relevant checklists, with the administrative officer at least 25 days before the monthly meeting of the Board.

109-14. Forms & Checklists. Application forms and checklists for development or appeals shall be provided to any person upon request and checklist requirements shall be as found in Schedule II of this Chapter.

109-15. Completeness determination. Within 45 days of its filing, an application for development or an appeal must be determined to be complete or incomplete. If no determination is made within such time, the application for development or appeal shall be deemed complete. The administrative officer shall determine whether such application or appeal contains all necessary forms, fees and required plans, documents and information as per relevant checklists and notify the applicant of any administrative deficiency. Simultaneously with its filing, the administrative officer shall transmit the application to the Police Department, Fire Prevention Bureau, Fire Department, and Department of Public Works for a determination of technical sufficiency relating to each departments area of expertise and operations. Each Department shall provide a written report to the Board and Applicant as to whether such Application holds any concerns for said Department which specifically relate to the operation of that Department. The Administrative Officer shall also submit a complete set of application forms, required plans, documents and information as per the relevant checklists to the Board Engineer for a determination of technical sufficiency. The Board Engineer shall make a recommendation to the Board as to whether such Application is technically sufficient for completeness and whether any waivers requested are appropriate. Except as otherwise provided below, all non-residential or multi-family applications, shall require a Board completeness hearing and determination. For amended/minor site plan applications, minor subdivision applications, and single-family or two-family residential variance applications, upon the finding of the administrative officer and Board Engineer that the Application is substantively and sufficiently complete and the waivers are sought are recommended by the Board Engineer, the Application shall be deemed complete. If, however, any application or appeal is deficient as to any forms, fees, or required plans, documents and information as per the relevant checklist, or waivers sought are substantial, the administrative officer shall submit the matter to the Board for a hearing to determine whether waivers should be granted and whether such application is complete or incomplete. Once an application is deemed complete, it shall be placed on the Board's agenda for hearing. The determination that an application for development or an appeal is complete shall not prohibit the Board from requiring corrections or additional information, even if not specified by the application or checklist requirements, if such information is reasonably necessary for a determination of the application or appeal.

109-16. Application Fees. Every application for development or appeal must be accompanied by the required fees as referenced on Schedule III of this Chapter payable to the Township of Little Falls.

109-17. Escrow Deposits. Every application for development or appeal must be accompanied by the required escrow deposit as referenced in Schedule III of this Chapter.

109-18. Escrow Accounts.

- A. Escrow funds shall be used to pay professionals for services rendered to the Township or Planning Board for review of applications for development, review and preparation of documents, inspection of improvements or other purposes under the provisions of N.J.S.A. 40:55D-1 et seq. The application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of developments under construction and review by outside consultants when an application is of a nature beyond the scope of expertise of the professionals normally utilized by the Board or municipality. The only cost that shall be added to any such charges shall be actual out-of-pocket expenses of such professionals or consultants, including normal and typical expenses incurred in processing applications and inspecting improvements. No applicant shall be charged for any municipal, clerical or administrative functions, overhead expenses, meeting room charges or any of the municipal costs and expenses except as provided for specifically by statute, nor shall a municipal professional add any such charge to the bill.
- B. Deposits received from any applicant in excess of \$5,000 shall be held by the Chief Financial Officer in a special interest-bearing deposit account, and, upon receipt of bills from professionals and approval of said bills as hereinafter provided for, the Chief Financial Officer may use such funds to pay the bills submitted by such professionals or experts. The municipality shall not be required to refund an amount of interest paid on a deposit which does not exceed \$100 for the year. If the amount of interest exceeds \$100, the entire amount shall belong to the applicant and shall be refunded to him by the municipality annually or at the time the deposit is repaid or applied for the purposes for which it was deposited, as the case may be, except that the municipality may retain for administrative expenses a sum equivalent to no more than 33 1/3 % of that entire amount, which shall be in lieu of all other administrative and custodial expenses. All sums not actually so expended shall be refunded to the applicant within 90 days after the final decision by the appropriate municipal agency with respect to such application, upon certification by the Board Secretary that such application has been finally decided. The Applicant will be required to complete a Refund of Escrow Document before any refund of escrow will be made. Refunds of escrow shall be approved by the Township Council at a regularly scheduled Council meeting, after review by the Chief Financial Officer and the Board Attorney.
- C. Payments.
 - (1) Each payment charged to the deposit for review of applications, review and preparation of documents and inspection of improvements shall be pursuant to a voucher from the professional which voucher shall identify the personnel performing the service, and each date the services were performed, the hours spent to one-quarter-hour increments, the hourly rate and the expenses incurred.

All professionals shall submit vouchers to the Chief Financial Officer. The professional shall send an informational copy of all vouchers or statements submitted to the Chief Financial Officer of the municipality simultaneously to the applicant and the municipal agency for whom said services were performed.

(2) The Chief Financial Officer shall prepare and send to the applicant a statement which shall include an accounting of funds listing all deposits, interest earnings, disbursements and the cumulative balance of the escrow account. This information shall be provided on a quarterly basis, if monthly charges are \$1,000 or less or on a monthly basis if monthly charges exceed \$1,000. If an escrow account or deposit contains insufficient funds to enable the municipality or approving authority to perform required application reviews or improvement inspections, the Chief Financial Officer shall provide the applicant with a notice of the insufficient escrow or deposit balance. In order for work to continue on the development or the application, the applicant shall within a ten day period post a deposit to the account in an amount to be agreed upon by the municipality or approving authority and the applicant. In no case shall construction continue or the matter be listed on an agenda or otherwise reviewed when the account has been depleted and costs are to be incurred. In the interim, any required health and safety inspections shall be made and charged back against the replenishment of funds.

(3) Payments required prior to issuance of permits. No zoning permits, building permits, certificates of occupancy or any other types of permits may be issued with respect to any approved application for development until all bills for reimbursable services have been received by the municipality from professional personnel rendering services in connection with such application and payment has been made.

D. Close-out procedures.

(1) The following close-out procedures shall apply to all deposits and escrow accounts established under the provisions of N.J.S.A. 40:55D-1 et seq. and shall commence after the approving authority has granted final approval and signed the subdivision plat or site plan, in the case of application review escrows and deposits, or after the improvements have been approved in accordance with N.J.S.A. 40:55D-53, in the case of improvement inspection escrows and deposits.

(2) The applicant shall send written notice by certified mail to the Chief Financial Officer of the municipality and the approving authority and to the relevant municipal professional, that the application or the improvements, as the case may be, are completed. After receipt of such notice, the professional shall render a final bill to the Chief Financial Officer of the municipality within 30 days and shall send a copy simultaneously to the applicant. The Chief Financial Officer of the municipality shall render a written final accounting to the applicant on the uses to which the deposit was put within 45 days of receipt of the final bill. Any balances remaining in the deposit or escrow account, including interest in accordance with N.J.S.A. 40:55D-53.1, shall be refunded to the developer along with the final accounting, in accordance with the procedures established in this Chapter.

E. Scope of charges. All professional charges for review of an application for development, review and preparation of documents or inspection of improvements shall be reasonable and necessary, given the status and progress of the application or construction. Review fees shall be charged only in connection with an application for development presently pending before the approving authority or upon review of compliance with the conditions of approval, or review of requests for modification or amendment made by the applicant. A professional shall not review items which are subject to approval by any state governmental agency and not under municipal jurisdiction except to the extent consultation with a state agency is necessary due to the effect of state approvals on the subdivision or site plan.

F. Limitation of inspection fees. Inspection fees and construction phase administration shall be charged only for actual work shown on a subdivision or site plan or required by an approving resolution. Professionals inspecting improvements under construction shall charge only for inspections that are reasonably necessary to check the progress and quality of the work, and such inspections shall be reasonably based on the approved development plans and documents.

G. Substitution of professionals. If the municipality retains a different professional or consultant in the place of a professional originally responsible for development application review, or inspection of improvements, the municipality or approving authority shall be responsible for all time and expenses of the new professional to become familiar with the application or the project, and the municipality or approving authority shall not bill the applicant or charge to the deposit or the escrow account for any such services.

H. Estimate of cost of improvements. The cost of the installation of improvements for the purposes of N.J.S.A. 40:55D-53 shall be estimated by the Municipal Engineer based on documented construction costs for the public improvements prevailing in the general area of the municipality. The developer may appeal the Municipal Engineer's estimate to the governing body, and if not resolved, to County Construction Board of Appeals, established pursuant to N.J.S.A. 52:27D-127.

I. Appeals.

(1) An applicant shall notify in writing the governing body with copies to the Chief Financial Officer, the approving authority and the professional whenever the applicant disputes the charges made by a professional for a service rendered to the municipality in reviewing applications, for development, review and preparation of documents, inspection of improvements, or other charges made pursuant to N.J.S.A. 40:55D-53.2. The governing body or its designee shall within a reasonable time attempt to remediate any disputed charges. If the matter is not resolved to the satisfaction of the applicant, the applicant may appeal to the County Construction Board of Appeals, established pursuant to N.J.S.A. 52:27D-127, any charge to an escrow account or deposit by any municipal professional or consultant, or the cost of the installation of improvements estimated by the Municipal Engineer pursuant to N.J.S.A. 40:55D-53-4. An applicant or his authorized agent shall submit the appeal in writing to the County Construction Board of Appeals. The applicant or his authorized agent shall simultaneously send a copy of the appeal to the municipality, approving authority, and any professional whose charges are the subject of the appeal. An applicant shall file an appeal within 45 days from receipt of the informational copy of the professional's voucher required by N.J.S.A. 40:55D-53.2(c), except that if the professional has not supplied the applicant with an informational copy of the voucher, then the applicant shall file his appeal within 60 days from receipt of the municipal statement of activity against the deposit or escrow account required by N.J.S.A. 40:55D-53.2(c). An applicant may file an appeal for an ongoing series of charges by a professional during a period not exceeding six months to demonstrate that they represent a pattern of excessive or inaccurate charges. An applicant making use of this provision need not appeal each charge individually.

(2) Appeals shall be taken in accordance with the rules and procedures established by the County Construction Board of Appeals. During the pendency of any appeal, the municipality or approving authority shall continue to process, hear and decide the application for development and to inspect the development in the normal course and shall not withhold, delay or deny reviews, inspections, signing of subdivision plats or site plans, the reduction or the release of performance or maintenance guarantees, the issuance of construction permits or certificates of occupancy, or any other approval or permit because an appeal has been filed or is pending under this subsection. The Chief Financial Officer of the municipality may pay charges out of the appropriate escrow account or deposit for which an appeal has been filed. If a charge is disallowed after payment, the Chief Financial Officer of the municipality shall reimburse the deposit or escrow account in the amount of any such disallowed charge or refund the amount to the applicant. If a charge is disallowed after payment to a professional or consultant who is not an employee of a municipality, the professional or consultant shall reimburse the municipality in the amount of any such disallowed charge.

109-19. Construction Inspection and Administrative Fees. An applicant shall pay inspection fees equal to the actual expenses incurred with respect to:

A. The inspection of on-site, on-tract, off-site and off-tract improvements constructed or installed by the applicant in accordance with the terms and conditions of subdivision and/or site plan approval or the grant of a variance;

B. The testing of materials or construction work performed by the applicant in the event that such testing is deemed necessary by the Township;

C. Analyses or tests to determine compliance by the applicant with any monitoring standards established by the terms and conditions of subdivision or site plan approval; and

D. The inspection of improvements constructed or installed by the applicant for purposes of determining compliance with any maintenance obligations of the applicant.

(1) The improvements constructed or installed to meet the requirements of subdivision or site plan approval, which are the subject of inspection, include the following: pavement subgrade, base course pavement, surface course pavement, sidewalks, storm drainage facilities, sanitary sewerage facilities, street signs, topsoil and erosion protection, grading, landscaping and monuments. An applicant shall give notice at least 24 hours in advance of the undertaking of any work which is the subject of inspection. Overtime inspection will not be provided unless special arrangements are made therefore prior to the overtime period. Inspection fees shall be calculated in accordance with the actual time required for inspection at rates established annually by the Planning Board.

(2) At the time of the granting of final subdivision or site plan approval, or prior to the commencement of any work on subdivision or site plan improvements, if such work is undertaken before final approval, the applicant shall pay to the Township an initial deposit for inspection fees. Such initial deposit shall be in accordance with N.J.S.A. 40:55D-53h and shall be equal to the greater of \$500 or 5% of the estimated costs of improvements. The estimated costs of improvements shall be determined by the Board Engineer based on

documented construction costs for public improvements prevailing in the general area of the municipality. For inspection fees less than \$10,000 fees may be paid in two equal installments. For inspection fees over \$10,000, fees may be paid in four equal installments. Whenever the balance falls below 10% of the deposit, the developer shall deposit the next installment.

(3) Inspections shall not relieve the applicant from the obligation to perform work strictly in accordance with the approved plans and specifications or the obligation to perform work in a workmanlike manner using first-class materials. Until such time as the Township Council shall approve the construction and installation of any improvement by a resolution adopted pursuant to the provisions of N.J.S.A. 40:55D-53e(1), any improvements not in compliance with the aforesaid plans, specifications or standards shall be replaced, reconstructed or repaired by the applicant notwithstanding any previous oversight or error in inspection.

- E. Construction related administrative costs for review of shop drawings, easements and rights-of-way for dedication, bond estimates and other normal and customary administrative activities where review with or without reports and recommendations to the Township administrative or legislative branches is needed to confirm work is satisfactory.

109-20. Payment of Taxes. Pursuant to the provisions of N.J.S.A. 40:55D-39 and N.J.S.A. 40:55D-65, every application for development submitted to the Planning Board or to the Zoning Board of Adjustment shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property which is the subject of such application; or if it is shown that taxes or assessments are delinquent on said property, any approvals or other relief granted by either Board shall be conditioned upon either the prompt payment of such taxes or assessments or the making of adequate provision for the payment thereof in such manner that the municipality will be adequately protected.

109-21. Disclosure of Ownership of Applicant. In accordance with the provisions of the Municipal Land Use Law, where the applicant is a corporation or partnership so as to subdivide land into six or lots, or a variance to construct 25 or more family units, or for commercial development, the application shall be accompanied by a statement listing the names and addresses of stockholders or partners owning at least 10% of such corporation or partnership. If a corporation or partnership owns 10% or more of the stock or partnership of the applying corporation or partnership, then the names and addresses of the individuals of that corporation or partnership owning 10% or more of owning corporation or partnership shall be listed in the statement as well.

109-22. List of Owners within 200 feet. Upon the request of any Applicant and the payment such fee as may be required by law, the Township Tax Assessor shall provide a certified list of owners within 200 feet of any property that is the subject of a development application or appeal and such certified list shall be deemed conclusive for service of notice if relied upon by the Applicant for such purposes.

109-23. Notice. Notice of hearing by service and publication shall be given in accordance and as required by the provisions of the Municipal Land Use Law and for the following applications for development and appeals:

- A. Any request for a variance from the requirements of Chapter 280, Zoning.
- B. Any request for conditional use approval.
- C. Any request for preliminary approval of a major site plan.
- D. Any request for preliminary approval of a major subdivision.
- E. Any request for the issuance of a permit to build within the bed of a mapped street, public drainageway, flood control basin or public area reserved on the Official Map, or in a lot not abutting a street.
- F. An appeal of a determination or order by administrative or zoning officer concerning a specific parcel of land
- G. Such other applications as require notice pursuant to the Municipal Land Use Law.

109-24. Affidavit of Service and Publication. At least five days in advance of any hearing for which notice is required, the Applicant shall file an Affidavit of Service and Publication of Notice with a copy being transmitted to the Board Attorney.

109-25. Time for Action. Upon a determination that an application is complete, the Board shall act on such application in accordance with the time limits, subject to extensions as consented to by the Applicant, within the following time:

- A. Variances – 120 days;
- B. Amended or Minor Site Plans – 45 days;
- C. Minor Subdivisions – 45 days;
- D. Preliminary Major Site Plans – 45 days;
- E. Preliminary Major Subdivisions (10 or less lots) – 45 days;
- F. Preliminary Major Subdivisions (greater than 10 lots) – 95 days;
- G. Final Site Plans – 45 days;
- H. Final Subdivisions – 45 days;
- I. Conditional Use – 95 days

109-26. Decisions. Upon final disposition of an application or appeal by the Board through approval, denial or combination thereof, such determinations shall be memorialized through a written resolution that shall be adopted by the Board in accordance with the time and requirements as set forth in the Municipal Land Use Law.

109-27. Publication of Decision. Upon adoption of the Board of a written resolution memorializing the final disposition of an application or appeal, the Secretary of the Board shall publish a brief notice of the adoption of the memorializing resolution, indicating the name of the matter, property affected, a brief explanation of the nature of the application or appeal, and the determination of the Board.

109-28. Dismissal of Inactive Applications.

- A. Applications that have not been deemed complete within six months of the submission date will be denied without prejudice.
- B. Applications that have been deemed complete shall be scheduled for a hearing before the Board within the time of action stated in the Municipal Land Use Law. If an applicant fails to appear when scheduled before the Board and the time for action pursuant to the Municipal Land Use Law will expire before the next regularly scheduled Board meeting, the application will be denied without prejudice.
- C. Extensions on the time for action may be granted for no more than six months from the required time for action, after which the application will be denied without prejudice, unless the Developer establishes extenuating circumstances beyond the Developer's control.

ARTICLE IV. SITE PLANS.

109-29. Definitions. For the purposes of this Article, the definitions as found in the Municipal Land Use Law shall be adopted by reference, however, the following terms shall have the following meanings:

Amended or Minor Site Plan – shall mean:

- A. A change in use of a non-residential site that although permitted, intensifies parking requirements not requiring variance relief; or
- B. The erection, replacement, relocation, or reconfiguration of any fence, retaining wall, curbing, parking striping, trash collection area or other element of a non-residential site not requiring a variance; or
- C. The installation of an emergency power generator on a non-residential site not requiring a variance; or
- D. Addition or change of signage not requiring a variance; or
- E. Any other external modification to a developed non-residential site that does not involve the expansion of required storm water management facilities, the extension of any street or off-tract improvement and further does not require variance relief.

Major Site Plan – Shall mean the preliminary and/or final plan for any development of a site or modification to a site that is not classified as an Amended or Minor Site Plan as defined, and shall further include the conversion of any existing non-residential building to dwelling units.

109-30. Exemptions. Development of single and two family homes shall be exempt from the requirements of this Article. Change of tenancy of a non-residential use or a change of permitted non-residential use within a zone, which does not require variance relief, intensify parking, include the erection, replacement, relocation, or reconfiguration of any fence, retaining wall, curbing, parking striping, trash collection area or other element of a non-residential site, addition or change of signage, or any other external modification to a developed non-residential site, shall be exempt from the provisions of this Article.

109-31. Site Plan Required. No building or structure shall be erected, altered or expanded on any lot in any requiring site plan approval, or any land put to a non-residential use, and no building permit or sanitary permit shall be issued in connection with any use of such lot except in accordance with

all the regulations of this article and in accordance with the site plan for such lot reviewed by the Planning Board in light of the standards set forth in this chapter.

109-32. Filing of Application and Plans. All applications and plans for site plan approval shall first be filed with the Administrative Officer for review as to compliance with all provisions of this chapter, such as yards, building height, required on-site parking and loading facilities, building coverage, lot size, common usable open space, lot area per family, arrangement of buildings on the lot and all other applicable regulations of the zone district in which the property is situated.

109-33. Completeness of Applications. Unless specifically waived by the Planning Board, the information which is to be submitted for preliminary site plan is as follows:

- A. All applications for site plan approval shall be accompanied by a site plan prepared, signed and sealed by a licensed professional engineer, which site plan shall be drawn to a scale of not more than 100 feet to the inch and shall show the following information:
- (1) The identifying title and the name of the town and county.
 - (2) The names and addresses of the record owners, developer and designer of the site plan.
 - (3) The number of acres within the proposed site and the location of property lines, existing buildings, watercourses and other essential features.
 - (4) The date, North point and written and graphic scale.
 - (5) The locations of any existing sewage disposal systems and locations and sizes of wells, water mains, culverts and drains on and immediately adjacent to the site.
 - (6) The locations, names and present widths of existing and proposed streets, highways, easements, curblines, alleys, parks and other proposed public open spaces and similar facts regarding adjacent property.
 - (7) The provisions of this chapter applicable to the site, any zoning district boundaries affecting the site and any proposed changes in this chapter as it affects the site.
 - (8) The locations and owners of all adjoining lands as shown on the latest tax duplicates.
 - (9) Deed restrictions or covenants applying to the site.
 - (10) The widths and locations of any streets and other public ways or places shown upon the Official Map and the Master Plan, if any, within the site and the widths, locations, grades and street profiles of all streets or other public ways proposed by the applicant.
 - (11) Typical cross sections of the proposed grading, roadways, sidewalks and unusual topographic conditions. The location and access points to the site shall be shown, as well as the distances to the nearest intersecting street.
 - (12) The approximate boundaries of any area subject to flooding or stormwater overflows as shown on the Flood Hazard Boundary Maps for the Township of Little Falls or as determined by the project design engineer or the design surveyor or as documented by other studies performed by a qualified professional.
 - (13) The location of existing marshes, wooded areas, rock outcrops, wetlands, ponds, watercourses (seasonal or year-round), isolated trees with a diameter of 12 inches or more measured three feet above the base of the trunk and other significant existing features.
 - (14) Contour lines at intervals of two feet, based on United States Geological Survey data, of existing grades and of proposed finished grades. A larger contour interval will be permitted on approval of the Planning Board Engineer.
 - (15) A metes-and-bounds description and map of the survey or site boundary, made and certified by a licensed land surveyor or a qualified licensed professional engineer, referenced to established Township reference points and related to the state system of plane coordinates.
 - (16) The locations of uses and outlines of structures, drawn to scale, within 100 feet of any property line of the site.
 - (17) Paved areas, sidewalks and vehicular access between the site and public streets.
 - (18) The location of any and all proposed buildings or structural improvements.
 - (19) The location and design of all uses requiring structures or improvement, including off-street parking, refuse and loading areas.
 - (20) The location, direction, power and time of use for any proposed outdoor lighting or public-address systems.
 - (21) The locations and plans for any outdoor signs.
 - (22) Any and all proposed grading, screening and other landscaping, including types and locations of proposed trees. Where the property is located adjacent to a limited-access highway, a buffer zone shall be shown on the site plan, the depth of which buffer zone and any appropriate tree plantings shall be at the discretion and approval of the Planning Board. The Planning Board may require that landscaping plans shall be prepared by a qualified licensed professional.
 - (23) The source of water supply and the location of all proposed water lines, valves and hydrants and available fire protection.
 - (24) The location of all proposed sewer lines and connection points.
 - (25) The provisions for collecting and discharging storm drainage in the form of a drainage plan meeting local and state regulations.
 - (26) The location of temporary markers adequate to locate and appraise the basic layout in the field. Unless an existing street intersection is shown, the distance along the street from one corner of the site to the nearest existing street intersection shall be shown.
 - (27) If the site plan only indicates a phased development, supplementary plans shall indicate ultimate development.
 - (28) A suitable vicinity map, drawn to a scale of not over 400 feet to the inch, showing the relation of the proposed site to the adjacent properties and to the general surrounding area.
 - (29) Architectural drawings, illustrating building elevations and all exterior characteristics.
 - (30) Any other information deemed necessary for the Board to determine conformity of the site plan to the intent and regulations of the Little Falls Zoning Ordinance and Master Plan.
 - (31) Environmental Impact Statement prepared by a qualified professional.
 - (32) Traffic Impact Study prepared by a qualified professional.
 - (33) Community Impact Study for applications that include relief pursuant to N.J.S.A. 40:55D-70(d)(1).
- B. The ingress and egress from state, county and Township roads shall be subject to the approval of the Planning Board; and where, in the opinion of the Planning Board, such ingress and egress shall create or add to the congestion or safety factors of a given road, the Planning Board may require the applicant to provide alternative ingress or egress to the site.

109-34. Review by Planning Board. In reviewing any site plan, the Planning Board shall consider whether the proposal conforms to the requirements of this chapter and the Municipal Land Use Law (N.J.S.A. 40:55D-40.1 et seq.), including:

- A. The layout of the site with respect to the arrangement and widths of driveways, walkways and streets on the site to ensure that they are suitably located to accommodate prospective traffic and to provide access for fire-fighting and emergency equipment to buildings, and so oriented as to permit, consistent with the reasonable utilization of land, the buildings constructed thereon to maximize solar gain.
- B. The amount of space required for automobile parking and for the loading and unloading of goods and materials, the location of such spaces and access thereto.
- C. The planting plan or plans for providing adequate landscaping and screening.
- D. The improvements of roadways, sidewalks, walkways, automobile parking areas and loading and unloading areas, by grading, surfacing and the installation of drainage structures and the installation of water lines and facilities for sanitary sewage subject to approval by the Health Officer.
- E. The display of signs with due regard for public safety and welfare.
- F. The effect of the development on surrounding properties.
- G. The arrangement of buildings on the lot, the yards provided, the building height, building coverage, lot size, common usable open space, lot area per family, density and relationship of buildings to each other, and:
- (1) The relationship, beneficial or adverse, of the site plan to the contiguous residential zone.
 - (2) Air pollution and its effect on the contiguous residential zone.
 - (3) Whether the site plan will adequately protect the contiguous residential zone and ensure safety from fire, flood, panic or other dangers.
 - (4) Whether the site plan will provide adequate light and air.
 - (5) Whether the site plan will prevent the overcrowding of the land or buildings together with whether the site plan will minimize the impact upon the residential zone of the use of the subject land in accordance with the proposed site plan.
 - (6) Whether the site plan would create undue concentration of population within the proximity of the contiguous residential zone.
 - (7) Whether the site plan has any effect on the value of the property in the contiguous residential zone.
 - (8) Whether the use of the property in accordance with the proposed site plan will create and be attended by instances of discomfort or annoyance to residents of the contiguous residential property.
- H. Adequate water supply, drainage, shade trees, sewerage facilities and other utilities necessary for essential services to residents and occupants.

- I. Suitable size, shape and location for areas reserved for public use or open space to be set aside for the use and benefits of residents of planned developments.
- J. Conformity with the requirements of Chapters 86, Flood Damage Prevention, 209, Soil Removal, 214, Solid Waste, Article I, Recycling, and 218, Stormwater Management.

109-35. Applicability. The regulations and requirements of this article shall apply to any non-residential development, or other development, except single-family residential development. This article shall also apply in all instances where an application is made to the Planning Board for a use variance.

109-36. Conditions of Approval.

- A. The Board may impose conditions of preliminary site plan, which shall be expressed in its resolution. Final Site Plan Approval shall not be granted unless all the conditions of Preliminary Site Plan approval have been met or the Developer has posted performance and maintenance guarantees as required. The Board may require the Developer to enter into a Developer's Agreement with the Township; however, if the Township fails to enter into such a Developer's Agreement with the Developer, the Developer shall nonetheless be required to post performance and maintenance guarantees, in such form and amounts pursuant to the Municipal Land Use Law, for such improvements as may be reasonably required prior to receipt of final approval.
- B. The granting of preliminary site plan approval shall entitle the developer to those rights as inure to the developer pursuant to the Municipal Land Use Law. If a developer fails to act upon an approved preliminary site plan, or obtain final approval, without seeking an extension, such approval shall be void after three years.
- C. Developers may seek the extension of a preliminary site plan approval pursuant to the Municipal Land Use Law. No extension may be granted by the Planning Board unless the applicant has attached to his request for an extension the following:
 - (1) A written certification from the Tax Collector that all real estate taxes have been paid;
 - (2) A written certification from the Township Clerk or Chief Financial Officer that all fees on the current and former applications as well as all escrow deposits have been paid and deposited; and

109-37. Requirements for Final Major Site Plans. A developer shall be entitled to Final Major Site Plan approval upon the satisfactory completion of all required site improvements and satisfaction of conditions of the preliminary approval, or upon the posting of performance and maintenance guarantee, in such form and amounts pursuant to the Municipal Land Use Law, for all reasonably necessary improvements as determined by the Township's Engineer's estimate.

109-38. Extension of Final Site Plan Approval. Developers may seek the extension of a final site plan approval pursuant to the Municipal Land Use Law. No extension may be granted by the Planning Board unless the applicant has attached to his request for an extension the following:

- A. A written certification from the Tax Collector that all real estate taxes have been paid;
- B. A written certification from the Chief Financial Officer that all fees on the current and former applications as well as all escrow deposits have been paid and deposited; and
- C. A fully executed copy of posted bonds continuing in effect or a developer's agreement with the Township with evidence of compliance with its terms.

109-39. Rights of Final Site Plan Approval. The granting of final site plan approval shall entitle the developer to those rights as inure to the developer pursuant to the Municipal Land Use Law. If a developer fails to act upon an approved final site plan, or obtain final approval, without seeking an extension, such approval shall be void after three years.

109-40. Amended/Minor Site Plan.

- A. Application Requirements. An applicant for an amended/minor site plan shall submit with that application a survey prepared by a licensed land surveyor, with the following information:
 - (1) Name and address of the applicant and the owner
 - (2) Name, address and title of the person preparing the plan, maps and accompanying data.
 - (3) Date of preparation and the dates of each revision, where applicable.
 - (4) Signature and certification, as appropriate, by a registered engineer, land surveyor and/or architect, with property survey data to be based on current conditions as they exist.
 - (5) An appropriate place for the signatures of the Chair and Secretary of the Planning Board or Zoning Board of Adjustment and the Township Engineer.
 - (6) Lot and block number or numbers of the lot or lots from the Township Tax Maps.
 - (7) Area of lot or lots and the length and bearings of the lot lines of the proposed project.
 - (8) Scale and north sign and key map relating the site to the streets in the surrounding area.
 - (9) Zone district in which the lot or lots are located and the zone district or districts of all the immediately adjoining lots.
 - (10) Existing and proposed principal building or structure and all accessory buildings or structures, if any, with dimensions showing present and finished grade elevations at all corners and entrances of said building or structures, first-floor elevations and the complete floor plans and elevation plans thereof.
 - (11) Identifying title and name of Town and County.
 - (12) Deed restrictions or covenants applying to site.
 - (13) Approximate boundaries of areas subject to flooding or stormwater overflows as shown on Flood Hazard Boundary Maps or as determined by project design engineer.
- B. The rights and terms of a final major site plan approvals, as provided by the Municipal Land Use Law, shall be applicable to approval of Amended/Minor Site Plans.

ARTICLE V. SUBDIVISIONS.

109-41. Purpose. The purpose of this Article is to provide for the regulation of land subdivision in the Township and to establish rules, regulations and standards governing such land subdivision in order to promote the public health, safety, convenience and general welfare of the Township. It shall be administered to ensure orderly growth and development, conservation, protection and proper use of land and adequate provision for circulation, utilities and service.

109-42. Definitions. For the purposes of this Article, the following terms shall have the following meanings:

ALLEY or SERVICE WAY

Any public or private way open to public vehicular use less than 21 feet in width.

CUL-DE-SAC

A short dead-end street not over 600 feet in length with a turnaround at the end.

DRAINAGE RIGHT-OF-WAY

The lands required for the installation of stormwater sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage in accordance with Chapter 1 of Title 58 of the New Jersey Revised Statutes.[2]

FINAL PLAT

The final map of all or a portion of the subdivision which is presented to the Planning Board for final approval in accordance with this chapter and which, if approved, shall be filed with the proper county recording officer, except in the case of minor subdivisions as set forth in § 301-39B.

MAJOR SUBDIVISION

Any subdivision not classified as a minor subdivision.

MINOR SUBDIVISION

Any subdivision of a tract or parcel of land which does not involve the creation of more than two lots fronting on a public street, planned development, any new street or the extension of any off-tract improvement.

PLAT

The map of a subdivision.

STREET

Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing state, county or municipal roadway; or a street or way shown upon a plat heretofore approved pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.); or a street or way on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats. "Street" includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street lines.

SUBDIVIDER

Any person commencing proceedings under this chapter to effect a subdivision of land hereunder.

SUBDIVISION

The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this chapter if no new streets are created: divisions of land found by the Planning Board or Subdivision Committee thereof appointed by the Chair to be for agricultural purposes where all resulting parcels are five acres or larger in size; divisions of property by testamentary or intestate provisions; divisions of property upon court order; and conveyances so as to combine existing lots by deed or other instrument. The term "subdivision" shall also include the term "resubdivision."

109-43. Compliance. All subdivisions of land within the Township are hereby required to be effected subject to regulation under this chapter. No plat of any such subdivision shall be filed by any person with the county recording officer as purporting to be in compliance with this chapter and with Section 28 of the Municipal Land Use Law (N.J.S.A. 40:55D-37) unless and until the same shall be approved by the Planning Board, and such approval, signed by the Secretary of the Planning Board, shall have been endorsed on such plat.

109-44. General Design Standards.

- A. Subdivision plats shall conform to design standards that will encourage good development patterns within the Township. The streets, drainage rights-of-way, school sites, public parks and playgrounds shown on the Master Plan or Official Map shall be shown on the final plat and shall be such as to lend themselves to the harmonious development of the Township and enhancement of the public welfare in accordance with the design standards set forth in this chapter. The Planning Board shall further require that all lots shown on the plats be adaptable for the intended purposes without danger to health or peril from flood, fire, erosion or other menace.
- B. When the Planning Board has adopted portions of a Master Plan with proposals regarding the street system within a proposed subdivision, the Board may require that the streets shown conform in design and in width to the proposals shown on the Master Plan. In acting upon plats, the Planning Board shall require, among other conditions in the public interest, that the tract shall be adequately drained; that the streets shall be of sufficient width and suitable grade and suitably located to accommodate the prospective traffic and to provide access for fire-fighting equipment to buildings; and that the streets shall be coordinated so as to compose a convenient system, conforming to the Official Map or, if there is no Official Map, relating properly to the existing street system. No street of a width greater than 50 feet within the right-of-way lines may be required unless said street already has been shown at the greater width on the Master Plan or the Official Map.
- C. The Planning Board or Subdivision Committee may disapprove an application for the subdivision of land on which there exists a principal building if the application proposes to create a lot or lots on which a building, if erected, could disturb the uninterrupted frontage of the existing building to the street on which said lot or lots are proposed to front.

109-45. Specific Design Standards.

- A. Streets & Sidewalks.
 - (1) Applicability of Residential Site Improvement Standards.
 - (a) The New Jersey Administrative Code, Title 5, Chapter 21, provides for "New Jersey Residential Site Improvement Standards" (RSIS standards) as promulgated by the Commissioner of the Department of Community Affairs pursuant to the authority of P.L. 1993, c.32 (N.J.S.A. 40:55D-40.1 et seq.). These rules govern any site improvements carried out or intended to be carried out or required to be carried out in connection with any application for residential subdivision, site plan approval, or variance before the Planning Board created pursuant to the Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq.) or in connection with any other residential development approval required or issued by any municipality or agency or instrumentality thereof.
 - (b) Except as otherwise specifically provided, the RSIS standards govern all matters concerning the construction, alteration, addition, repair, removal, demolition, maintenance, and use of any site improvements constructed by a developer in connection with residential development.
 - (c) The RSIS standards apply to all site improvement work and appurtenant construction, including streets, roads, parking facilities, sidewalks, drainage structures and utilities, which are undertaken by a developer with a residential development or use.
 - (d) Although the provisions of this chapter have been arranged to avoid conflict with the RSIS standards wherever possible, any existing conflicts or conflicts created by changes in the RSIS standards shall be governed by the appropriate RSIS standard unless the specific requirements of this Code are one of the alternates in the RSIS standards where alternatives are available or are relating to a standard or requirement outside the scope of the RSIS standards.
 - (2) All residential streets, other than main arteries and thoroughfares, shall be designed so as to:
 - (a) Provide for the continuation of the principal streets in the adjoining subdivisions where reasonably required for harmonious development.
 - (b) Discourage other than local traffic.
 - (c) Provide for the proper projection when adjoining property is not subdivided, subject to any required access control strip where reasonably required for harmonious development.
 - (d) Provide adequate separation by way of street design from other developments where such is reasonably required to avoid undue traffic on local residential streets.
 - (e) Provide a marginal access road or reverse frontage with a buffer strip for planting or some other means of separation where the subdivision abuts thoroughfares where such marginal access road or reverse frontage is reasonably required to avoid interference with the flow of traffic on the thoroughfare or to preserve the value of property abutting on such thoroughfare.
 - (f) Give adequate recognition to existing topography.
 - (g) Be not only conducive to the proper development of the immediate subdivision but also in a manner which will not adversely affect the neighborhood.
 - (3) Street widths in residential areas shall be a minimum of 50 feet. The Board may require greater street widths to assure the free flow of traffic where such widths are shown on the Master Plan or the Official Map. Subdivisions which adjoin or include existing streets not conforming to width requirements of this chapter may be required to dedicate lands along either one or both sides of said road for widening. If the subdivision is along one side only, 1/2 of the required extra width may be required to be dedicated.
 - (4) Street Grades:
 - (a) Grades for main traffic arteries shall not exceed six feet in 100 feet.
 - (b) Grades for all streets other than main traffic arteries shall not exceed 10 feet in 100 feet.
 - (c) No street shall have a grade of less than one foot in 100 feet.
 - (d) A vertical curve shall be provided at each change of grade. Vertical curves shall have a length sufficient to enable a driver with eye at 4 1/2 feet above the street surface to observe a four-inch-high object in the same lane at a distance of not less than 150 feet, but in no case shall the length of a vertical curve be less than 100 feet.
 - (5) Cul de Sacs:
 - (a) The maximum length of a cul-de-sac shall be 600 feet, unless topography or lack of other means for providing access to an area would necessitate greater lengths. Cul-de-sacs over 600 feet shall conform to requirements for other residential streets.
 - (b) There shall be a turnaround roadway with a minimum outside radius of 48 feet at the closed end, and additional space subject to the approval of the Township Engineer shall be provided outside the roadway for the removal of snow.

- (c) If in a development a street which is planned for extension in a future development is temporarily dead ended, a temporary turnaround of a minimum outside radius of 48 feet shall be provided at each dead end. In such case, easement shall be granted to the Township for the maintenance thereof until such street is extended and another turnaround or other means of circulation of traffic is provided.
- (6) Access. The subdivision of the land shall be such as to provide each lot, by means of either a public street or a way of permanent easement, with satisfactory access to an existing public street or one which is to be constructed at the same time as the street or way shown on such subdivision.
- (7) Sidewalks. Sidewalks shall be required in all subdivisions. Sidewalks shall be four feet wide. The Planning Board, however, may determine that there should be sidewalks on only one side of the street or that no sidewalks should be provided if it finds that one of the following conditions exists and if it further finds that the public safety will not be adversely affected thereby:
 - (a) The new street shown on the subdivision plat is an extension of an existing street where there is a sidewalk on only one side or there is no sidewalk, as the case may be.
 - (b) There are other subdivisions in the neighborhood where there are sidewalks on only one side of the street or no sidewalks, and it would be unreasonable to require a sidewalk on more than one side of the street or any sidewalk.
 - (c) The open or rural character of the subdivision development would be best preserved by a sidewalk on only one side of the street or by no sidewalk.
- (8) Trees.
 - (a) Provision shall be made for the planting of shade trees of such type and size and at such reasonable intervals as shall be approved by the Planning Board. Shade trees shall be located on the property line and shall not be planted closer than 25 feet to an existing or proposed street intersection.
 - (b) Existing trees near street rights-of-way and within the property shall be preserved by the subdivider where practical.
 - (c) Shade trees will not be required if the Board finds that the trees already existing on the property to be subdivided, and which will not be required to be destroyed by the subdivision, will provide sufficient foliage and that the resulting informal arrangement of trees in the subdivision will be at least equally desirable. In any such instance, the Board may require the planting of such shrubs as it may designate in lieu of such street border trees.
- (9) Street Names. No street names shall be used which will duplicate or be confusing phonetically with the names of existing streets in the Township. A new street which is an extension of or generally in alignment with an existing street shall bear the name of the existing street.
- (10) Signs. Street signs shall be installed at all street intersections and shall be in character with and similar to the standard street signs in the immediate area.
- (11) Utilities. Where practical on all new streets and on the extension of existing streets, utility mains shall be placed underground and in rights-of-way on the sides of the roadway. Water and storm sewer installations shall be placed on one side and gas and sanitary sewer on the other side to simplify location and repair of the lines if they require attention.

B. Utilities.

- (1) The developer shall provide for the disposal of sanitary sewage and stormwater and for the installation of such other utilities as may be necessary.
- (2) The developer shall install underground service connections before the street is paved and shall provide extensions to the lot line.
- (3) The Board may require easements not exceeding 12 feet in width at the rear lot lines and, additionally, an access easement not exceeding 12 feet in width, unless other access for utilities to the rear lot lines is provided, for poles, wires, conduits, storm and sanitary sewers, gas, water or other utilities. Easements of the same or greater width may be required along the lines of or across lots wherever necessary for the extension of existing or proposed utilities.
- (4) All installations of storm drains and sanitary sewers shall be connected with an approved system, shall be adequate for all present and probable future development and shall be made according to the requirements of the Township.
- (5) All residential lots shall be connected to the sanitary sewer system. Wherever it is impossible to provide or connect to a sanitary sewer system, the Board may approve an individual sewage disposal system which conforms to all requirements of the Health Code and the Building Code of the Township. In such cases, the subdivision plat shall show the proposed location of the individual sanitary sewage disposal units and system and shall be accompanied by plans for such units and system and by a certified copy of percolation tests which have been made at such proposed locations. No subdivision, or part thereof, shall be approved where results of said percolation tests do not meet with the established requirements of this chapter or other applicable ordinances or regulations, nor shall any subdivision, or part thereof, be approved where other physical characteristics of the land would cause septic conditions unhealthful to the public or which is contrary to the requirements of this chapter or other applicable ordinances or regulations. Any remedy proposed to overcome such situations or conditions shall first be approved by the Health Department of the Township. Nothing in this section shall be deemed to prohibit or to prevent the Board from requiring the installation of sanitary sewer mains and service connections in cases where it approved an individual sewage disposal system.
- (6) The Developer shall be responsible for the installation of water mains and fire hydrants necessary to service the development.
- (7) The Developer shall be responsible for the installation of appropriate street lighting.

109-46. Completeness of Applications. Unless specifically waived by the Planning Board, the information which is to be submitted for preliminary site plan is as follows:

- A. Plats shall be clearly and legibly drawn or reproduced on tracing cloth at a scale of not less than one inch equals 30 feet, on sheets no larger than two feet by three feet. All levels shall be based on North American data. Bench mark for levels shall be noted on the plat. All plats shall be designed and drawn by a licensed New Jersey land surveyor, provided that where improvements to the land other than monuments are to be installed, such improvements shall be designed by a licensed New Jersey engineer.
- B. Plats shall be designed in compliance with the design and improvement standards of this Article and with all the provisions of P.L. 1960, c. 141 (N.J.S.A. 46:23-9.9 et seq.), as supplemented and amended.
- C. Subdivision Plats shall show and/or be accompanied by the following information:
 - (1) A key map showing the entire property, whether all or part only is to be immediately subdivided, and showing its relation to surrounding areas.
 - (2) The tract name, block and lot numbers, date, reference meridian, graphic scale and the names and addresses of the record owner or owners, the developer and the person who prepared the map.
 - (3) Acreage of the tract to be subdivided to the nearest tenth of an acre.
 - (4) The location within the subdivision of existing property lines, tract boundary lines, streets, buildings, watercourses, railroads, bridges, culverts, drainpipes, easements and any natural features, such as wooded areas and rock formations and also existing trees with a diameter of over eight inches, except that this requirement may be waived where there are groups of such trees which are not to be disturbed.
 - (5) The location of proposed streets, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines and other site lines, with accurate dimensions, bearings, radii, arcs and central angle of curves.
 - (6) The purpose of any easement or land reserved or dedicated to public use designated and the proposed use of sites other than residential noted.
 - (7) Each block shall be numbered, and the lots within each block shall be numbered consecutively.
 - (8) Minimum building setback line on all lots.
 - (9) Dimensions from all structures to the lot lines so that the side yards, rear yard and front yard are shown.
 - (10) Location and description of all monuments.
 - (11) Names of owners of adjoining land, as shown by the Tax Maps.
 - (12) Certification by the engineer or surveyor as to accuracy of details of plat.
 - (13) Certification that the applicant is the owner of the land. Where the application is made through an agent of the owner, his or her authority must be in writing, signed by the owner and authenticated in a manner satisfactory to the Planning Board.
 - (14) When deemed necessary by the Planning Board or the Board of Adjustment, contours at vertical intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. Elevations shall be marked on such contours based on North American data.
 - (15) Plans, profiles and cross sections of all proposed streets within the subdivision and profiles of existing or future continuing streets a minimum distance of 200 feet beyond the subdivision boundaries.

- (16) Plans of proposed utility layouts (water, gas and electricity) showing feasible connections to an existing or any proposed utility system.
- (17) Plans and profiles of all proposed and existing sanitary sewers, storm drains, drainage ditches and streams within the subdivision, together with the locations, sizes, elevations, grades and capacities of any existing sanitary sewer, storm drain, drainage ditch or stream to which the proposed facility is to be connected. When storm drains, drainage ditches or brook channel improvements are proposed or required, the plan for such improvement must be approved by the State Water Policy Commission if said improvement is of sufficient size to so warrant.
- (18) Location and results of percolation tests where a public sewage disposal system is not available.
- (19) Plans for an individual sewage disposal system where same is proposed.
- (20) Where the development of the subdivision or improvements within the subdivision are contingent upon information outside the boundaries of such subdivision, such information shall be supplied by the subdivider.
- (21) A copy of any protective covenants or deed restrictions applying to the land being subdivided.
- (22) Location and types of other improvements required to be installed by this Article.
- (23) In any subdivision where the average slope of any proposed lot exceeds 10%, hypothetical site plans for each lot in the proposed subdivision showing the expected location of structures, paved surfaces, regraded areas and other areas of land disturbance. Such plans shall show drainage swales, seepage pits, retention and detention basins or other devices needed to control storm- and groundwater runoff. "Average slope" shall be defined as the difference between the highest and lowest ground elevation on opposite sides or boundaries of a proposed lot divided by the minimum horizontal distance between such high and low points.
- (25) Streetscape elevations of proposed buildings and buildings immediately adjacent to proposed buildings to show new construction within the context of the surrounding built environment.

109-47. Conditions of Approval.

- A. The Board may impose conditions of preliminary subdivision approval, which shall be expressed in its resolution. Final Subdivision Plan Approval shall not be granted unless all the conditions of Preliminary Site Plan approval have been met or the Developer has posted performance and maintenance guarantees as required. The Board may require the Developer to enter into a Developer's Agreement with the Township; however, if the Township fails to enter into such a Developer's Agreement with the Developer, the Developer shall nonetheless be required to post performance and maintenance guarantees, in such form and amounts pursuant to the Municipal Land Use Law, for such improvements as may be reasonably required prior to receipt of final approval.
- B. The granting of preliminary subdivision approval shall entitle the developer to those rights as inure to the developer pursuant to the Municipal Land Use Law.
- C. Developers may seek the extension of a preliminary subdivision approval pursuant to the Municipal Land Use Law. No extension may be granted by the Planning Board unless the applicant has attached to his request for an extension the following:
 - (1) A written certification from the Tax Collector that all real estate taxes have been paid;
 - (2) A written certification from the Chief Financial Officer that all fees on the current and former applications as well as all escrow deposits have been paid and deposited; and

109-48. Requirements for Final Major Subdivision Approval. A developer shall be entitled to Final Major Subdivision Plan approval upon the satisfactory completion of all required site improvements and satisfaction of conditions of the preliminary approval, or upon the posting of performance and maintenance guarantee, in such form and amounts pursuant to the Municipal Land Use Law, for all reasonably necessary improvements as determined by the Township's Engineer's estimate.

109-49. Extension of Final Site Plan Approval. Developers may seek the extension of a final subdivision approval pursuant to the Municipal Land Use Law. No extension may be granted by the Planning Board unless the applicant has attached to his request for an extension the following:

- A. A written certification from the Tax Collector that all real estate taxes have been paid;
- B. A written certification from the Township Clerk or Chief Financial Officer that all fees on the current and former applications as well as all escrow deposits have been paid and deposited; and
- C. A fully executed copy of posted bonds continuing in effect or a developer's agreement with the Township with evidence of compliance with its terms.

109-50. Rights of Final Site Plan Approval. The granting of final site plan approval shall entitle the developer to those rights as inure to the developer pursuant to the Municipal Land Use Law. For major subdivisions, final approval shall expire 95 days from the signing of the plat unless within such period the plat shall have been duly filed by the developer with the county recording officer. The Planning Board may, for good cause shown, extend the period for recording for an additional period not to exceed 190 days from the date of signing of the plat. The plat filed shall have been signed by the Chair and Secretary of the Planning Board. The developer shall notify the Planning Board of such filing by affidavit within the required time period.

109-51. Filing of plat with Township officials. Upon approval of a plat or, in the case of a minor subdivision, a deed, a print or copy shall be filed by the Planning Board with the Municipal Clerk, Township Engineer, Township Building Inspector and Township Tax Assessor.

109-52. Minor Subdivision.

- A. Application completion requirements. An applicant for a minor subdivision shall submit with that application a survey prepared by a licensed land surveyor, with the following information:
 - (1) A key map showing the entire property, whether all or part only is to be immediately subdivided, and showing its relation to surrounding areas.
 - (2) The tract name, block and lot numbers, date, reference meridian, graphic scale and the names and addresses of the record owner or owners, the developer and the person who prepared the map.
 - (3) Acreage of the tract to be subdivided to the nearest tenth of an acre.
 - (4) The location within the subdivision of existing property lines, tract boundary lines, streets, buildings, watercourses, railroads, bridges, culverts, drainpipes, easements and any natural features, such as wooded areas and rock formations and also existing trees with a diameter of over eight inches, except that this requirement may be waived where there are groups of such trees which are not to be disturbed.
 - (5) The purpose of any easement or land reserved or dedicated to public use designated and the proposed use of sites other than residential noted.
 - (6) Minimum building setback line on all lots.
 - (7) Dimensions from all structures to the lot lines so that the side yards, rear yard and front yard are shown.
 - (8) Names of owners of adjoining land, as shown by the Tax Maps.
 - (9) Certification that the applicant is the owner of the land. Where the application is made through an agent of the owner, his or her authority must be in writing, signed by the owner and authenticated in a manner satisfactory to the Planning Board.
 - (10) Location and results of percolation tests where a public sewage disposal system is not available.
 - (11) Plans for an individual sewage disposal system where same is proposed.
 - (12) A copy of any protective covenants or deed restrictions applying to the land being subdivided.
 - (13) Location and types of other improvements required to be installed by this Article.
- B. Perfecting. A minor subdivision can be perfected by the filing of a plat certified by a licensed engineer or land surveyor of New Jersey, conforming to the requirements of P.L. 1960, c. 141 (N.J.S.A. 46:23-9.9 et seq.), as supplemented and amended, and the Municipal Land Use Law, or by minor subdivision deeds.

ARTICLE VI. VARIANCES, APPEALS & INTERPRETATIONS.

109-53. Variances.

- A. An applicant for a minor subdivision shall submit with the application a survey plot plan, with the following information:
 - (1) Name and address of the applicant and the owner.
 - (2) Name, address and title of the person preparing the plan, maps and accompanying data.
 - (3) Date of preparation and the dates of each revision, where applicable.
 - (4) Signature and certification, as appropriate, by a registered engineer, land surveyor and/or architect, with property survey data to be based on current conditions as they exist.

- (5) Lot and block number or numbers of the lot or lots from the Township Tax Maps.
 - (6) Area of lot or lots and the length and bearings of the lot lines of the proposed project.
 - (7) Scale and north sign and key map relating the site to the streets in the surrounding area.
 - (8) Zone district in which the lot or lots are located and the zone district or districts of all the immediately adjoining lots.
 - (9) Existing and proposed principal building or structure and all accessory buildings or structures, if any, with dimensions showing present and finished set-backs and grade elevations.
 - (10) Other information necessary to show the nature and extent of the variance requested.
 - (11) For variance relief pursuant to N.J.S.A. 40:55D-70(d), the application shall also include:
 - (a) A statement detailing the proposed use and justification for such relief.
 - (b) A Community Impact Statement.
 - (c) A Traffic Impact Study.
 - (d) A Environmental Impact Statement
- B. Expiration of variance. Unless granted as part of a site plan or subdivision, if any variance granted by the Board is not acted upon by the developer within one year from the date of approval by resolution, such variance shall expire. Any variance granted in conjunction with a site plan or subdivision shall run concurrently with such approval.
- C. Conditions. The Board may impose reasonable conditions upon the Developer in the granting of any variance and such conditions may include the posting of performance and/or maintenance guarantees and inspection escrow fees.

109-54. Appeals & Interpretations. Any appeal of a determination of the zoning or administrative official, or application for interpretation, shall submit with the application that information required in 109-53A above, to the extent applicable, and such other information as relied upon by the zoning or administrative official and such other information as may be required for the Board to review the decision or render an interpretation.

ARTICLE VII. SUPPLEMENTAL REQUIREMENTS.

109-55. Community Impact Statement.

- A. Where required for submission, an Applicant shall submit a Community Impact Statement.
- B. Submission Format. All community impact statements shall consist of written and graphic materials which clearly present the required information addressing the following areas:
 - (1) Population impact. An analysis of the number of people expected to be added to the municipal population as a result of the proposed development, including those attracted to the Township for the number of projected jobs in non-residential development, according to the following age cohorts: children, adults and other information about age cohorts.
 - (2) Schools impact. An analysis of the anticipated number of public school students projected to be added and the ability of the existing public school facilities to absorb the additional population projected ten years into the future. The analysis shall provide data on school facility capacity and existing enrollment, cumulative projections of new students, impacts on facilities, support staff and added costs to the school district. Should expanded or new school facilities or increased teaching staff be required, the projected cost for such additions shall be specified.
 - (3) Community facilities impact. An analysis of the existing community facilities and infrastructure available to serve the proposed development and its impact on the adequacy of existing public water facilities, public sewerage facilities; recreational facilities; library facilities, and senior services. Should such facilities be determined inadequate to serve the proposed development, the remedies, either expected or proposed by the applicant, shall be indicated along with the estimated costs for such additional facilities.
 - (4) Services impact. An analysis of the existing services provided by the municipality to serve the proposed development and the impact of the development upon services, including police protection, fire protection, emergency services, solid waste disposal and street maintenance services.
 - (5) Traffic impact. An analysis of the existing road network available to serve the proposed development, as well as the proposed road network within the development itself and the surrounding road network which will be affected by the proposed development, including the capacity of the existing and proposed roadways; the anticipated traffic volumes as a result of the proposed development; the physical structure of both road networks; and any problem areas in the road network affected by the development, including unsafe intersections and vertical or horizontal alignments.
 - (6) Fiscal impact. An analysis of the revenues expected to be generated from the development compared to the anticipated costs which the proposed development is expected to generate. Revenues and costs shall be shown for the municipality, the municipal school system and the municipal library system.
- C. Waiver. The Board may grant a waiver from this requirement or any section thereof.

109-56. Environmental Impact Statement.

- A. Where required for submission, an Applicant shall submit an Environmental Impact Statement.
- B. Every environmental impact statement shall contain the following:
 - (1) Key map showing the location of the project and how it relates to the surrounding region affected thereby.
 - (2) Description of the project specifying, in the form of maps, drawings, graphs or similar visual aids, and also by narrative, what is to be done and how it is to be done during and after construction of the project, including information and technical data adequate to permit a careful assessment of the environmental impact of the project.
 - (3) An inventory of the existing environmental conditions at the project site and in the surrounding region affected thereby which shall describe the following:
 - (a) Physical characteristics.
 - i. Air quality.
 - ii. Hydrology, including maps and descriptions of streams, water bodies and floodplains and a discussion of water quality.
 - iii. Geology.
 - iv. Soils and their properties, including capabilities and limitations.
 - v. Topography and slope.
 - vi. Drainage.
 - vii. Vegetation.
 - (b) Wildlife.
 - i. Fish and aquatic organisms.
 - ii. Wild animals.
 - (c) Man-made conditions and structures.
 - i. Sanitary and storm sewer systems, including planned construction.
 - ii. Noise characteristics and levels.
 - iii. Traffic volume.
 - iv. Land use, including maps and descriptions of zoning and master plan delineation of the project area.
 - v. Aesthetics.
 - (d) Community character.
 - i. History, including maps and descriptions of sites of historic and archeological significance.
 - ii. Demography.
 - iii. Culture.
 - iv. Maps and descriptions of sites reserved or planned for recreational purposes or as wildlife refuges.
 - (e) Air and water quality. Air quality and water quality shall be described with reference to the standards promulgated by the Department of Environmental Protection of the State of New Jersey and soils shall be described with reference to criteria contained in the Northeast Jersey Soil Conservation District Standards and Specifications.
 - (4) A listing of all licenses, permits or other approvals required by municipal, county or state law, the status of each, and proof that the applicant has contacted officials of any federal, state, county or municipal agency affected by the proposed project.
 - (5) An assessment of the probable impact of the project upon all of the topics listed in Subsection 3 above.
 - (6) A listing and evaluation of adverse environmental impacts which cannot be avoided, with particular emphasis upon air or water pollution, increase in noise during and after construction, damage to plant, tree and wildlife systems, damage to natural resources, displacement of people and businesses, increase in sedimentation and siltation, flooding, potential stormwater runoff

damage both on and off site, increase in municipal services, and health, safety and well-being of the public. Off-site impact shall also be set forth and evaluated.

- (7) A thorough description of the steps to be taken to minimize adverse environmental impact before, during and after construction of the project, both at the project site and in the surrounding region affected thereby, such description to be accompanied by necessary maps, schedules and other explanatory data as may be needed to clarify and explain the actions to be taken.
 - (8) Identification and description of any irreversible and irretrievable commitment of resources which would be involved in the proposed action.
 - (9) A statement of alternatives to the proposed project which might avoid some or all of the adverse environmental effects, including a no-action alternative, with an objective evaluation of each alternative including the no-action alternative.
 - (10) A reference list of available pertinent, published information relating to the project, the project site, and the surrounding region affected thereby.
- C. Waiver. The Board may grant a waiver from this requirement or any section thereof.

SCHEDULE I CHECKLISTS

Administrative:

- (1) Original and 17 copies of Application, Checklists and Plans. (Plans—Five sets of 35x24” and 13 sets 11x17”)
- (2) Application Fees
- (3) Escrow Deposits
- (4) Tax Statement
- (5) Corporate Disclosure
- (6) Owner Consent
- (7) Certified 200 foot owner list
- (8) Proof of Service & Notice
- (9) Departmental Reports

Site Plan:

- (1) The identifying title and the name of the town and county.
- (2) The names and addresses of the record owners, developer and designer of the site plan.
- (3) The number of acres within the proposed site and the location of property lines, existing buildings, watercourses and other essential features.
- (4) The date, North point and written and graphic scale.
- (5) The locations of any existing sewage disposal systems and locations and sizes of wells, water mains, culverts and drains on and immediately adjacent to the site.
- (6) The locations, names and present widths of existing and proposed streets, highways, easements, curblines, alleys, parks and other proposed public open spaces and similar facts regarding adjacent property.
- (7) The provisions of this chapter applicable to the site, any zoning district boundaries affecting the site and any proposed changes in this chapter as it affects the site.
- (8) The locations and owners of all adjoining lands as shown on the latest tax duplicates.
- (9) Deed restrictions or covenants applying to the site.
- (10) The widths and locations of any streets and other public ways or places shown upon the Official Map and the Master Plan, if any, within the site and the widths, locations, grades and street profiles of all streets or other public ways proposed by the applicant.
- (11) Typical cross sections of the proposed grading, roadways, sidewalks and unusual topographic conditions. The location and access points to the site shall be shown, as well as the distances to the nearest intersecting street.
- (12) The approximate boundaries of any area subject to flooding or stormwater overflows as shown on the Flood Hazard Boundary Maps for the Township of Little Falls or as determined by the project design engineer or the design surveyor or as documented by other studies performed by a qualified professional.
- (13) The location of existing marshes, wooded areas, rock outcrops, wetlands, ponds, watercourses (seasonal or year-round), isolated trees with a diameter of 12 inches or more measured three feet above the base of the trunk and other significant existing features.
- (14) Contour lines at intervals of two feet, based on United States Geological Survey data, of existing grades and of proposed finished grades. A larger contour interval will be permitted on approval of the Planning Board Engineer.
- (15) A metes-and-bounds description and map of the survey or site boundary, made and certified by a licensed land surveyor or a qualified licensed professional engineer, referenced to established Township reference points and related to the state system of plane coordinates.
- (16) The locations of uses and outlines of structures, drawn to scale, within 100 feet of any property line of the site.
- (17) Paved areas, sidewalks and vehicular access between the site and public streets.
- (18) The location of any and all proposed buildings or structural improvements.
- (19) The location and design of all uses requiring structures or improvement, including off-street parking, refuse and loading areas.
- (20) The location, direction, power and time of use for any proposed outdoor lighting or public-address systems.
- (21) The locations and plans for any outdoor signs.
- (22) Any and all proposed grading, screening and other landscaping, including types and locations of proposed trees. Where the property is located adjacent to a limited-access highway, a buffer zone shall be shown on the site plan, the depth of which buffer zone and any appropriate tree plantings shall be at the discretion and approval of the Planning Board. The Planning Board may require that landscaping plans shall be prepared by a qualified licensed professional.
- (23) The source of water supply and the location of all proposed water lines, valves and hydrants and available fire protection.
- (24) The location of all proposed sewer lines and connection points.
- (25) The provisions for collecting and discharging storm drainage in the form of a drainage plan meeting local and state regulations.
- (26) The location of temporary markers adequate to locate and appraise the basic layout in the field. Unless an existing street intersection is shown, the distance along the street from one corner of the site to the nearest existing street intersection shall be shown.
- (27) If the site plan only indicates a phased development, supplementary plans shall indicate ultimate development.
- (28) A suitable vicinity map, drawn to a scale of not over 400 feet to the inch, showing the relation of the proposed site to the adjacent properties and to the general surrounding area.
- (29) Architectural drawings, illustrating building elevations and all exterior characteristics.
- (30) Any other information deemed necessary for the Board to determine conformity of the site plan to the intent and regulations of the Little Falls Zoning Ordinance and Master Plan.
- (31) Environmental Impact Statement prepared by a qualified professional.
- (32) Traffic Impact Study prepared by a qualified professional.
- (33) Community Impact Study for applications that include relief pursuant to N.J.S.A. 40:55D-70(d)(1).

Amended/Minor Site Plan:

- (1) Name and address of the applicant and the owner
- (2) Name, address and title of the person preparing the plan, maps and accompanying data.
- (3) Date of preparation and the dates of each revision, where applicable.
- (4) Signature and certification, as appropriate, by a registered engineer, land surveyor and/or architect, with property survey data to be based on current conditions as they exist.
- (5) An appropriate place for the signatures of the Chair and Secretary of the Planning Board or Zoning Board of Adjustment and the Township Engineer.
- (6) Lot and block number or numbers of the lot or lots from the Township Tax Maps.
- (7) Area of lot or lots and the length and bearings of the lot lines of the proposed project.
- (8) Scale and north sign and key map relating the site to the streets in the surrounding area.
- (9) Zone district in which the lot or lots are located and the zone district or districts of all the immediately adjoining lots.
- (10) Existing and proposed principal building or structure and all accessory buildings or structures, if any, with dimensions showing present and finished grade elevations at all corners and entrances of said building or structures, first-floor elevations and the complete floor plans and elevation plans thereof.

Subdivision:

- (1) A key map showing the entire property, whether all or part only is to be immediately subdivided, and showing its relation to surrounding areas.

- (2) The tract name, block and lot numbers, date, reference meridian, graphic scale and the names and addresses of the record owner or owners, the developer and the person who prepared the map.
- (3) Acreage of the tract to be subdivided to the nearest tenth of an acre.
- (4) The location within the subdivision of existing property lines, tract boundary lines, streets, buildings, watercourses, railroads, bridges, culverts, drainpipes, easements and any natural features, such as wooded areas and rock formations and also existing trees with a diameter of over eight inches, except that this requirement may be waived where there are groups of such trees which are not to be disturbed.
- (5) The location of proposed streets, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines and other site lines, with accurate dimensions, bearings, radii, arcs and central angle of curves.
- (6) The purpose of any easement or land reserved or dedicated to public use designated and the proposed use of sites other than residential noted.
- (7) Each block shall be numbered, and the lots within each block shall be numbered consecutively.
- (8) Minimum building setback line on all lots.
- (9) Dimensions from all structures to the lot lines so that the side yards, rear yard and front yard are shown.
- (10) Location and description of all monuments.
- (11) Names of owners of adjoining land, as shown by the Tax Maps.
- (12) Certification by the engineer or surveyor as to accuracy of details of plat.
- (13) Certification that the applicant is the owner of the land. Where the application is made through an agent of the owner, his or her authority must be in writing, signed by the owner and authenticated in a manner satisfactory to the Planning Board.
- (14) When deemed necessary by the Planning Board or the Board of Adjustment, contours at vertical intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. Elevations shall be marked on such contours based on North American data.
- (15) Plans, profiles and cross sections of all proposed streets within the subdivision and profiles of existing or future continuing streets a minimum distance of 200 feet beyond the subdivision boundaries.
- (16) Plans of proposed utility layouts (water, gas and electricity) showing feasible connections to an existing or any proposed utility system.
- (17) Plans and profiles of all proposed and existing sanitary sewers, storm drains, drainage ditches and streams within the subdivision, together with the locations, sizes, elevations, grades and capacities of any existing sanitary sewer, storm drain, drainage ditch or stream to which the proposed facility is to be connected. When storm drains, drainage ditches or brook channel improvements are proposed or required, the plan for such improvement must be approved by the State Water Policy Commission if said improvement is of sufficient size to so warrant.
- (18) Location and results of percolation tests where a public sewage disposal system is not available.
- (19) Plans for an individual sewage disposal system where same is proposed.
- (20) Where the development of the subdivision or improvements within the subdivision are contingent upon information outside the boundaries of such subdivision, such information shall be supplied by the subdivider.
- (21) A copy of any protective covenants or deed restrictions applying to the land being subdivided.
- (22) Location and types of other improvements required to be installed by this Article.
- (23) In any subdivision where the average slope of any proposed lot exceeds 10%, hypothetical site plans for each lot in the proposed subdivision showing the expected location of structures, paved surfaces, regraded areas and other areas of land disturbance. Such plans shall show drainage swales, seepage pits, retention and detention basins or other devices needed to control storm- and groundwater runoff. "Average slope" shall be defined as the difference between the highest and lowest ground elevation on opposite sides or boundaries of a proposed lot divided by the minimum horizontal distance between such high and low points.
- (25) Streetscape elevations of proposed buildings and buildings immediately adjacent to proposed buildings to show new construction within the context of the surrounding built environment.

Minor Subdivision:

- (1) A key map showing the entire property, whether all or part only is to be immediately subdivided, and showing its relation to surrounding areas.
- (2) The tract name, block and lot numbers, date, reference meridian, graphic scale and the names and addresses of the record owner or owners, the developer and the person who prepared the map.
- (3) Acreage of the tract to be subdivided to the nearest tenth of an acre.
- (4) The location within the subdivision of existing property lines, tract boundary lines, streets, buildings, watercourses, railroads, bridges, culverts, drainpipes, easements and any natural features, such as wooded areas and rock formations and also existing trees with a diameter of over eight inches, except that this requirement may be waived where there are groups of such trees which are not to be disturbed.
- (5) The purpose of any easement or land reserved or dedicated to public use designated and the proposed use of sites other than residential noted.
- (6) Minimum building setback line on all lots.
- (7) Dimensions from all structures to the lot lines so that the side yards, rear yard and front yard are shown.
- (8) Names of owners of adjoining land, as shown by the Tax Maps.
- (9) Certification that the applicant is the owner of the land. Where the application is made through an agent of the owner, his or her authority must be in writing, signed by the owner and authenticated in a manner satisfactory to the Planning Board.
- (10) Location and results of percolation tests where a public sewage disposal system is not available.
- (11) Plans for an individual sewage disposal system where same is proposed.
- (12) A copy of any protective covenants or deed restrictions applying to the land being subdivided.
- (13) Location and types of other improvements required to be installed by this Article.

Variances, Appeals & Interpretations:

- (1) Name and address of the applicant and the owner.
- (2) Name, address and title of the person preparing the plan, maps and accompanying data.
- (3) Date of preparation and the dates of each revision, where applicable.
- (4) Signature and certification, as appropriate, by a registered engineer, land surveyor and/or architect, with property survey data to be based on current conditions as they exist.
- (5) Lot and block number or numbers of the lot or lots from the Township Tax Maps.
- (6) Area of lot or lots and the length and bearings of the lot lines of the proposed project.
- (7) Scale and north sign and key map relating the site to the streets in the surrounding area.
- (8) Zone district in which the lot or lots are located and the zone district or districts of all the immediately adjoining lots.
- (9) Existing and proposed principal building or structure and all accessory buildings or structures, if any, with dimensions showing present and finished set-backs and grade elevations.
- (10) Other information necessary to show the nature and extent of the variance requested.
- (11) For variance relief pursuant to N.J.S.A. 40:55D-70(d)(1), the application shall also include:
 - a. A statement detailing the proposed use and justification for such relief.
 - b. A Community Impact Statement.
 - c. A Traffic Impact Study.
 - d. A Environmental Impact Statement

**Township of Little Falls Planning Board
Application Checklist**

Check if Completed	N/A	Item No.	Description	Remarks
Administrative:				
<input type="checkbox"/>	<input type="checkbox"/>	1	Original and 17 copies of Application & Checklists	
<input type="checkbox"/>	<input type="checkbox"/>	2	Plans – 5 sets at 24x36” & 13 Sets at 11 x 17’	
<input type="checkbox"/>	<input type="checkbox"/>	3	Application Fees	
<input type="checkbox"/>	<input type="checkbox"/>	4	Escrow Deposits	
<input type="checkbox"/>	<input type="checkbox"/>	5	Tax Statement	
<input type="checkbox"/>	<input type="checkbox"/>	6	Corporate Disclosures	

<input type="checkbox"/>	<input type="checkbox"/>	7	Owner Consent	
<input type="checkbox"/>	<input type="checkbox"/>	8	Certified 200-Foot Owner List	
<input type="checkbox"/>	<input type="checkbox"/>	9	Proof of Service & Notice	
Site Plan: See §109-33 for details				
<input type="checkbox"/>		--	Site Plan – not less than 100 Ft to inch	
<input type="checkbox"/>	<input type="checkbox"/>	1	Identifying title and name of Town and County	
<input type="checkbox"/>	<input type="checkbox"/>	2	Names & addresses of record owners, developer and designer	
<input type="checkbox"/>	<input type="checkbox"/>	3	Acres of proposed site and location of property lines, existing buildings, watercourses and other essential features	
<input type="checkbox"/>	<input type="checkbox"/>	4	Date, North arrow and written and graphic scale.	
<input type="checkbox"/>	<input type="checkbox"/>	5	Locations of existing sewage disposal systems and locations and sizes of wells, water mains, culverts and drains on and immediately adjacent to site	
<input type="checkbox"/>	<input type="checkbox"/>	6	Locations, names and widths of existing and proposed streets, highways, easements, curb lines, alleys, parks and other proposed public open spaces and similar facts regarding adjacent property	
<input type="checkbox"/>	<input type="checkbox"/>	7	Provisions of Chapter 109 applicable to site, zoning district boundaries affecting site and proposed changes	
<input type="checkbox"/>	<input type="checkbox"/>	8	Locations and owners of all adjoining lands from latest tax duplicates	
<input type="checkbox"/>	<input type="checkbox"/>	9	Deed restrictions or covenants applying to site	
<input type="checkbox"/>	<input type="checkbox"/>	10	Widths and locations of streets and public ways or places on Official Map and Master Plan within site and widths, locations, grades and street profiles of streets and public ways proposed by applicant	
<input type="checkbox"/>	<input type="checkbox"/>	11	Typical cross sections of proposed grading, roadways, sidewalks and unusual topographic conditions; location and access points to site & distances to nearest intersecting street	
<input type="checkbox"/>	<input type="checkbox"/>	12	Approximate boundaries of areas subject to flooding or stormwater overflows as shown on Flood Hazard Boundary Maps or as determined by project design engineer/surveyor or as documented by other studies by a qualified professional	
<input type="checkbox"/>	<input type="checkbox"/>	13	Location of marshes, wooded areas, rock outcrops, wetlands, ponds, watercourses (seasonal or year-round), isolated trees with a diameter of 12 inches or more measured three feet above base of trunk and other significant existing features	
<input type="checkbox"/>	<input type="checkbox"/>	14	Contour lines at intervals of two feet, from USGS data for existing and proposed finished grades, unless a larger contour interval is permitted by the Planning Board Engineer	
<input type="checkbox"/>	<input type="checkbox"/>	15	A metes-and-bounds description and survey map certified by a licensed land surveyor or qualified licensed engineer, referenced to State system of plane coordinates	
<input type="checkbox"/>	<input type="checkbox"/>	16	Locations of uses and structures, drawn to scale, within 100 feet of any property line of site	
<input type="checkbox"/>	<input type="checkbox"/>	17	Paved areas, sidewalks and vehicular access from site to public streets	
<input type="checkbox"/>	<input type="checkbox"/>	18	Location of any and all proposed buildings or structural improvements	
<input type="checkbox"/>	<input type="checkbox"/>	19	Location and design of all improvements including off-street parking, refuse and loading areas	
<input type="checkbox"/>	<input type="checkbox"/>	20	Location, direction, power and time of use for any proposed outdoor lighting or public-address systems.	
<input type="checkbox"/>	<input type="checkbox"/>	21	Locations and plans for any outdoor signs	
<input type="checkbox"/>	<input type="checkbox"/>	22	All proposed grading, screening and landscaping, including types and locations of proposed trees. Where adjacent to a limited-access highway, a buffer zone shall be shown with a depth and tree plantings at the discretion of the Planning Board who may require landscaping plans by a qualified licensed professional	
<input type="checkbox"/>	<input type="checkbox"/>	23	Source of water supply and location of proposed water lines, valves, hydrants and available fire protection	
<input type="checkbox"/>	<input type="checkbox"/>	24	Location of all proposed sewer lines and connections	
<input type="checkbox"/>	<input type="checkbox"/>	25	Provisions for collecting and discharging storm drainage in a plan meeting local and state regulations	
<input type="checkbox"/>	<input type="checkbox"/>	26	Location of temporary markers adequate to appraise basic layout in field. Unless an existing street intersection is shown, the distance from one corner of the site to the nearest street intersection	
<input type="checkbox"/>	<input type="checkbox"/>	27	If site plan is only a phase, supplementary plans shall indicate ultimate development	
<input type="checkbox"/>	<input type="checkbox"/>	28	Vicinity map, drawn to a scale of not over 400 feet to inch, showing relation of proposed site to adjacent properties and to general surrounding areas	
<input type="checkbox"/>	<input type="checkbox"/>	29	Architectural drawings, illustrating building elevations and exterior characteristics	
<input type="checkbox"/>	<input type="checkbox"/>	30	Any other information deemed necessary for Board to determine conformity of plan to intent of Little Falls Zoning Ordinance and Master Plan	
<input type="checkbox"/>	<input type="checkbox"/>	31	Environmental Impact Statement prepared by a qualified professional	
<input type="checkbox"/>	<input type="checkbox"/>	32	Traffic Impact Study prepared by a qualified professional	
<input type="checkbox"/>	<input type="checkbox"/>	33	Community Impact Study for applications that include relief pursuant to <u>N.J.S.A. 40:55D-70(d)(1)</u> .	
Amended/Minor Site Plan:				
<input type="checkbox"/>		--	Site Plan – not less than 100 Ft to inch	
<input type="checkbox"/>	<input type="checkbox"/>	1	Name and address of applicant and owner	
<input type="checkbox"/>	<input type="checkbox"/>	2	Name, address and title of person preparing plan, maps and accompanying data	
<input type="checkbox"/>	<input type="checkbox"/>	3	Date of preparation and dates of each revision,	
<input type="checkbox"/>	<input type="checkbox"/>	4	Signature and certification, as appropriate, by a registered engineer, land surveyor and/or architect, with property survey data based on current conditions	
<input type="checkbox"/>	<input type="checkbox"/>	5	An appropriate place for the signatures of the Chair and Secretary of the Planning Board or Zoning Board of Adjustment and the Township Engineer	
<input type="checkbox"/>	<input type="checkbox"/>	6	Lot and block number or numbers of the lot or lots from the Township Tax Maps	
<input type="checkbox"/>	<input type="checkbox"/>	7	Area of lot or lots and the length and bearings of the lot lines of the proposed project	
<input type="checkbox"/>	<input type="checkbox"/>	8	Scale and north sign and key map relating the site to the streets in the surrounding area	

<input type="checkbox"/>	<input type="checkbox"/>	9	Zone district in which lot or lots are located, a list of all lot area and yard requirements with existing and proposed conditions and the zone district(s) of all the immediately adjoining lots
<input type="checkbox"/>	<input type="checkbox"/>	10	Existing and proposed principal building or structure and all accessory buildings or structures, if any, with dimensions of present and finished grade elevations at all corners and entrances, first-floor elevations and complete floor plans and elevation plans
<input type="checkbox"/>	<input type="checkbox"/>	11	All new utility lines and all relocated utility lines
<input type="checkbox"/>	<input type="checkbox"/>	12	Identify title and name of Town and County
<input type="checkbox"/>	<input type="checkbox"/>	13	Deed restrictions or covenants that apply to site
<input type="checkbox"/>	<input type="checkbox"/>	14	Approximate boundaries of areas subject to flooding or stormwater overflows as shown on Flood Hazard Boundary Maps or as determined by project design engineer or as documented by other studies
Subdivision Plats: See §109-46 for details			
<input type="checkbox"/>	<input type="checkbox"/>	--	Plat – not less than 30-feet to the inch
<input type="checkbox"/>	<input type="checkbox"/>	1	Key map of entire property showing relation to surrounding areas
<input type="checkbox"/>	<input type="checkbox"/>	2	Tract name, block(s) and lot number(s), date, referenced meridian, graphic scale and names and addresses of record owner or owners, developer and person who prepared map
<input type="checkbox"/>	<input type="checkbox"/>	3	Acreage of tract to nearest tenth of an acre
<input type="checkbox"/>	<input type="checkbox"/>	4	Existing property lines, tract boundary lines, streets, buildings, water courses, railroads, bridges, culverts, drain-pipes, easements and any natural features such as wooded areas and rock formations and existing trees with diameter of over 8 inches at 3 foot from grade except this may be waived for groups of trees to be undisturbed
<input type="checkbox"/>	<input type="checkbox"/>	5	Location of proposed streets, easements and other right-of-way, land to be reserved or dedicated to public use, all lot lines and other site lines with accurate dimensions
<input type="checkbox"/>	<input type="checkbox"/>	6	Purpose of easements or land reserved or dedicated to public use other than residential
<input type="checkbox"/>	<input type="checkbox"/>	7	Each block to be numbered and lots within each block to be numbered consecutively
<input type="checkbox"/>	<input type="checkbox"/>	8	Minimum building setback line on all lots
<input type="checkbox"/>	<input type="checkbox"/>	9	Dimensions from all structures to lot lines with side yard, rear yard and front yard shown
<input type="checkbox"/>	<input type="checkbox"/>	10	Location and description of all monuments
<input type="checkbox"/>	<input type="checkbox"/>	11	Name of owners of adjoining land per tax maps
<input type="checkbox"/>	<input type="checkbox"/>	12	Certification by Engineer or Surveyor as to accuracy of plat details
<input type="checkbox"/>	<input type="checkbox"/>	13	Certification applicant is owner of land or owner authority
<input type="checkbox"/>	<input type="checkbox"/>	14	Contours at vertical intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10% except as required by Planning Board; elevations to be based on North American data
<input type="checkbox"/>	<input type="checkbox"/>	15	Plans, profiles and cross sections of all proposed streets and profiles of existing or future continuing streets a minimum distance of 200 feet beyond subdivision boundaries
<input type="checkbox"/>	<input type="checkbox"/>	16	Plans of proposed utility layouts (water, gas and electricity) showing feasible connections to an existing or proposed utility system
<input type="checkbox"/>	<input type="checkbox"/>	17	Plans and profiles of all proposed and existing sanitary sewers, storm drains, drainage ditches and streams within subdivision, together with locations, sizes, elevations, grades, capacities of existing utilities where proposed facility are to be connected. When storm drains, drainage ditches or brook channel improvements are proposed or required, the plan must be approved by all necessary regulatory agencies
<input type="checkbox"/>	<input type="checkbox"/>	18	Location and results of percolation tests where a public sewage disposal system is not available
<input type="checkbox"/>	<input type="checkbox"/>	19	Plans for an individual sewage disposal systems where same is proposed
<input type="checkbox"/>	<input type="checkbox"/>	20	Where development within subdivision is contingent on information outside boundaries of subdivision, such information shall be supplied by the subdivider
<input type="checkbox"/>	<input type="checkbox"/>	21	Copy of protective covenants or deed restrictions applying to land being subdivided
<input type="checkbox"/>	<input type="checkbox"/>	22	Location and types of improvement required to be installed by this Article
<input type="checkbox"/>	<input type="checkbox"/>	23	Where average slope of any proposed lot exceeds 10%, hypothetical site plans for such lots showing expected location of structures, paved surfaces, regraded areas and other areas of land disturbance. Such plans shall show drainage swales, seepage pits, retention and detention basins or other devices to control storm- and groundwater runoff
<input type="checkbox"/>	<input type="checkbox"/>	24	Streetscape elevations of proposed buildings and buildings adjacent to proposed buildings to show construction within content of surrounding environment
Minor Subdivision: See §109-52 for details			
<input type="checkbox"/>	<input type="checkbox"/>		Plat - At not less than 30 feet to inch
<input type="checkbox"/>	<input type="checkbox"/>	1	A key map showing entire property and its relation to surround areas
<input type="checkbox"/>	<input type="checkbox"/>	2	Tract name, block and lot numbers, date, reference meridian, graphic scale and names and addresses of record owner or owners, developer and person who prepared map
<input type="checkbox"/>	<input type="checkbox"/>	3	Acreage of tract to nearest tenth of an acre
<input type="checkbox"/>	<input type="checkbox"/>	4	Location within subdivision of existing property lines, tract boundary lines, streets, buildings, watercourses, railroads, bridges, culverts, drainpipes, easements and any natural features, such as wooded areas and rock formations and existing trees with diameter of over 8 inches at 3 above grade except this may be waived for groups of trees to be undisturbed
<input type="checkbox"/>	<input type="checkbox"/>	5	Purpose of easement(s) or land reserved or dedicated to public use other than residential
<input type="checkbox"/>	<input type="checkbox"/>	6	Minimum building setback line on all lots
<input type="checkbox"/>	<input type="checkbox"/>	7	Dimensions from all structures to lot lines to side yards, rear yard and front yard
<input type="checkbox"/>	<input type="checkbox"/>	8	Names of owners of adjoining land per Tax maps
<input type="checkbox"/>	<input type="checkbox"/>	9	Certification that, applicant is owner of land or owner's authority in writing
<input type="checkbox"/>	<input type="checkbox"/>	10	Location and results of percolation tests where a public sewage disposal system is not available

<input type="checkbox"/>	<input type="checkbox"/>	11	Plans for an individual sewage disposal systems where same is proposed	
<input type="checkbox"/>	<input type="checkbox"/>	12	Copy of protective covenants or deed restrictions applying to land being subdivided	
<input type="checkbox"/>	<input type="checkbox"/>	13	Location and types of improvement required to be installed by this Article	
Variations, Appeals & Interpretations:				
<input type="checkbox"/>	<input type="checkbox"/>	1	Name and address of applicant and owner	
<input type="checkbox"/>	<input type="checkbox"/>	2	Name, address and title of person preparing plan, maps and accompanying data	
<input type="checkbox"/>	<input type="checkbox"/>	3	Date of preparation and dates of each revision	
<input type="checkbox"/>	<input type="checkbox"/>	4	Signature and certification, as appropriate, by a registered engineer, and surveyor and/or architect, with property survey data based on existing conditions	
<input type="checkbox"/>	<input type="checkbox"/>	5	Lot and block number or numbers of lot(s) from Town Tax Maps	
<input type="checkbox"/>	<input type="checkbox"/>	6	Area of lot or lots and length and bearings of lot lines of proposed project	
<input type="checkbox"/>	<input type="checkbox"/>	7	Scale, north arrow and key map relating site to surrounding area	
<input type="checkbox"/>	<input type="checkbox"/>	8	Zone district(s) where lot(s) are located and zone districts of immediately adjoining lots	
<input type="checkbox"/>	<input type="checkbox"/>	9	Existing and proposed principal building or structure and all accessory buildings or structures, if any, with dimensions showing present and finished set-backs and grade elevations	
<input type="checkbox"/>	<input type="checkbox"/>	10	Other information necessary to show nature and extent of variance requested	
<input type="checkbox"/>	<input type="checkbox"/>	11	For variance relief pursuant to <u>N.J.S.A. 40:55D-70(d)(1)</u> , the application shall also include:	
<input type="checkbox"/>	<input type="checkbox"/>		A statement detailing the proposed use and justification for such relief	
<input type="checkbox"/>	<input type="checkbox"/>		A Community Impact Statement	
<input type="checkbox"/>	<input type="checkbox"/>		A traffic Impact Study	
<input type="checkbox"/>	<input type="checkbox"/>		An Environmental Impact Statement	

SCHEDULE II
APPLICATION & ESCROW FEES

Application Fees:

Subdivisions.

- (a) Concept plan: \$200.
- (b) Minor subdivision: \$500.
- (c) Major subdivision.
- [1] Preliminary approval: \$1000.
- [2] Final approval: \$500.
- (d) Amendments to approved plats: 50% of original application fee.

Site plans.

- (a) Concept plan: \$200.
- (b) Minor/Amended site plan: \$500.
- (c) Preliminary major site plan approval: \$1000, plus \$25 per housing unit for residential development; and \$1000, plus \$10 per 1,000 square feet of building area for nonresidential development.
- (d) Final major site plan approval: 50% of the fee required for preliminary site plan.

Conditional Use: \$750.

Variations.

- (a) Use variance for a residential use: \$500.
- (b) Use variance for a nonresidential use: \$1000.
- (c) Other variances for a single-family residential use: \$150.
- (d) Other variances for all other uses: \$300 per variance.

Appeal from administrative decision: \$300.

Request for interpretation of the Zoning Ordinance or other special questions: \$500.

Direction for issuance of a permit pursuant to maintaining the Official Map (N.J.S.A. 40:55D-34 and 40:55D-36): \$250.

Certified list of property owners: \$10.

Reproduction of recorded hearing: \$10 per compact disc.

Reproduction of transcript: Same as cost to municipality, not to exceed statutory maximum.

Special meeting: \$800.

Zoning permit: \$50.

Zone change: \$1,000.

When an application involves two or more fee categories, the fee shall equal the total of the fees required for each type of application requested. If more than one variance is requested, the fee shall not exceed \$2,000.00 for the total variances.

Escrow Deposits:

Subdivisions.

- (a) Concept plans: \$250.
- (b) Minor subdivision: \$1,500.
- (c) Preliminary plat of a major subdivision: \$2,000, plus \$200 per lot.
- (d) Final plat of a major subdivision: 1/2 of preliminary fee.
- (e) Amendment to approved plats: 1/2 of escrow fee.

Site plans.

- (a) Concept plans: \$250.
- (b) Minor/Amended site plan: \$1000.
- (c) Preliminary site plan: \$2,500, plus \$200 per dwelling unit (residential), or plus \$100 per 1,000 square feet of building area or portion thereof (nonresidential).
- (d) Final site plan: 50% of preliminary site plan escrow deposit.
- (e) If an applicant submits a preliminary and final site plan to be processed simultaneously, the applicant must file the appropriate fees as set forth in this section.

Conditional Use Applications: \$2000.

Variances and appeals.

(a) Applications pursuant to N.J.S.A. 40:55D-70(a), (b) and (c) for multifamily and nonresidential development: \$1,000 per variance.

(b) Applications pursuant to N.J.S.A. 40:55D-70(a), (b) and (c) for one- and two-family homes: \$1000.

(c) Use variance application pursuant to N.J.S.A. 40:55D-70(d): \$2,500.

Request for an interpretation of the Zoning Ordinance or other special questions: \$1,000.

Appeal from an administrative decision: \$1,500.

Zone change: \$1,500.

Special Meeting: \$1,000.

Section 2. Codification. This Ordinance may be renumbered for codification purposes.

Section 3. Repealer. All Ordinances of the Township of Little Falls which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency. Chapter 227, entitled "Subdivision of Land" is expressly repealed in its entirety. Chapter 280, Article XXIII, entitled "Site Plan Approval," Sections 280-185 through 280-193 are expressly repealed in their entirety. Chapter 71 "Fees," Section 71-2 is repealed only to the extent that the fees reflected therein pertaining to Chapter 280 are inconsistent with this Ordinance.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 5. Effective Date. This Ordinance shall take effect immediately following adoption and publication as required by law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Township Council of the Township of Little Falls, County of Passaic and State of New Jersey, held on the 17th day of October, 2016 introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 28th day of November, 2016 at 7:30 p.m., prevailing time, at the Municipal Building in said Township, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
Nays: None

The Council President declared the motion passed.

Ordinance No. 1270-It was moved by Councilmember Damiano, seconded by Councilmember Porter, that there be introduced and the meeting of November 28, 2016 set as the date for the public hearing of the following:

**ORDINANCE NO. 1270
ORDINANCE TO AMEND AND IMPLEMENT VARIOUS ZONING DESIGNATIONS FOR LAND USE IN THE TOWNSHIP LAND
USE ORDINANCE (CHAPTER 280) AND THE TOWNSHIP ZONING MAP TO CREATE TRANSIT ORIENTED DEVELOPMENT
ZONES TV- MD, TV-CBD & TV-R2 ZONES AND THE STANDARDS ASSOCIATED WITH THEM IN THE TOWNSHIP OF LITTLE
FALLS, NJ**

WHEREAS, the Planning Board adopted a General Master Plan Re-Examination Report on December 13, 2013; and
WHEREAS, the Planning Board and the Council through the adoption of the master plan re-examination is pursuing a Transit Village Designation through New Jersey Transits -Transit Village Program and,

WHEREAS, the municipal council of the Township (the "Municipal Council") has determined to amend the Township of Little Falls Zoning Regulations (the "Zoning Regulations") to revise the Zoning Map (attached) of the Township of Little Falls (the "Zoning Map") to include the new TV-MD, TV-R2, & TV-CBD Zones and

WHEREAS, the Council has determined that it is appropriate and necessary to amend the regulations to establish new permitted and conditional uses within these zones and,

WHEREAS, the Township Council has determined that it is appropriate and necessary to amend § 280-4 Specific Definitions of the Townships Code to add new definitions for proposed new land uses.

WHEREAS, Council accepts the recommendations of the Planning Board and agrees that these amendments promote sound planning, and
WHEREAS, the Township of Little Falls Planning Board has recommended the following zoning changes as indicated herein and on the attached Zoning Map:

WHEREAS, pursuant to the requirements of N.J.S.A. 44:55D-26, a copy of this Ordinance shall be provided to the Planning Board by the Municipal Clerk, and, within 35 days of referral, the Planning Board shall prepare a report (the "Planning Board Report") identifying any provisions in the proposed development regulations contained in this Ordinance that may be inconsistent with the Township's master plan and any recommendations concerning these inconsistencies and any other matters deemed appropriate by the Planning Board.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Little Falls, County of Passaic and State of New Jersey that Chapter 280. Zoning: § 280-4, §280-5, §280-6 of the Zoning provisions of the Township Code of the Township of Little Falls are hereby amended as follows:

Article 280-__ : Transit Village Districts

§280-__ Background

The Transit Village (TV) Districts reinforce the use of public transportation and a shift away from automobile use by locating higher-density mixed-use development, including employment oriented businesses and higher density residential uses, within proximity to Little Falls bus stop locations along Main Street and the train station. The districts are intended to accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities. Daily destinations, such as work, home, shopping, recreation, and transit stops are within walking and biking distances, which reduces automobile dependency and roadway congestion, which creates a vibrant, livable community.

§280-__ Purpose

The purposes of the Transit Village Zoning Districts are to:

- (1) Reinforce the use of public transit by locating higher density, mixed-use development adjacent to transit stops.
- (2) Reduce automobile dependency and roadway congestion by locating destinations within walking and bicycling distances.
- (3) Accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units and office above the nonresidential space;
- (4) Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets;
- (5) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.
- (6) To increase the use of the Little Falls bus transit and train station usage by providing for a concentrated mix of retail, office, residential, public and open space uses that are within walking distance of each other and the train & bus stops for shoppers, commuters, residents, employees and visitors.
- (7) To preserve and maintain residential neighborhoods in and adjacent to the TV districts
- (8) To encourage public and private investment and thereby improve the tax base of the Township; and
- (9) To develop an improved coordinated, visual streetscape within the TV districts.
- (10) Provide for affordable housing according to most current state regulations.

102. Definitions

Article II of the Zoning Ordinance, §280-4 Specific Definitions shall be amended to add these definitions and revisions to existing definitions. This ordinance shall supersede all existing definitions.

Artisanal Workshop - Shops of special trade including the small-scale manufacturing, compounding, assembly processing, packaging or similar treatment of such products as: baked goods, candy, ceramics, pottery, china, weaving and other textile arts, painting, woodworking and other artistic endeavors and similar trades. Retail sales on the premises of products made on the premises are required.

"Bracket" - A projection from a vertical surface providing support under cornices, balconies, window frames, etc. They can be structural or decorative.

"Cornice" - A projecting ornamental molding along the top of a building or wall.

"Cornice Line" - A continuous horizontal cornice feature that provides a vertical break within the facade and/or defines the roofline along the top of the building.

“**Floor Area Ratio**” - means the ratio of a building’s gross floor area to the area of the lot on which the building is located.

“**Front Lot Line Coverage**” - The width of the building’s primary façade measured at the maximum permitted front setback as a percentage of the width of the front street property line.

“**Gross Floor Area**” - The sum of the gross horizontal area of all floors of a building and its accessory buildings (on the same lot). Gross floor area does not include cellars, basements, attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts, but the area under roofed porches and roofed terraces shall be included. All dimensions shall be measured between exterior faces of walls.

“**Mixed-use Building**” - means a building of two or more stories comprised of retail/commercial/office located on the ground floor and other permitted uses on the upper floors. The TV-CBD and TV-MD shall only permit residential uses on upper floors.

“**Personal Services**” - Specialized services purchased frequently by the consumer, including barbershops, beauty shops, spas, laundry cleaning, tailoring, shoe repair, and other similar establishments.

“**Parking Deck**” shall be defined as a building, or portion thereof, designed exclusively for the purpose of short-term parking or storing of automobiles and not for automobile repairs or service work. This does not include residential garages utilized in single family detached or townhome uses.

“**Parking Garage**” shall reference the definition of Parking Deck

“**Parking Structure**” shall reference the definition of Parking Deck

“**Shared Parking**” - Joint utilization of a parking area for more than one use, either on site or between nearby properties through a dedicated arrangement (if possible), in order to fulfill their individual parking requirements because their peak-period parking demands, such as entertainment and office uses, do not overlap.

Story, half - Habitable space under a sloping roof that has the line of intersection of the roof and the wall face not more than 3 feet above the floor level and in which the possible floor area with head room of 6.5 feet or more occupies no more than 50% of the total floor area of story directly beneath.

“**Streetscape**” - The streetscape is composed of travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians, as well as the visible private frontages (building Facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.)

“**Transit-Oriented Development (TOD)**” - A development approach characterized by higher density, mixed-uses, a safe and attractive pedestrian environment, reduced surface parking, and direct and convenient access to a transit facility.

§280-__ Sub-districts.

The Transit Village is comprised of the following sub-districts.

A. Transit Village/Central Business District (TV-CBD)

- a. Purpose. The TV/CBD sub-district is defined by a center core area focused around the Main Street bus stop locations within the existing downtown. This zone is intended to be the primary commercial and mixed use area for the Transit Village. The sub district contains jobs, commercial services, and housing that will generate high levels of pedestrian activity and transit use. All land uses are pedestrian-oriented and well connected to the transit locations.

B. Transit Village Medium Density (TV-MD).

- a. Purpose. The TV-MD sub-district offers easy and convenient access to the Little Falls Train station and is adjacent to the TV/CBD. The existing land uses in the vicinity of the proposed zone consist of 2-3 story apartment buildings, the municipal complex, several single family homes and single story light industrial buildings. These existing uses are similar in nature to the proposed zoning. This proposed zone provides for higher density residential development surrounding the Little Falls train station and Main Street. Commercial uses such as retail and personal services are primarily intended to support the ridership and the residents of the zone, whereas the CBD is the true mixed use downtown. A pedestrian network connects residential development with supporting land uses and existing bus and rail transit.

C. Transit Village – Residential District - R2 (TV-R2)

- a. Purpose. The TV-R2 sub-district builds upon the existing residential apartment complex by allowing an increase in height of the structure from 2.5-to 3 stories. All other bulk standards shall remain the same. Existing multifamily units are currently built at 3 stories. This zone shall be maintained as a strict residential district to support both bus and rail transportation options and retail/commercial uses in the Transit Village corridor.

§280-__ Permitted Uses.

PERMITTED USE	TV-CBD	TV-MD	TV-R2
RESIDENTIAL			
Mixed Use - Commercial/Residential Structure	P	P	
Mixed Use Office/Residential Structure		P	
Multi-Family Apartments		P	P
PUBLIC AND CIVIC			
Government, Institutional Uses	P	P	
Cultural Exhibits and Libraries	P	P	
Open Space	P	P	
Public Safety Services	P	P	
Utilities and Services	P	P	
COMMERCIAL			
Retail Sales*	P (1)	P	
Personal service establishments	P (1)	P	
Office		P	
Medical Office		P	
Real Estate office		P	
Restaurants	P	P	
Tavern	P	P	
Art Studio	P		
Art Gallery	P		
Museum	P		
Bank with drive through facility			
Bank-excluding drive through facility	P	P	
Health and Fitness club		P	
Theater	P	P	
Day care		P	
Laundromat (no on site processing)	P	P	
Convenience stores (not stand alone)	P	P	
Bakeries	P	P	
Permitted Accessory Uses			
Uses which are customary and incidental to a permitted principal use	P	P	P
Parking Lot	P	P	P
Parking Structure	C	C	
Outdoor dining (for permitted restaurant only)	P	P	

- In the TV-CBD and TV-MD Districts, all permitted non-residential uses must be developed as part of a multi-story, mixed-use development, except public and civic uses.
 - Any uses not listed above are considered prohibited
 - Any property in the TV-R2 Zone fronting on Walnut Street shall conform to the provisions of the R1-B Zone
- (1) New structures require at least one floor of residential above; residential above in existing structures is encouraged.
- * Retail uses shall not be interpreted to include the sale of used or new cars; gasoline or diesel fuels.

Requirements for all TV Districts

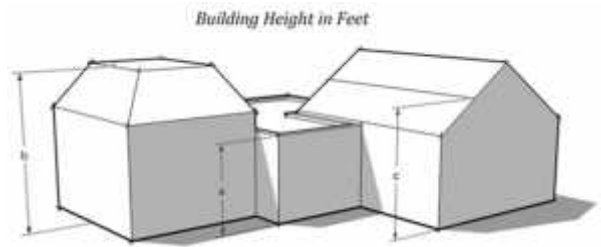
1) General Requirements

a) Building siting

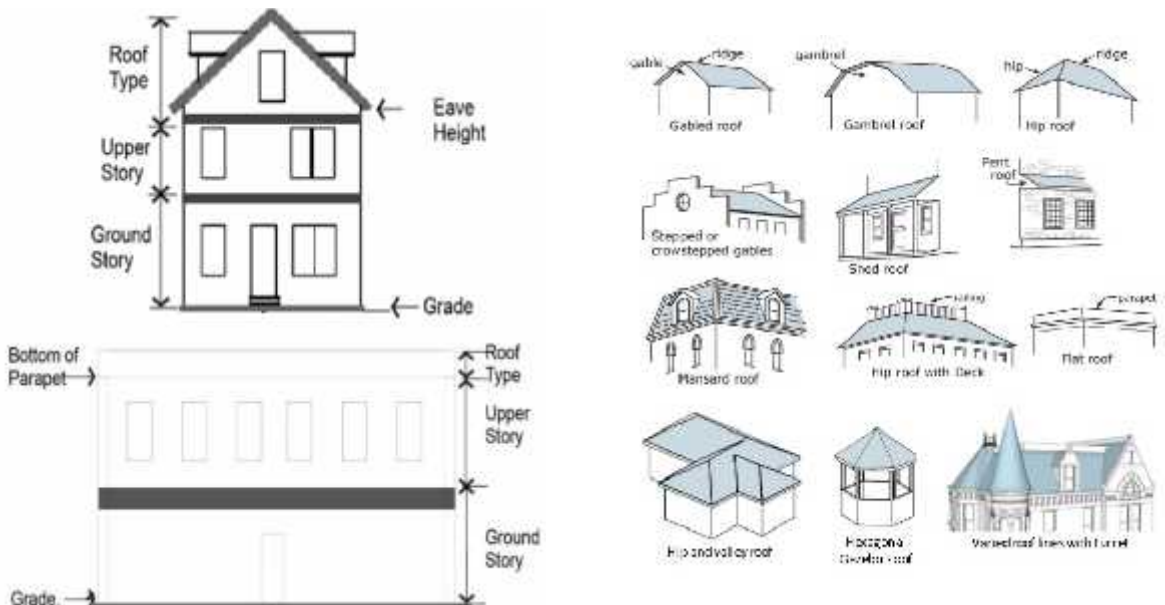
- Front yard setbacks.** A building may not be sited closer to the front property line than the minimum required front setback, nor further from the front property line than the maximum required front setback. Building components, such as awnings, roof overhangs, eaves, balconies, or bay windows, may encroach into the setback area up to three (3) feet, unless otherwise specified. Front setback areas shall be used for landscaped open space, wide sidewalks, enhanced building entrance areas, pedestrian seating, or plaza space and must be landscaped or hardscaped for an appealing appearance from the street. Parking is not permitted in the front yard in the TV Districts. To the extent possible, the front setback should be consistent with the setbacks of buildings on adjacent properties, except in instances where a building(s) on adjacent properties exceed the maximum permitted setback by more than 10 feet.
- Front property line coverage.** The width of the building, as measured at the front setback, must occupy a minimum percent of the lot width. A higher number maintains a connected street wall, contributing towards a sense of enclosure of the street, and increasing the walkability of the area. A continuous street wall is most desirable within the TV-CBD District to ensure high walkability.
- Side yard setbacks.** Where a side yard setback is provided, it must be sufficient in size to accommodate a driveway, alley, or pedestrian walkway, as appropriate. Where a side yard adjoins a residential district, the minimum building setback shall be sufficient to provide for a year-round vegetative buffer no less than 15 feet in width
- Rear yard setbacks.** The rear yard shall be sufficient in size to provide for off-street parking and pedestrian connections to the building and the street. Where a rear yard adjoins any property in a residential district, the minimum building setback shall be sufficient to provide for an adequate year-round vegetative buffer of no less than 15 feet in width.
- Lot coverage.** The physical improvements on any lot, including all buildings, structures, pavement and other impervious surfaces, must not exceed the maximum permitted lot coverage as specified for the district.

b) Building height. The height of a building shall be measured in both stories and feet.

- Building height, stories.** Floor height is measured between the finished floor of a story to the finished floor of the story above it. The floor height of the uppermost story shall be measured from the finished floor to the tallest point of the ceiling. Half stories shall be under a pitched roof with street-facing dormer windows.
- Building height, feet.** Building height is measured from the average elevation of the proposed finished grade at the front of the building to the top of the parapet for flat roof structures (“a”) to the top of the deck for mansard roofs (“b”) and to the midpoint height between the eaves and ridge in the case of a pitched roof (“c”), as indicated in the figure below. In the case of multiple roofs, the roof with the greatest height shall determine building height.
- Building height, exceptions.**
 - Exempt elements.** Elements that are exempt from building height requirements include chimneys, cupolas, bell towers, minarets, spires and ornamental towers. Where such features are intended for occupancy, however, they shall not be considered exempt.
 - Permitted Roof Types.** Permitted roof types include pitched roofs, parapet roofs, and towers. Flat roofs may be permitted with a defining cap, such as a decorative parapet.
 - Pitched roof.** A pitched roof may be hip or gable, or a combination of hips and gables. Dormers on pitched roofs are encouraged. A gambrel roof may be used in combination with other sloped roof types. A mansard roof may be employed only with dormers. Where the ridge line of a roof runs parallel to the front lot line, a gabled end or perpendicular ridge line shall occur at least every 20 feet.
 - Parapet roof.** A parapet wall may project above a flat or pitched roof along the perimeter of the building. A parapet may extend a minimum height of two (2) feet and a maximum height of six feet (6), as measured from the top of the upper story to the top of the parapet. The parapet shall be high enough to screen roof-top mechanical systems or any roof appurtenances from the view of the streets. A horizontal expression line shall define the parapet from the uppermost story of the building and shall also define the top of the cap.
 - Tower roof.** A tower is a rectilinear or cylindrical vertical element that must be used with other roof types. No building shall have more than one tower. The maximum tower height, measured from the top of the parapet or eave to the top of the tower, shall be the equivalent of the height of one upper floor of the building. The maximum width along all facades is one-third (1/3) the width of the front façade. A horizontal expression line shall define the tower from the upper stories. The tower may be capped by the parapet, pitched roof, round dome, or other cap approved by the Board.



Building Height in Stories



c) **Affordable Housing Requirements**

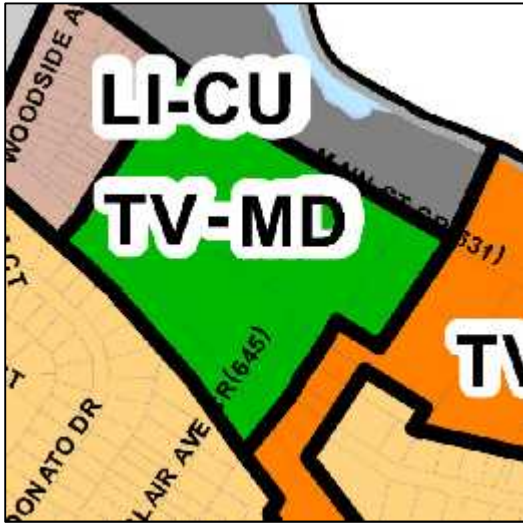
All new development within the transit village district shall adhere to the affordable housing requirements of the State of New Jersey that are in place at the time the development receives municipal site plan approvals. Specific densities or parameters have been established for each of the three zones.

2) **Performance Standards**

No use shall be permitted in the TV Districts that do not conform to the following standards of use, occupancy and operation, which standards are hereby established as the minimum requirements to be maintained.

- a) Noise. Noise shall not exceed an intensity, as measured 100 feet from the boundaries of the lot where such use is situated, of the average intensity, occurrence and duration of the noise of street traffic at adjoining streets.
- b) Atmospheric effluence. No dust, dirt, smoke, odor or noxious gases shall be disseminated beyond the boundaries of the lot where such use is situated.
- c) Glare and heat. No glare or heat shall be produced that is perceptible beyond the boundaries of the lot where such use is situated.
- d) Industrial wastes. No solid or liquid wastes shall be discharged into any public sewer, private sewage disposal system, stream or on or into the ground, except in accordance with the Township of Little Falls Sewer Use Ordinance (Chapter 199) and standards approved by the New Jersey State Department of Environmental Protection or a similarly empowered agency.
- e) Fire and explosion hazards. No principal use involving flammable liquids such as fueling stations (gasoline, diesel, propane) are permitted unless specifically listed in the permitted use table of the zone district. Any activities involving the incidental handling and storage of flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire-suppression equipment and devices standard in the industry. The burning of waste materials in open fires is prohibited. The relevant provisions of state and local ordinances shall also apply.
- f) Radioactivity or electromagnetic disturbance. No activity shall be permitted which emits dangerous radioactivity beyond the structure in which such activity is situated or which causes an electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.
- g) Hazardous materials. No principal use involving hazardous materials as a primary element of the business is permitted. Any incidental processing, manufacture, disposal, transportation, storage or dispensing of materials designated as hazardous by the United States Environmental Protection Agency under 40 CFR 116 shall be conducted only in strict conformity with applicable federal and state standards and regulations and in such manner as to cause no hazard to public health, safety or welfare and so as not to hinder the most appropriate use of land in the vicinity.

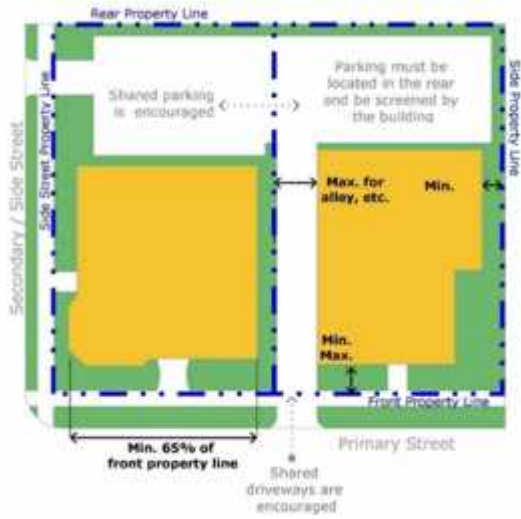
3) TV-MD - Medium Density Zone Requirements.



Affordable Housing Obligation

Twenty percent 20% of the total number of units shall be affordable to low- and moderate-income households. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with the regulations of the New Jersey Department of Community Affairs, including:

- 1) Affordability;
- 2) Occupant Eligibility;
- 3) Proportion of low-income units and moderate-income units;
- 4) Resale price controls;
- 5) Handicapped adaptability and accessibility;
- 6) Bedroom mix; and
- 7) Affirmative marketing.



TV- Medium Density		
Bulk Requirements	Min.	Max.
Lot		
Lot area	40,000 sf	--
Lot width	200'	--
Lot Depth	200'	--
Building Siting		
Front property line coverage	65%	100
Front setback	15'	20'
Front setback (side street)	15'	20'
Side yard setback	15'	--
Parking Setback from property line	8'	--
Parking Setback from building	5'	--
Rear yard building setback	40'	--
Lot Coverage	--	80%
Height requirements		
Overall height	-	50 ft.
# Stories	2 stories	4 stories
Ground story	12'	
Upper stories	10'	
Unit Size		
One Bedroom	800	
Two Bedroom	1100	
Density		
		35units/ac
Affordable Housing Obligation		
		20% Inclusionary

4) **TV-CBD - Central Business District**



- a) **Building height*** Buildings shall not be less than 2 stories, nor more than 4 stories in height. Four story structures are only permitted on lots along Patterson Avenue & Main Street which have secondary access from the rear of the property along the Morris Canal municipal parking area, this rear entrance shall be considered “basement level” and count as a story in building height calculations. Three stories will be visible from the ROW.

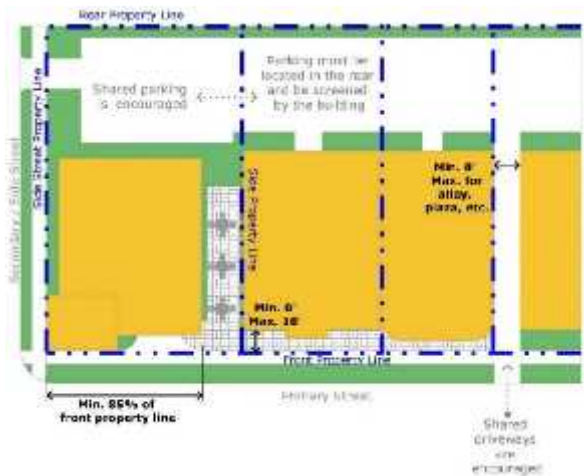


Affordable Housing Obligation

For every 5 units of development one unit must be an affordable housing unit. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with the regulations of the New Jersey Department of Community Affairs, including:

- 1) Affordability;
- 2) Occupant Eligibility;
- 3) Proportion of low-income units and moderate-income units;
- 4) Resale price controls;
- 5) Handicapped adaptability and accessibility;
- 6) Bedroom mix; and
- 7) Affirmative marketing.

TV-CBD - Central Business District		
Bulk Requirements	Min.	Max.
Lot requirements		
Lot area	5,000 sf	--
Lot width	50'	--
Lot Depth	100'	--
Building Siting		
Front property line coverage	85%	100%
Front setback	0'	10'
Front setback (side street)	0'	10'
Side yard setback (interior)	0'	24'
Rear yard setback	10'	--
Parking Setback from property line	8'	--
Parking Setback from building	5'	--
Lot Coverage	--	80%
Height requirements		
Overall height	--	35' & 45' 3 and 4 stories*
# Stories	2 stories	
Ground story	12'	15'
Upper story	10'	--
Unit Size		
One Bedroom	800	--
Two Bedroom	1000	--



5) **TV-R2 Residential District Requirements.**

The standards of the TV-R2 District are to remain the same as the current R-2 District except the new zone shall permit 3 stories and 35 feet instead of a 2.5 story residential structure.

Affordable Housing Obligation

For every 5 units of development one unit must be an affordable housing unit. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with the regulations of the New Jersey Department of Community Affairs, including:

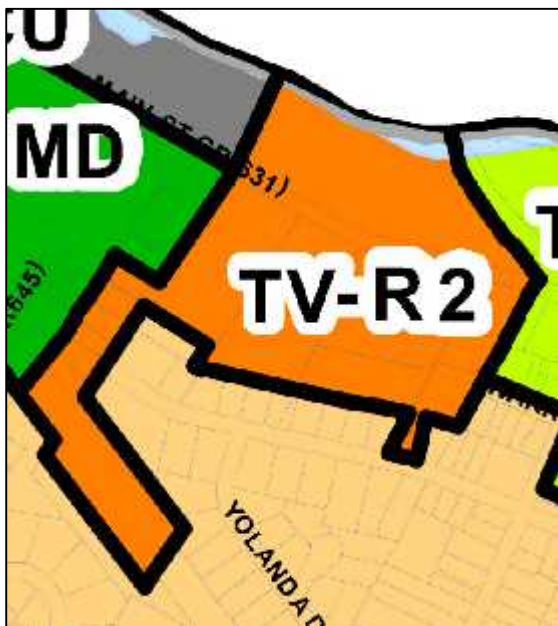
- 1) Affordability;
- 2) Occupant Eligibility;
- 3) Proportion of low-income units and moderate-income units;
- 4) Resale price controls;
- 5) Handicapped adaptability and accessibility;
- 6) Bedroom mix; and
- 7) Affirmative marketing.

D. Architectural Regulations

The architectural regulations in this section apply to all new development and renovations within the Transit Village Districts, unless otherwise specified in these Regulations.

(1) **Architectural style**

- (a) **TV-Medium Density Zone.** New buildings, or renovations to existing buildings, should incorporate a modern/industrial aesthetic, but should avoid harsh, bulky structures. Buildings should incorporate as much light as possible, and be built with interior flexibility, so they can be adapted for reuse over time. Buildings shall be of a sturdy structure with simple, straightforward volume, and may feature natural colors, mixed materials, clean lines, overhanging eaves, cantilevered balconies, ample windows, awnings or canopies. A mixture of

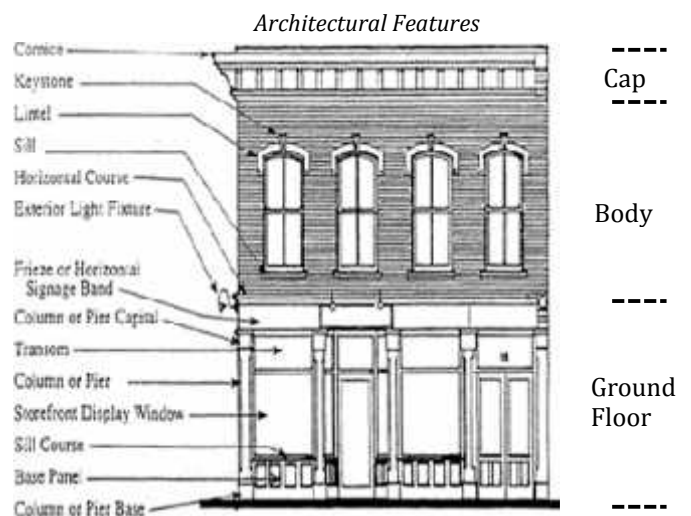


building materials- glass, stones, bricks, wood- can contribute to an organic feel that mimic the design elements of the factory conversion loft apartments such as the Mill Complex across Main Street.

- (b) **TV-CBD Zone.** The existing Main Street Downtown is an eclectic mix of architectural styles throughout the years ranging from the Tudor style façade at the corner of Main and Paterson, to the classic two story mixed use flat roof building on Main Street to the 70’/80’s modern style of the Shag 86 building. This diversity adds to the unique characteristic of the downtown. All future development should complement the existing styles by using updated, quality materials that would enhance the architecture of new buildings. While some existing architectural styles don’t promote the walkable downtown storefront, this should be the goal of future development. The objective is to create an uninterrupted retail frontage along all streets within the district that reflects a “village downtown” environment.
 - (c) **TV-R2 District.** New buildings or renovations to existing buildings shall maintain the same colonial looking residential structures in the existing R-2 district, that promote multi-family units, open space, buffers and parking hidden from the street ROW.
- (2) **Building orientation.**
- (a) Buildings shall be clustered to encourage pedestrians to walk between buildings and properties. Buildings should create a continuity of building façades to form a street wall along the streetscape.
 - (b) Buildings shall reinforce and revitalize streets and public spaces, by providing an ordered variety of entries, windows, bays, and balconies along public ways. Ground floors shall have a high degree of transparency to encourage interaction between sidewalk activity and uses within the building. Buildings shall have human scale in details and massing. Building exteriors shall provide shelter from the sun and rain. Porticos, awnings, and overhanging eaves are particularly appropriate at pedestrian pathways.
 - (c) Primary building entrances shall be oriented towards streets, parks and plazas. Building entrances shall be directly accessible from the sidewalk.
- (3) **General Articulation.** Articulation of the facade is necessary to avoid monotonous buildings, including horizontal and vertical projections and recessions, ornamentation and other design elements to make it visually stimulating.
- (a) All new buildings and the alteration of buildings shall be designed with particular consideration to the quality and character of the façade of the building, particularly at ground or street level.
 - (b) Long, blank, windowless, monotonous, uninterrupted walls or roof planes are not permitted.
 - (c) The architectural treatment of a façade shall be completely continued around all street- or parking lot-facing facades of a building. All sides of a building shall be architecturally designed so as to be consistent with regard to style, materials, colors and details.
 - (d) **Façade divisions.** All visibly exposed sides of a building shall have a clearly defined ground floor, body and cap.
 - i. **Ground floor.** The ground floor façade connects the building to the adjoining pedestrian area. It should have a greater height and a façade treatment that is distinct from the floors above, and can include design details such as recessed entry areas, covered outdoor areas, alcoves, awnings, etc. The ground floor can be further edged with horizontal banding or a cornice line.
 - ii. **Body.** The body or middle of the building is the floor or floors between the ground floor and the building cap.
 - iii. **Cap.** Design details which terminate or “cap” the top of a building shall be used. The cap should feature either pitched roofs or articulated cornices or parapets, and a change of color and material.
- (4) **Vertical Projections.** Vertical building wall offsets, including both projections and recesses, shall be provided along any building wall measuring greater than twenty (20) feet in width to provide architectural interest and variety to the massing of a building. The minimum projection or depth of any vertical offset shall not be less than six (6) inches. Vertical offsets can include columns, piers, pilasters, projecting bays, and changes in façade material.
- (5) **Horizontal projections.** Facades should be articulated with horizontal divisions to differentiate the buildings base, cap and wall. Horizontal offsets may also include

awnings, string course, horizontal break bands, frieze board, cornice, roof lines, window sills, balconies, or other architectural ornamentation.

- (6) **Building variation.** Along a street frontage, buildings shall vary in terms of their footprint, architectural elevations, roof heights, roof orientations, and front entrance locations to create architectural variety.
- (7) **Alignment of features.** The alignment and repetition of certain façade elements from one building to the next creates visual continuity, while affording architectural variety. Where practical, consideration shall be given to aligning horizontal elements with adjacent buildings, including: top and bottom height of first floor display windows, storefront windows, building kickplate, window heights, sign band, parapet and cornice line, window sills on upper floors.
- (8) **Infill projects.** Proposed infill projects should complement and strengthen the surrounding neighborhood and reinforce desirable community design patterns and the architectural features in these Standards.
- (9) **Materials.**
 - (a) Materials shall consist of the following, individually or in combination: brick, fiber-cement lap siding, fiber-cement shingles, clapboard or synthetic alternative (Hardie Board), mosaic tile, wood or architectural metal.
 - (b) Exterior Insulated Finishing Systems (IEFS) and vinyl siding are not permitted.
- (10) **Colors.** Building facades, inclusive of all accent elements and signs, shall be limited to a maximum of four (4) colors. Treating the surface wall and trim with different, but coordinated colors, is recommended.
- (11) **Building lighting.** Light fixtures attached to the exterior of a building are encouraged, and should be architecturally compatible with the style, material, and colors of the building. The use of creative lighting to highlight building facades are encouraged. For retail stores, storefronts should be illuminated to highlight merchandise in the display window.



(12) Windows and transparency.

- (a) At least 30% of any street-facing wall surface must have a clear glazing.
- (b) Ground floor uses shall have large pane display windows or storefront glass along the street frontage that shall occupy at least 60% of the first floor façade in the TV-CBD District and at least 40% of the first floor faced in the TV-MD District. The first floor façade is the area bounded the side edges of the building and the plane coincident with the internal floor of the building and internal ceiling of the building.
- (c) Window glass on the ground floor shall provide unencumbered views to window displays and advertised retail goods and services. Mirrored glass, tinted glass, and glass blocks are prohibited.
- (d) Ground floor windows facing the street shall be a minimum of six (6) feet in height and the bottom of which shall be no more than three (3) feet above grade. Storefront windows may be either large, single pane or multiple smaller panes, separated by mullions. All windows on a building having Victorian Architecture shall be vertically proportioned in that they are taller than they are wider. Windows on the upper stories may have multiple panes separated mullions. Round-top windows, dormer windows, bay windows, and transoms above display windows are characteristic of Victorian architecture.
- (e) Upper story windows shall be detailed with architectural elements, such as projecting sills, molded surrounds and/or lintels.
- (f) Exterior security grates are not permitted on windows.
- (g) Windows and doors should be selected with their energy conservation value in mind to maximize energy savings.
- (h) Where unique use or occupancy requirements preclude the addition of windows, such as theaters or parking structures, exterior walls shall be designed to provide architectural relief or shall be screened by landscaping and pedestrian amenities, such as trellises, benches or shade structures.

(13) Building entrances.

- (a) Entrances to a building shall be clearly identifiable and directly accessible from the sidewalk.
- (b) Entrances shall be defined and articulated by architectural elements such as canopies or porticos, overhangs, awnings, recessing or projections, lintels, moldings, pilasters, columns, trim or other elements that are architecturally compatible with the building style and can help establish the entrance's prominence. Projecting elements add three-dimensional interest to facades and enhance the sense of the entry into a building.
- (c) Recommended entranceway treatments include decorative light fixtures, ornamental ceiling treatments, attractive door handles, hinges and other hardware.
- (d) Entrances shall be defined with exterior site or sidewalk features such as planters, decorative paving, or outdoor patios where such features do not interfere with pedestrian traffic.
- (e) Entrances should complement, not overpower the building façade.

(14) Awnings and canopies. Awnings are encouraged to provide shade, relief from rain, and to enhance a building's façade.

- (a) Awnings and canopies shall be architecturally compatible with the building and overall building color scheme.
- (b) Awnings may be fixed or retractable. Canopies are permanent elements of the façade.
- (c) Awnings shall be made of waterproof canvas, cloth, metal or equivalent and kept in good order and repair. Awnings made of vinyl or plastic are not permitted. Canopies are constructed of stone, metal, wood or glass.
- (d) Awnings and canopies shall not extend more than 3 feet from the building façade and shall not be less than 8 feet above ground.
- (e) Internally illuminated or backlit awnings are not permitted.
- (f) Awnings shall not conceal architectural elements such as cornices, columns, pilasters or other trim details.
- (g) Awnings shall be placed to align with existing awnings on the same side of the street.

(15) Balconies & Terraces.

- (a) Balconet or "Juliet" balconies are permitted. Juliet balconies shall be of open metalwork, connected to

a fully-functional balcony door, and shall be detailed to match any other true, recessed balconies in the same façade.

- (b) Balconies over two (2) feet in depth (measured perpendicular to the façade plane) are not permitted facing public streets 3) Terraces are permitted and encouraged within required step backs. Terrace railings and walls shall be an integral part of the building façade design. 4) Balconies are encouraged for interior-facing units of the building provided they shall be entirely recessed within the primary

Recessed entryway flanked with plantings, façade piers and light fixtures. Display windows, awnings, and transoms enforce entrance symmetry.



façade plane.

(16) Roofs and Building Height.

- (a) The type, shape, pitch, texture and color of a roof shall be architecturally compatible with the style, materials, colors and detailing of the building.
- (b) Roof lines may vary in type and height to provide an interesting view from the street.
- (c) Roofline offsets shall be provided along any street-facing or parking lot-facing roof measuring more than 30 feet in length. Roofline offsets may include dormers, chimneys, turrets, towers, cupolas, and other elements that are compatible with the style, materials, color and details of the building.
- (d) Towers should be limited to corner buildings, adjacent to public spaces and street termini.
- (e) All mechanical equipment, HVAC systems, exhaust pipes and stacks, stairways, satellite dishes, telecommunications receiving devices, or other rooftop elements shall be screened or otherwise treated to be inconspicuous as viewed from the street. Such elements shall be set back from the roof edge at least one (1) foot for each one (1) foot of height.

E. Parking

(1) Parking Ratios. Parking in the Transit Village shall be required based on the following table. Where a use is not listed, refer to general parking requirements in Article XXIV of the zoning code.

Permitted Uses	Minimum Parking Requirements
Multi Family Apartments	1.25 spaces per unit *
Retail	4 spaces/1,000 square feet
Personal services	1 per 200 square feet
Restaurants and Taverns	1 per 3 seats
Business and professional offices	2.5 spaces/1,000 square feet
Medical offices	4 spaces/1,000 square feet
Banks	2.5 spaces/1,000 square feet
Cultural and community facilities	1 space/3 seats or 1,000 square feet, whichever is greater

- (a) Shared parking is encouraged in mixed-use areas. The Planning Board is hereby given the authority to waive any or all of a use's parking requirements in the mixed-use TV if a parking structure or surface parking lot with adequate capacity is located within 500 feet of the subject use or the Planning Board finds adequate on-street parking is available.

- (b) On-street parking in mixed-use areas shall not be counted towards the parking requirements of residential uses.
- (c) *Residential uses shall adhere to the standards in the Residential Site Improvement Standards. However in accordance with those standards, that state that alternate parking standards shall be accepted if the applicant demonstrates that these standards better reflect local conditions and factors such as household characteristics, mass transit options, urban versus suburban location, and off-street parking resources, the Planning Board may grant deviations and exceptions based on the ratios provided above.

- (2) **Shared Parking.** The parking spaces required in the above standards may be reduced when two or more establishments share the same parking area, whether on the same lot or on abutting lots, subject to the following conditions:
- a. That some portion of the shared off-street parking area lies within 500 feet of an entrance, regularly used by patrons, into the buildings served by the shared parking facilities.
 - b. That access and parking easements are prepared and recorded for each property affected by the shared parking.
- The minimum amount of shared parking required shall be calculated according to the following formula:
- a. Calculate the minimum amount of parking required for each land use as if it were a separate use.
 - b. To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage in the table below for each of the five time periods.
 - c. Calculate the column total for each of the five time periods.
 - d. The column (time period) with the highest value shall be the minimum shared parking requirement.

Shared Parking Requirements						
Use	Weekdays			Weekends		
	8 am - 6 pm	6 pm - Midnight	Midnight 8 am	8 am - 6 pm	6 pm - Midnight	Midnight 8 am
Office	100%	10%	5%	10%	5%	5%
Retail	70%	90%	5%	100%	5%	5%
Hotel/Motel	75%	100%	100%	75%	70%	100%
Restaurant	60%	100%	10%	60%	100%	20%
Entertainment/ Recreation	40%	100%	10%	80%	100%	50%
Residential	60%	100%	100%	80%	100%	100%

Source: <http://www.vtpi.org/tdm/tdm89.htm>

F. Parking Decks

- 1. Parking Decks shall be permitted as an accessory use in the TV-CBD & TV-MD district and subject to the following conditions
 - a. All parking shall be provided either below or to the rear of the principal structure;
 - b. Access to the parking deck shall be through the side or rear of the structure.
 - c. All driveway access shall be designed to mitigate the potential for pedestrian/vehicle conflict (signage, lighting paver patterns);
- 2. Parking decks shall be permitted as a principal use in the TV-CBD & TV-MD districts and subject to the following conditions:
 - a. No parking deck shall be permitted to exceed the maximum height within the TOD Zone it is in.
 - b. Setback standards for each zone shall be provided from all property lines. Vegetative plantings shall be provided to screen the deck from adjacent properties and from the public street;
 - c. All driveway access shall be designed to mitigate the potential for pedestrian/vehicle conflict;
- 3. General Conditions
 - a. Parking decks shall be screened from public view (when placed under the principal structure). The façade of the parking deck facing a public street or an adjacent residential use or zone boundary shall have an architectural finish in keeping with the commercial or residential character of the surrounding area;
 - b. Internal lighting within the parking deck shall not glare onto adjacent properties or the right of way;
 - c. The proposed deck shall comply with all requirements of the Americans with Disabilities Act

G. Bike parking. Bike parking shall be provided in all TV Districts to make cycling a more convenient transportation option. Bicycle parking facilities shall adhere to the requirements below. Buildings containing multiple tenants may satisfy their individual requirements by providing a single bike rack in a centrally located area.

- i. **Multi-family residential:** 1 space per 10 units, located within a secured common area within the building, an outdoor rack or a combination.
- ii. **Non-residential:** 2 spaces per 5,000 sq. ft. GFA, located on the site within 50 feet of the principal building entrance and within a highly visible, well-lighted area that does not impede pedestrian or vehicular traffic.
- iii. **Mixed-use:** both interior and exterior bike parking spaces as per the residential and non-residential parking requirements above.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect on upon passage and publication in accordance with applicable law.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

PAYMENT OF BILLS

It was moved by Councilmember Porter, seconded by Councilmember Damiano, that the Council approve the following:

RESOLUTION [BL]

BE IT RESOLVED by the Township Council of the Township of Little Falls the Council having received the Treasurer's certification of the availability of funds for payment of all bills presented, that payment of all bills approved by the Finance Committee be and is hereby authorized, subject to the availability of funds and subject to the appropriate and available appropriation in the line item.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Porter, seconded by Council President Fontana, that the October 31, 2016 meeting be cancelled.

Poll: Ayes: Porter, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Meeting of October 17, 2016

EXECUTIVE SESSION

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [EX]

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into executive session during a Public Meeting; and
WHEREAS, the Governing Body of the Township of Little Falls has deemed it necessary to go into executive session to discuss certain matters which are exempted for the Public; and

WHEREAS, the regular meeting of this Governing Body with reconvene;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) – pending litigation- no action taken.

Poll: Ayes: Porter, Maceri, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

The Council entered Executive Session at 10:01 p.m.

At 10:39 p.m. the Council returned and it was moved by Councilmember Damiano, seconded by Councilmember Porter, that the meeting return to Open Session.

There being no further business to come before the meeting, it was moved by Councilmember Damiano, seconded by Councilmember Porter, that the meeting be and it was adjourned at 10:39 p.m.

Municipal Clerk
Cynthia Kraus