

**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

Council President Clay called the Regular Meeting to order at 7:30 PM.

The Borough Clerk read the following statement: “Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by posting on the bulletin board at Borough Hall and by notification to the Asbury Park Press, the Newark Star Ledger, and the Coaster at least 48 hours prior to this meeting and filing with the Borough Clerk all on December 19, 2023.”

ROLL CALL (Regular Meeting)

PRESENT: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay
ABSENT: Mr. Manginelli
ALSO PRESENT: Michelle Hutchinson, Borough Clerk
Kevin Starkey, Director of Law
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Dr. Dobrin offered a motion to approve October 1, 2024, Regular Meeting Minutes seconded by Ms. Buckley.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mrs. Clay
ABSTAIN: Mr. Nesci
NAYS: None
ABSENT: Mr. Manginelli

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

**Presentation of Community Service Certificates
– Girl Scouts Junior Troop 60017 and Brownie Troop 60197**

Mrs. Clay stated herself and Ms. Buckley had met just prior to the council meeting with the troops who were interested in learning about government. They provided a question-and-answer exchange whereby many of the troop members had very good questions and were sincerely interested in learning about the many functions of government. Mrs. Clay presented both troops with a Community Service Certificate.

Monmouth County Reclamation Center Update

Mr. Geoffrey Perselay, Deputy County Administrator, provided an update on the landfill gas processing plant the County entered with NJ Natural Gas “NJNG” which is contingent on final State approvals. He provided a history of the public hearing process and the objectives of the site license agreement with NJNG. He explained the collection and management of landfill gas waste production and the federal and state regulatory requirements. The agreement creates a revenue benefit for the County of approximately three million. He introduced Mark Kahrer, SVP-Regulatory Affairs, NJNG. Mr. Kahrer stated that they were honored by the County selecting NJNG to be the preferred vendor to construct, own and operate the renewable natural gas processing plant at the Monmouth County Reclamation Center “MCRC”. He explained the process of taking landfill gas and transforming it into methane gas for customer distribution. As a sustainable renewable energy source that will also provide financial benefits and substantial reduction in local greenhouse gas emissions by 41,000 metric tons per year. NJNG is regulated by NJ Board of Public Utilities and is subject to their oversight.

Public Comments

Steve Surman, 16 Clydesdale Court – Mr. Surman asked if there could be any challenges to the air permit. Mr. Perselay replied that the air permit has been updated and filed with NJDEP.

Denise Catalano, 11 Alpine Trail – Ms. Catalano asked what is the financial impact for Tinton Falls? Mr. Perselay stated there is no financial impact. The County has a Host Benefit Agreement with Tinton Falls.

Ellen Goldberg, 90 Glenwood Drive – Ms. Goldberg is concerned about the flares burning the gas into the environment. Mr. Perselay explained that the burning gas is clean and does not add pollutants to the atmosphere. Also, the methane gas delivered to the residents is this optional or does it automatically replace their current gas. He explained that it automatically replaces what residents already receive.

Wayne Steadman, Seabrook – Mr. Steadman asked what happens to the other by products created after the methane gas is produced like sulfur. Mr. Kahrer replied that the process will thermally destroy them and there will be no odor.

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Jason Tran, Steeple Chase Court – Mr. Tran asked what all the byproducts are created and are they destroyed or stored in this process. Mr. Chan, Engineer, replied that volatile organics from decomposed waste will be removed including sulfur, nitrogen and CO² and explained the absorption process that takes place within the landfill and any trace amounts not absorbed are destroyed by the thermal oxidizer combustion process.

Ms. Buckley asked if the public comment deadline has been extended to November 15th how does the public submit their comments. Mr. Perselay stated to contact his office and provided that information.

Denise Amitrani, Seabrook – Ms. Amitrani wanted to know how the money gets tracked. Mr. Kahrer explained the payments set out in the agreement and the gas production levels monitored that comprise the financial amount sent to the County. He explained the process is audited.

Presentation by Environmental Commission - Annual Report 2023

Ellen Goldberg, Environmental Commission Chair – Ms. Goldberg thanked all the dedicated members of the commission and in particular Jon Cohen who had been the Chair for many years. She explained the involvement of the members who serve on the Green Team, Community Gardens, FMERA, Planning Board and the NJ Compositing Counsel. Some of the members have trained with ANJEC throughout the year. They were involved with the Rally for the Rivers Echo Fest, Clean Ocean Action and Environmental Partnership Group in Monmouth County. The commission members were involved with the application to Sustainable Jersey for bronze certification. Ms. Goldberg lists various activities the members assisted with along with grant application endeavors. She explained the commission’s review and feedback on Planning Board applications.

Steve Surman, Environmental Commission member – Mr. Surman spoke about the education and outreach conducted by the commission. They organized a tour of the Mazza Recycling facility. They participated in Community Day and provided educational games and material for the younger residents. Collaborated with Monmouth Regional High School’s Environmental group on their plastics wrap project. He listed all the community initiatives completed and ongoing.

Mrs. Clay thanked the Environmental Commission’s efforts for their work and the presentation.

Borough Engineer – Thomas Neff

Mr. Neff provided an update on the 2024 Road Program and listed the streets on the current schedule. He mentioned two resolutions under the Consent Agenda which decreased the amount required for those road program projects.

Direct of Finance – Tom Fallon

Mr. Fallon reported on the NJ Best Practices Inventory. The Borough did excellent, scoring 40.5 out of a possible 46.5 points.

Director of Law- Kevin Starkey

Mr. Starkey commented on Ordinance 2024-1518 on the agenda for introduction stating it was like another ordinance previously introduced and was reviewed by the Planner and Engineer who made changes and is appropriate to be considered by the Council.

Borough Clerk – Michelle Hutchinson

Ms. Hutchinson had no report.

Council’s Reports

-Ms. Buckley thanked the Environmental Commission for their 2023 Annual Report presentation. The next Environmental Commission meeting will be held in the first week of December.

-Dr. Dobrin reported the library grand opening day will be November 23rd from 10:00 to 1:00pm. He thanked everyone for their support.

-Mr. Nesci reported the Planning Board meeting tomorrow at 7:00pm reviewing an application for Spark Car Wash on Newman Springs Road and Shrewsbury Avenue, the former Burger King property. He recognized a resident, Rashidah Cartwright, for her accomplishments with her national award-winning podcast “Autism for Badass Moms”.

-Mrs. Clay reported the Trunk or Treat event was very successful and well attended. She thanked the Borough Clerk and everyone who assisted with facility setup for the election. Also, recognizing Veterans Day and two veterans within the Borough, Mayor Perillo and Administrator Mr. Terefenko.

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ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **2024-1518 Ordinance Amending Various Sections Of The Land Use Ordinance Of The Borough Of Tinton Falls, Located In Chapter XL Of The Borough Code, To Implement The Recommendations Of The Planning Board In The Master Plan Reexamination Report Dated March 2024**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday December 3, 2024.

Dr. Dobrin offered a motion to introduce Ordinance No. 2024-1518 seconded by Mr. Nesci.

ROLL CALL

AYES: Dr. Dobrin, Mr. Nesci, Mrs. Clay

ABSTAIN: None

NAYS: Ms. Buckley

ABSENT: Mr. Manginelli

ORDINANCE NO. 2024-1518

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

ORDINANCE AMENDING VARIOUS SECTIONS OF THE LAND USE ORDINANCE OF THE BOROUGH OF TINTON FALLS, LOCATED IN CHAPTER XL OF THE BOROUGH CODE, TO IMPLEMENT THE RECOMMENDATIONS OF THE PLANNING BOARD IN THE MASTER PLAN REEXAMINATION REPORT DATED MARCH 2024

WHEREAS, the Borough Planning Board issued a Master Plan Reexamination Report, dated March 2024, which was the subject of a hearing before the Planning Board on March 27, 2024; and

WHEREAS, the Planning Board recommended several changes to current zoning ordinances to clarify and amend the land use regulations of the Borough; and

WHEREAS, the Borough Council desires to implement the recommendations of the Planning Board and to clarify and amend the land use regulations of the Borough;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the following sections of Chapter XL of the Borough Code, Land Use, shall be amended and supplemented as indicated, with deletions indicated by ~~strikethroughs~~ and additions indicated in underline:

SECTION 1. Section 40-3 of the Borough Code, entitled "Definitions and Word Usages," shall be amended and supplemented as indicated below:

40-3 DEFINITIONS AND WORD USAGES:

ACCESSORY BUILDING OR STRUCTURE

A building or structure, the use of which is customarily incidental and subordinate to that of the principal building located on the same lot. When an accessory building is attached in a substantial manner by a wall or roof to a principal building or structure, it shall be considered a part thereof. **For purposes of this Chapter, retaining walls and drainage basins shall not be considered an accessory structure.**

DWELLING

A structure or portion thereof that is used exclusively for human habitation. Dwellings may include but are not limited to the following types:

A. DETACHED SINGLE-FAMILY

A single dwelling unit for one family that is not attached to any other dwelling by any means.

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B. ATTACHED SINGLE-FAMILY/TOWNHOUSE

A single one-family dwelling unit in a row of three or more such attached units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

C. DUPLEX

A building containing two dwelling units attached side-by-side along a common fire-resistant wall.

D. APARTMENT

A dwelling unit in a building having two or more dwelling units where entranceways, hallways, basements, attics, storage areas, heating systems, yards and similar services in the building may be shared in common, singly or in combination.

E. GARDEN APARTMENT

A two-story apartment building containing four or more dwelling units, consisting of units on the first and second floor with common open space.

DWELLING UNIT

One or more rooms designed, occupied or intended for occupancy as separate living quarters with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single-family maintaining a household, excluding a boat, trailer or other vehicle of any type or temporary shelter such as a tent. **Only one kitchen (stove/range, refrigerator, and sink) is permitted per dwelling unit.**

FLEX SPACE

~~A building used for nonresidential purposes of a light industrial type and designed so the interior walls may be relocated to accommodate different and/or changing needs of occupants.~~ **A building, or parts of a building, suitable for or capable of being changed to accommodate a variety of permitted uses and designed to be used on a short or long-term basis. Flex spaces may be occupied by one or more uses permitted in the zone and/or one or more of the following uses: contractor's offices and shops; establishments for production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of materials, goods or products, provided such activities or materials create no hazard from fire or explosion, or produce toxic or corrosive fumes, gas, smoke, obnoxious dust or vapor, offensive noise or vibration, glare, flashes, or objectionable effluent; and offices. Flex space shall not include warehouse or distribution center uses.**

LOT COVERAGE

That part of one lot or more than one lot which is improved or is proposed to be improved with buildings and/or other structures, including but not limited to principal buildings, accessory buildings, driveways, parking lots, pedestrian walkways, stone areas, signs and other man-made improvements on the ground surface, but excluding the water surface of any swimming pool, hot tub or spa. For purposes of this chapter, neither the water surface area of any swimming pool, ~~hot tub or spa~~ nor the area of balconies without stairs shall be counted as lot coverage.

LOT LINE, FRONT

The lot line separating a lot from a street right-of-way, also referred to as a "street line." **For non-residential uses, the front lot line shall only be the lot line(s) which provide direct driveway access to the lot and shall not include lot lines adjacent to State highways or the Garden State Parkway where no access is provided.**

PATIO

A surface structure affixed to the ground throughout its area (such as poured concrete, brick, gravel, stone, or flagstone) and having no portion supported by piers, columns, or posts and having no portion used for a parking space. A structure that is supported by piers, columns, or posts in any manner shall be considered a "deck". Patios may abut a building or may be located separate from a building. Patios shall meet the setback requirements ~~of an accessory building~~ **indicated in Section 40-33.D.2**, even if attached to the principal building, except if a patio abutting a principal building has a roof, railing, or other

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structural elements above the finished grade of the patio, it shall meet the setback requirements for the principal building.

SECTION 2. Section 40-7 of the Borough Code, entitled "Fees," shall be amended and supplemented as indicated below:

40-7 FEES

Any applicant to the Planning Board or the Zoning Board of Adjustment shall pay the following to the Borough of Tinton Falls at the time of application.

A. Fee Categories

1. An initial application fee to defray the administrative costs of the Planning and Zoning Offices. (See Schedule ~~F G~~ — Borough of Tinton Falls Planning and Zoning Board Fee Schedule.)
2. Escrow moneys to be deposited to pay the cost of any professional fees incurred for the review of a submission for development. Said escrow moneys shall be placed in an escrow account pursuant to Section 40-8, Escrow Deposits. Additional deposits will be required to be paid into the escrow account in order to cover additional professional review and services in the event the initial escrow deposit has been reduced to an insufficient amount to cover anticipated costs. (See Schedule ~~F G~~ — Borough of Tinton Falls Planning and Zoning Board Fee Schedule).

- B. Amount of Application Fees. No application shall be deemed complete or proceed before the Board, or receive final action on the application, until all fees are paid and the required escrow deposits (see Section 40-8) are received by the Borough and posted with the Department of Finance. With any application fee amounts over \$5,000, the Borough reserves the right to retain 33 1/3% of the interest accrued for administrative costs; the balance of the interest shall be paid to the applicant. Escrow moneys that are not allocated for the above will be returned as soon as possible after completion of the application upon written request by the applicant and after payment of all final bills for professional services rendered. See Schedule ~~F G~~ - Borough of Tinton Falls Planning and Zoning Board Fee Schedule for all application fees.

C. Calculation of fees.

1. Submissions involving more than one use shall pay a fee equaling the sum of the fees for the component elements of the plan.
- ~~2. Submissions involving a combination of approvals filed concurrently including but not limited to subdivision, site plan and/or variance shall pay the highest fee in full, plus 1/2 of each other fee applicable for each additional approval required.~~
- ~~3. Submissions involving a combination of approvals, shall pay a fee equaling the sum of the fees for the various application types. not filed concurrently shall pay the full fee as imposed herein.~~
4. Where a submission involves part of unit of measure on which a fee is based, said unit of measure shall be rounded upward to the next whole unit.

SECTION 3. Section 40-9 of the Borough Code, entitled "Permits," shall be amended and supplemented as indicated below:

40-9 PERMITS

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- D. Each request for a zoning permit shall be accompanied by the necessary payment in accordance with Schedule G – Land Use Fee Schedule and a certificate of occupancy shall be accompanied by a certified check or bank money order payable to the Borough of Tinton Falls in the amount of \$10 for a zoning permit plus an additional \$13, \$10 of which is for G.I.S. and \$3 to be placed in a separate escrow account to be utilized for a computerized document management system; and \$15 per dwelling unit for a certificate of occupancy plus an additional \$13, \$10 of which is for G.I.S. and \$3 to be placed in a separate escrow account to be utilized for a computerized document management system and \$50 for each 1,000 square feet of gross floor area of nonresidential use for a certificate of occupancy.

SECTION 4. Section 40-24 of the Borough Code, entitled “Checklists and Applications,” shall be amended and supplemented as indicated below:

40-24 CHECKLISTS AND APPLICATIONS

No application for development shall be deemed complete unless the items, information and documentation listed in the applicable application form and checklist are submitted to the Board. If any required item is not submitted, the applicant must request in writing a waiver and state the reasons supporting each such request.

DEVELOPMENT APPLICATION FORMS, See Schedule C (**Planning Board**) and Schedule D (**Zoning Board**).

DEVELOPMENT APPLICATION CHECKLIST, See Schedule ~~D~~ **E**.

General Requirements	
1.	The completed Application Form (original and 20 14 photocopies). If any item is not applicable to the applicant, it should so be indicated on the application form.
2.	The completed Application Checklist (original and 20 14 photocopies). If any item is deemed not applicable by the applicant, it should so be indicated on the application checklist and a waiver request should be made.
3.	All listed Application Checklist items as required.
4.	Statement as to any requirements for which waiver is sought, together with a statement of reasons why waivers should be granted (original and 20 14 photocopies).
5.	Ownership Disclosure Affidavit (original and 4 14 photocopies). If applicant is not the owner, the applicant's interest in the land; e.g., tenant, contract/purchaser, lien holder, etc. If a corporation or partnership, list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class as required by N.J.S.A. 40:55D-48.1 et seq.
6.	Contribution Disclosure Statement pursuant to Borough Ordinance No. 05-1153 (original and 4 3 photocopies).
7.	Tax Collector Certification (original and 4 14 photocopies).
8.	List of witnesses proposed to be presented and their expertise, if any (original and 4 14 photocopies).
9.	Minimum of 4 photographs of the site and buildings (original and 20 14 photocopies). Original photos shall be either 3 1/2 inches by 5 inches or 4-inch by 6-inch individual prints and the 20 14 photocopies shall be 4 photographs on a single 8 1/2 inch by 11-inch sheet. Photos shall be taken at various points on the site and show any areas subject to development.
10.	6 5 copies of plans shall be a minimum of sheet size 22 inches by 34 inches for professional review. If more than 1 sheet is required to show the entire subdivision, a separate composite map shall be drawn showing the entire subdivision on 1 sheet and the sheets on which the various sections are shown.
11.	14 11 copies of reduced sized plans shall be of sheet size 11 inches by 17 inches for Board review. Board review plans shall be scaled exactly 50% of those plans submitted for professional review to provide reliable scaling. A graphic scale must be included on every drawing. Reduced sized plans shall have a font size of no less than 8 point and all labels must be clearly legible. <u>These reduced plans shall not be submitted until the application has been deemed complete and the plans requested by the Board Secretary.</u>
12.	1 digital copy of <u>all application documents, including application, letters, reports, plans, etc.</u> final, approved plans submitted for Borough files.
13.	1 digital copy of plans shall be submitted as a PowerPoint slides on CD-ROM for Board hearing.
14.	1 digital copy of all other general requirements as PDF on CD-ROM.

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SECTION 5. Section 40-26 of the Borough Code, entitled "Specific Design Standards," shall be amended and supplemented as indicated below:

40-26 SPECIFIC DESIGN STANDARDS

H. Easements

6. The removal of trees and ground cover shall be prohibited in a conservation easement or flood plains except for the following purposes: The removal of dead or diseased trees; limited thinning of trees and growth to encourage the most desirable growth; and the removal of trees to allow for structures designed to impound water or areas to be flooded as a result of the creation of ponds or lakes. **Any trees removed shall be replaced in kind by either a 2.5-inch caliper deciduous tree or 6-foot evergreen tree. The construction of any manmade structure is prohibited in a conservation easement (fence, shed, patio, deck, pool, etc.).**

K. Garages

1. Any residential garage shall match the architectural design of the principal residential structure on the lot in terms of color, roof pitch, cladding material and other details.
- 2. The minimum interior dimensions for either an attached or detached garage shall be 10 feet wide by 20 feet deep.**

M. Landscaping/Shade Trees

3. All shade trees shall have a minimum diameter of three inches measured six inches above the ground and be of a species ~~approved by the Shade Tree Commission~~ **included in the Shade Tree Commission's list of Approved Shade Trees for the Borough of Tinton Falls.**

- e. ~~In the case of collector, two-lane arterial, or local streets, an~~ **An** exclusive shade tree easement (with the exceptions noted below) dedicated to the Borough shall be recorded on the subdivision deed and the final subdivision plat and/or the final site plan. The easement shall be ~~five~~ **fifteen** feet wide ~~for a collector street and a two-lane arterial street, and eight feet wide for a local street.~~ The deed or final plat shall contain a statement that provides for the planting of shade trees within the easement 40 feet apart along the right-of-way, ~~that the trees shall be the property of the Borough of Tinton Falls, and~~ **that** the property owner is prohibited from **removing,** relocating, or purposefully causing damage to, or trimming the trees other than routine maintenance. The statement shall further state that no other easement(s) shall be allowed in the same area except for sight triangle easements and utility easements which must cross the shade tree easement. The shade tree easement may also have improvements within the easement such as driveway crossings and utility services necessary to access and to serve the dwelling or building(s) contained on the lot.
- f. Route maintenance **(including removal of any dead or dying trees)** shall be the responsibility of the property owner and shall commence once the certificate of occupancy has been issued. **A tree removal permit shall be required in accordance with Chapter 17 for any trees to be removed.**

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8. A landscape plan prepared by a certified landscape architect or Professional Engineer shall be submitted with every subdivision and site plan showing the proposed grading, plant material and other features such as, but not limited to, street furniture, walkway locations, pavement material, lighting, and any decorative improvements that are located outside parking and loading areas detailed above, including, but not limited to, stormwater management facilities, street trees, park and recreation areas, the yard areas of buildings, and building foundation plantings.

9. A Tree Preservation and Removal Plan in accordance with §17-5 shall be submitted with every subdivision and site plan for any non-single-family property greater than one acre in size.

Q. Off-Street Parking

2. Off-street parking and loading areas shall be coordinated with the public street system serving the area in order to avoid conflicts with through traffic, obstruction to pedestrian walkways and vehicular thoroughfares. Shared parking among mixed uses shall be encouraged.

p. There shall be a minimum setback of 5 feet from the property line ~~or to~~ driveways in single-family residential zones. In nonresidential zones, the minimum parking setback shall be ~~10~~ **20** feet.

R. Off-Street Loading

3. ~~Standard institutional and light industrial/w~~ **Warehouse** loading spaces shall measure at least ~~15~~ **12** feet wide by 60 feet long, with a height clearance of not less than ~~20~~ **15** feet. All other loading spaces shall measure at least 12 feet wide by ~~45~~ **30** feet long, with a height clearance of not less than 15 feet.

V. Storage and Disposal of Waste – Nonresidential and Multifamily Development.

1. Outdoor refuse and recycling containers shall be visually screened within a durable enclosure **constructed of split-face masonry block or similar durable material. Fencing is not permitted for enclosures.**

W. Streets

~~9. No local street shall be part of a four-way intersection.~~

22. Streets shall be constructed in accordance with the standard specifications of the New Jersey Department of Transportation.

a. Pavement thickness shall not be less than the following:

(1) Arterial and collector streets: bituminous stabilized base course, six inches compacted thickness; FABC, ~~two~~ surface course, two inches compacted thickness.

(2) Local Streets: bituminous stabilized base course ~~five~~ **four** inches compacted thickness; FABC, ~~one~~ surface course, ~~1 1/2~~ **two** inches compacted thickness.

b. **All streets shall be excavated to a depth of six inches below the proposed base course and filled with a dense graded aggregate or other suitable subbase material as**

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~~**determined by the Board Engineer.** Where subbase conditions are wet, springy or of such nature that surfacing would be inadvisable without first treating the subbase, these areas shall be excavated to a depth of at least six inches to 12 inches below the proposed subgrade and filled with a suitable subbase material as determined by the Borough Engineer. Where required by the Engineer, a system of porous pipe, subsurface drains shall be constructed beneath the surface of the paving and connected to a suitable drain. After the subbase material has been properly placed and compacted, the surfacing material shall be applied.~~

SECTION 6. Section 40-28 of the Borough Code, entitled "Zoning Districts," shall be amended and supplemented as indicated below:

40-28 ZONING DISTRICTS

A. Establishment of Zones. For the purposes of this Article, the Borough is hereby divided into districts, as follows:

RA	Residential Agricultural
R-1	Single-Family Residential
R-2	Single-Family Residential
R-3	Residential
R-3-I	Residential Inclusionary
R-4	Residential
R-4-I R-4-A	Residential Inclusionary
AR	Age Restricted Housing
CCRC/AH	Continuing Care Retirement Community with Affordable Housing
AH	Affordable Housing (Including Age Restricted)
NC	Neighborhood Commercial
HCC	Highway/Community Commercial
IOP	Industrial Office Park
MFG	Manufacturing
MFG2	Manufacturing 2
OS/GU	Open Space/Government Use
RET	Large Scale Planned Retail Overlay Zone in Rehabilitation/Planned Development
Overlay Area	(Requires certain requirements be met)
Route 66	Route 66 Redevelopment Area
CECOM	CECOM Redevelopment Area
TR	Transportation Corridor
FMRA	Fort Monmouth Redevelopment Area

B. Zoning Map

The location and boundaries of the above districts are hereby established on the Zoning Map of the Borough of Tinton Falls in Monmouth County dated ~~September 2008~~, **August 27, 2024**, which is filed in the office of the Borough Clerk. Said map or maps and all notations, references and designations shown thereon shall be part of this Article as if the same were all fully described and set forth therein.

SECTION 7. Section 40-29 of the Borough Code, entitled "General Regulations," shall be amended and supplemented as indicated below:

40-29 GENERAL REGULATIONS

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D. Critical Environmental Areas

4. Nonresidential Development. Any and all buffer requirements **shall be as deemed necessary by NJDEP for principal structures, accessory structures, parking spaces and drive aisles shall be measured from critical environmental areas.**

E. Conservation Easements.

1. The removal of trees and ground cover shall be prohibited in a conservation easement or flood plains except for the following purposes: The removal of dead or diseased trees; limited thinning of trees and growth to encourage the most desirable growth; and the removal of trees to allow for structures designed to impound water or areas to be flooded as a result of the creation of ponds or lakes. Any changes, additions or removals of any materials within a conservation easement shall be subject of a permit from the Administrative Officer or his/her designee. **Any trees removed shall be replaced in kind by either a 2.5-inch caliper deciduous tree or 6-foot evergreen tree. The construction of any manmade structure is prohibited in a conservation easement (fence, shed, patio, deck, pool, etc.).**

SECTION 8. Section 40-31 of the Borough Code, entitled "Principal Buildings and Principal Uses," shall be amended and supplemented as indicated below:

40-31 PRINCIPAL BUILDINGS AND PRINCIPAL USES

- A. Only one principal use may be present on a lot, except for related uses forming one principal use in accordance with an approved plan, and limited to the following:
 1. Public or institutional building complexes.
 2. Office complexes or retail shopping centers.
 3. Continuing care retirement communities.
 - 4. Flex space and warehouse type buildings with multiple permitted uses, only when the site has sufficient parking for all proposed uses in accordance with Parking Schedule 1 and when proposed combination of uses does not pose a safety hazard due to conflicting types of work, equipment, vehicles, etc.**

A mix of permitted uses and their permitted accessory uses shall not be considered a single principal use, with the exception of those uses enumerated above.

- B. Only one principal building may be erected on a lot except for related buildings forming one principal use in accordance with an approved plan, and limited to the following:
 1. Public or institutional building complexes.
 2. Office complexes or retail shopping centers.
 3. Multi-family dwelling complexes.
 4. Continuing care requirement communities. ~~Developments with multiple buildings and uses as enumerated above may be approved on one lot provided each principal building and its accessory buildings are designed and spaced on the tract so they are spaced to allow a conforming subdivision at some future date by having the required street frontage, not exceeding the applicable floor area ratio, and meeting minimum lot size, lot dimensions, yards, parking, lot coverage, building coverage, and similar zoning and bulk requirements.~~
 - 5. Warehousing, light industrial, flex space or self-storage complexes.**

SECTION 9. Section 40-32 of the Borough Code, entitled "Prohibited Uses," shall be amended and supplemented as indicated below:

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40-32 PROHIBITED USES

- F. No portable storage unit (shipping container, trailer, POD, etc.) shall be parked in or on any grassy area that constitutes the front yard of any dwelling within the Borough of Tinton Falls. Parking of the above-mentioned classes of storage units shall be confined to a driveway ~~for no longer than 30 days~~ or other approved parking area **for no longer than 30 days** and shall not interfere with any required parking stall. The use of any class of storage unit shall be subject to the appropriate permitting requirements of the Borough.
- J. ~~All classes of cannabis licenses as said terms are defined in section 3 of P.L. 2021, c. 16, are prohibited from operating anywhere in the Borough of Tinton Falls but not the delivery of cannabis items and related supplies by a delivery service not subject to local jurisdiction.~~

SECTION 10. Section 40-33 of the Borough Code, entitled "Accessory Structures and Uses," shall be amended and supplemented as indicated below:

40-33 ACCESSORY STRUCTURES AND USES

- B. The following requirements shall be complied with in all residential zones:

- 1. No accessory building or structure shall be used for human habitation.
- 2. Except as specifically permitted elsewhere in this article, no accessory building or structure shall exceed 15 feet in height **as measured to the peak of the roof.**

- 7. An accessory building or structure ~~less than 10 feet in height~~ shall not be closer than five (5) feet to a side lot line or three (3) feet from a rear lot line and shall only be permitted to the rear of the principal building.
- 8. ~~An accessory building or structure greater than 10 feet in height shall not be closer than the height of the building to a side or rear lot line and shall only be permitted to the side or rear of the principal structure.~~

- C. The following requirements shall be complied with in all nonresidential zones:

- 6. Up to two accessory buildings or structures are permitted on a lot. **Trash enclosures shall not be included in this limit on the number of accessory buildings or structures.**

- D. Requirements – Specific Accessory Structures and Uses. Requirements for specific accessory structures and uses.

- 1. Outdoor Storage

- a. **Where permitted below,** outdoor storage, except for the outdoor storage and display of retail goods and merchandise within designated areas as permitted herein, is prohibited within the front yard or in a side yard adjoining a street.
- b. The outdoor storage of any items, materials, and equipment, other than those customarily placed in courtyards and yards, incidental to authorized residential use and occupancy, is prohibited in all residential zones.
- c. No flammable or explosive liquids, solids or gases shall be stored above ground unless as otherwise required by applicable federal, state, or local regulations. Tanks or drums of fuel directly connecting with heating devices or appliances located on the same premises as the tanks or drums of fuel are excluded from this provision.
- d. No materials or wastes shall be stored on any premises in such form or manner that they may be transferred off such premises by natural causes or forces such as wind or water.

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- e. All materials or wastes which might cause fumes or dust or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors only in closed containers.
- f. Commercial Outdoor Storage. **Outdoor display or storage of any materials are prohibited, with the exception of the following.**
- ~~(1)~~ All commercial outdoor storage, except for the outdoor storage and display of retail goods and merchandise within designated areas as permitted herein, shall be set back from a school or recreation area at least 300 feet and set back from any residential property line at least 100 feet.
- ~~(2)~~ All commercial outdoor storage, except for the outdoor storage and display of retail goods and merchandise within designated areas as permitted herein, shall be in the rear or side yard and screened from view of all public streets by buildings and/or a fifty-foot buffer of dense evergreen plant material and/or fences as deemed necessary by the Board to achieve the intended buffer.
- (1)(3)** Retail Wholesale Stores. Outdoor storage and display of lumber, building supplies, nursery stock, and garden supplies shall be permitted provided the material is limited to a single area of the site and this area does not exceed 10% of the lot area.
- (2)(4)** Landscaping, Construction, Demolition or other such Contractors. Outdoor equipment storage such as construction equipment, trucks, chippers, mulch piles and stockpiles of clean materials shall be permitted, provided the equipment and materials are limited to a single area of the site and this area does not exceed 50% of the lot area, **with the exception of the MFG-2 Zone where this area shall not exceed 75%**. Under no circumstances shall any stored material leave the site by natural causes or forces such as wind or water.
- (3)(5)** Concrete and Asphalt Manufacturing Plants. Outdoor equipment storage such as loaders, trucks, and other such equipment and stockpiles of aggregate materials shall be permitted provided the equipment and materials are limited to a single area of the site and this area does not exceed 10% of the lot area. Aggregate materials must be stored in designated bins or other such constructions. Under no circumstances shall any stored material leave the site by natural causes or forces such as wind or water.
- (4)(6)** Outdoor Storage and Display of Retail Goods and Merchandise. The outdoor storage and display of retail goods and merchandise shall be permitted provided that the storage and display of such goods and merchandise takes place within designated areas approved by the Planning Board, Board of Adjustment, or Administrative Officer. The outdoor storage and display of retail goods and merchandise shall take place in an orderly manner and shall not create a junk like condition that results in a negative visual impact when viewed from a public street, right-of-way, or an adjacent property, nor shall such storage and display of retail goods and merchandise encroach upon any required yard setback. Each designated storage and display area shall be screened from all public rights-of-way and adjacent properties through a combination of fencing and landscaping. Fencing shall be provided in accordance with the provisions of § 40-33.D.5. Landscaping shall be provided around the outside of the fenced outdoor storage and display area in accordance with § 40-25.D and § 40-25.E.
- ~~(7)~~ All Other Commercial Uses. Outdoor display or storage of any materials are prohibited.

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(5)(8) Resource recycling facilities are governed by separate ordinance section.

(6)(9) Single Stream Recycling Facilities. Outdoor equipment storage such as construction equipment, loaders, trucks and other such equipment, outdoor storage of Class A, Class B and Class C recyclable materials (excepting they're from source separated food waste), and outdoor processing of Class B and Class C recyclable materials (excepting they're from source separated food waste) and scrap metal shall be permitted provided the equipment, processing and materials are limited to a single area of the site and this area does not exceed 65% of the lot area. Pre- and post-processed recyclable materials must be stored in designated bins or similar enclosures. Under no circumstances shall any material stored outdoors leave the site by routinely occurring natural causes or forces such as wind or water.

(7) All commercial outdoor storage, except for the outdoor storage and display of retail goods and merchandise within designated areas as permitted herein, shall be set back from a school or recreation area at least 300 feet and set back from any residential property line at least 100 feet.

(8) All commercial outdoor storage, except for the outdoor storage and display of retail goods and merchandise within designated areas as permitted herein, shall be in the rear or side yard and screened from view of all public streets by buildings and/or a fifty-foot buffer of dense evergreen plant material and/or fences as deemed necessary by the Board to achieve the intended buffer.

2. Decks and Patios.

- c. Second story decks shall be permitted if accessed from the building interior only, **with the exception of bi-level houses, which are permitted to have a second story deck with stairs to the yard if the kitchen is located on the second floor. In no instance shall a second story deck lead to an additional dwelling unit.** No second floor decks shall be permitted on accessory buildings.

3. Swimming Pools/Hot Tubs/Spas.

- c. The water surface of any swimming pool, ~~hot tub or spa~~ shall not be included in the calculation of lot coverage.
- d. ~~Fencing in the front yard shall not be located closer than the front building line or 20 feet from the front property line, whichever is greater.~~ **Fencing shall be in accordance with Section 40-33.D.5.** Safety fencing height shall be four feet.

5. Fences and Walls.

- i. Fences in the front yard shall not exceed four feet in height (except on farm qualified properties), shall be set back at least ~~10~~ **5** feet from the edge of the front property line.
- j. Walls in the front yard shall not exceed two feet in height and shall be set back at least ~~10~~ **5** feet from the edge of the front property line.

- n. For corner lots or lots with multiple frontages, fences in a front yard that is not the front yard as determined by street address shall not exceed six feet in height and may be of solid construction if the fence conforms to the front yard setback requirements and is screened by landscaping ~~in compliance with this chapter.~~ **The landscape screening shall**

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be a continuous row of evergreen trees or shrubs. The plantings shall be a minimum of four feet high at planting and have a mature height of at least six feet.

- o. For through lots abutting Heritage Boulevard and another street, six-foot-high solid fences are permitted to be set back no less than five feet and no greater than a distance of 10 feet from the Heritage Boulevard right-of-way, and shall meet all other requirements of this section. ~~For any six-foot-high fence along Heritage Boulevard, an evergreen landscaped buffer no less than three feet in width shall be provided between the fence and Heritage Boulevard.~~ **Any six foot high fence along Heritage Boulevard shall be screened by landscaping. The landscape screening shall be a continuous row of evergreen trees or shrubs. The plantings shall be a minimum of four feet high at planting and have a mature height of at least six feet.**

- 9. Commercial Vehicle Parking. Any vehicle used for commercial purposes shall not be parked, stored or maintained on any lot in a residential zone except:
 - a. No more than two motorized vehicles (maximum two vehicles) used for commercial purposes may be parked, stored or maintained on any lot in a residential zone, but only if any such vehicle (i) has a height of eight feet or less (excluding antennas and exhaust stacks), and (ii) has a length of 20 feet or less which length shall be measured as the total overall length but not including removable accessories.
 - (1) Any vehicle bearing a commercial, tractor, livery, school bus or omnibus motor vehicle registration shall be presumed to be used for commercial purposes.
 - (2) Notwithstanding any provision in this Chapter to the contrary, garbage trucks, tanker trucks, waste disposal vehicles, buses, tractor trailers, **construction or landscaping trailers**, or motorized construction vehicles/equipment are expressly prohibited from being parked, stored or maintained in any residential zone.
 - (3) The owner/operator of any commercial vehicle(s) shall reside on the property on which the vehicle is parked.
- 10. Recreational Vehicles. The parking of recreational vehicles less than ~~six~~ **ten** feet in height **and 28 feet in length** shall be confined to the rear yard on a prepared surface, not unlike a driveway, and shall be 15 feet from any property line. All other recreational vehicles shall not be parked, stored, or maintained on any lot. One vehicle as described in the definition of recreational vehicles is permitted. **Any such vehicles stored in accordance with this section shall not be occupied and shall not be provided with utility connections.**
- 16. Permanent Emergency Generators.
 - a. Only one generator with a maximum output of 48 kilowatts shall be permitted per **residential unit. Commercial units shall not be limited by kilowatt size.**

- h. **All** generators shall be appropriately screened and buffered by evergreen plantings or a fence. **The plantings or fence shall be at least as tall as the generator enclosure and located to screen the view of the generator from the street and surrounding properties.**
- i. The noise level of generators shall not exceed 70 decibels at any property line. Any generator less than 23 feet from the property line shall have an evergreen buffer **planted directly** around **three sides of** the generator to aid in sound reduction. **The plantings shall be at least as tall as the generator enclosure.** All generators shall have a weatherproof sound attenuating enclosure.

SECTION 11. Section 40-34 of the Borough Code, entitled "Signs and Flag Poles," shall be amended and supplemented as indicated below:

40-34 SIGNS AND FLAG POLES

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D. Fees. The fees to be paid to the Borough of Tinton Falls **for the zoning permit application review of a complete sign package shall be \$150.** ~~for the erection of each new sign shall be:~~

- ~~1. For new signs regardless of their size: \$50 per sign.~~
- ~~2. For the alteration or relocation of any existing sign, or to change the wording, color, or illumination of an existing sign: \$50 per sign.~~

M. The following signs and the standards and conditions that govern such signs are set forth below. All other signs are expressly prohibited.

1. Signs in Residential Districts

- c. One ground sign per development of a residential major subdivision and/or residential major site plan, provided that said sign does not exceed 24 square feet in size and the information contained thereon is limited to the name of the development and the name of the developer. Said sign, if permanent, shall be either located on a brick wall and landscaped, or set in a landscaped island. **The sign shall be set back a minimum of ten feet from the right-of-way line and outside of any required sight triangle.**

3. Signs in Nonresidential Districts Except the HCC Highway/Community Commercial District.

- c. Signs for retail, commercial and service establishments shall be constructed under the following limitations:
 - (1) Wall signs, one wall sign per wall facing a public street, are permitted which shall comply with the following standard.

Setback of the Building from the Street Right-of-Way	% of Wall Area	Sign Height	Sign Area
Within 50 feet of street right-of-way	5%	4 feet	40 square
51 feet to 100 feet	7%	5 feet	60 square feet
101 feet to 200 feet	9%	6 feet	80 square feet
201 feet to 300 feet	11%	7 feet	100 square feet
More than 300 feet	12%	8 feet	120 square feet

- (2) Tenant signs, in addition to wall signs, tenant signs **identifying the user of a multi-tenanted space are permitted up to an area of 10% of the wall area of the tenant's unit.** ~~up to six square feet per separate retail or services tenant on the premises shall be permitted.~~ Illumination is permitted.
- (3) Lots having more than two tenants may have tenants' names aggregated into one directory sign located at or near the main entrance into the building and be either attached to the building or be freestanding not more than 10 feet from the entrance to the building, provided the resulting directory sign does not exceed four square feet per business or 36 square feet in aggregate, whichever is less, and provided further that said sign is not located and designed to be read by drivers traveling the adjacent street.
- (4) Ground signs, in addition to wall signs, a ground sign which shall not exceed 50 square feet in size, shall be permitted. Ground signs shall be constructed so that no void is present between the sign and the ground. Ground signs shall not exceed six feet in height and shall be located a minimum of 20 feet away from all property lines. Illumination is permitted.

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(5) Freestanding signs, in addition to wall signs and in lieu of a ground sign, a freestanding sign which shall not exceed 25 square feet in size, shall be permitted. Freestanding signs shall not exceed eight feet in height with a minimum ground clearance of three feet and shall be located a minimum of 10 feet away from all property lines. Illumination is permitted.

4. Signs HCC Highway/Community Commercial District.

a. Freestanding Pylon Signs. One freestanding pylon sign shall be permitted per highway frontage on which an access is provided and shall conform to the following standards. Freestanding pylon signs shall not be permitted on local roads or on frontages without access. Illumination is permitted.

Location	Size (square feet)	Height (feet)	Setback (feet)
State Highway	400	35	10
County Road	200	20	20
Local Road	Not Permitted	Not	Not

b. Wall Signs. One wall sign per wall facing a public street is permitted and shall not exceed 10% of the wall area to which the sign is to be attached. Each such sign shall be attached to the front wall only, except when the building to which it is attached is a corner building of a shopping center, then an attached sign shall be permitted on both the front and side wall (not applicable to freestanding building, freestanding buildings are limited to one wall sign per wall facing a public street). Each wall sign shall be designed so as to be consistent in design with all other wall signs if in a shopping center and no wall sign shall have letters larger than 12 feet in height and no wall sign shall have an area exceeding 600 square feet. Illumination is permitted.

c. Tenant signs, in addition to wall signs, each tenant sign in the shopping center shall be allowed one pedestrian-oriented tenant identification sign in addition to an attached fascia wall sign. Such **The pedestrian-oriented** tenant sign shall be located at the front of the building and be a minimum height of eight feet above the walkway and shall be placed only on or under a canopy or sidewalk cover and shall not exceed six square feet in area. **Each tenant is permitted one wall identification sign up to an area of 10% of the front wall area of the tenant's unit.** Each tenant in the shopping center shall be allowed one identification sign over its rear entrance or loading bay and shall not exceed ~~two~~ **six** square feet in area. Illumination is permitted.

d. Ground Signs. In addition to wall signs and in lieu of a freestanding pylon sign, a ground sign which shall not exceed 60 square feet in size, shall be permitted. Ground signs shall be constructed so that no void is present between the sign and the ground. Ground signs shall not exceed six feet in height and shall be located a minimum of 20 feet away from all property lines. Illumination is permitted.

O. Temporary Signs. Temporary signs may be erected and maintained without either action of the Board or a construction permit, provided that said sign(s) adhere to the applicable regulations of this Chapter.

1. Temporary signs advertising the sale or rental of the premises upon which said sign has been erected or a sign indicating that said premises have been sold or rented, provided that:

a. Such temporary signs shall be erected only on the premises to which they relate. They shall not be permitted on any other property or within the public right-of-way.

b. The area of any such temporary sign **associated with an individual single-family** lot shall not exceed six square feet and three feet in height. **Temporary signs associated with developments approved by the Planning Board or Zoning Board that are under construction shall not exceed thirty-two square feet and six feet in height.**

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SECTION 12. Section 40-35 of the Borough Code, entitled "Certain Permitted Uses," shall be amended and supplemented as indicated below:

40-35 CERTAIN PERMITTED USES

F. Self-Storage Facilities

1. Self-storage facilities shall have perimeter walls of a finished material (painted or unpainted cinder block or concrete block is not permitted).
- ~~2. The perimeter walls and ends of buildings shall have mansard or peaked roof design (interior portions may be flat, or pitched, or any other design).~~
- ~~3.~~ **32.** The perimeter walls shall be solid with no means of access **to individual storage units** (all entrances to the storage areas shall be from the interior of the site). **Up to three common exterior doors are permitted to allow common access to the interior of the building.**
- ~~4. There shall be no driveway around the perimeter of the site running around the outside the buildings, or on the side(s) that abut a residential zoning district.~~
- ~~5.~~ **53.** All material being stored shall be stored inside the building(s) including boats, motor vehicles, trailers, bulk items, and any and all other material.
- ~~6. All lighting shall be inside the perimeter of the buildings, except wall-mounted, perimeter security lighting may be permitted provided it is shielded from shining outward and is designed and mounted as "up lighting" or "down lighting".~~
- ~~7.~~ **74.** No building shall exceed a height of ~~12~~ **40** feet ~~except the perimeter roof design shall not exceed 20 feet.~~
- ~~8.~~ **85.** There shall be a minimum seventy-five-foot buffer area along any residential zoning district and 25 feet elsewhere.

SECTION 13. Section 40-36 of the Borough Code, entitled "Supplemental Standards," shall be amended and supplemented as indicated below:

40-36 SUPPLEMENTAL STANDARDS

H. Inclusionary Zones (R-3 or R-4) Requirements. Inclusionary (R-3-~~I~~ or R-4-~~A~~ ~~Inclusionary~~) Zones development shall meet the following requirements.

J. ~~RET Zone — Large Scale Planned Retail Overlay Zone.~~

- ~~1. Per the Borough of Tinton Falls 2007 Master Plan, "The Rehabilitation/Planned Development overlay is intended to be an option within the area identified on the Land Use Plan map. The primary purpose of this land use category is to encourage the comprehensive replanning and development of the area north and south of Route 18. Currently, the area is a haphazard mix of heavy industrial uses, commercial and residential uses, which is intersected by Route 18, a rail line and Shafto Road. In order to use this option, a minimum of 100 acres would be required. A key component of this option is the relocation of the two heavy industrial uses (i.e. Marpal and the concrete plant) from their existing locations on the north side of Route 18 to an MFG zone (implemented as MFG2 in this Chapter) on the south side of Route 18. Principal permitted uses in this MFG area (implemented as MFG2 in this Chapter) would include asphalt and concrete plants and recycling facilities. The area identified as retail on the concept plan is proposed for large scale planned retail."~~
- ~~2. Therefore, the RET — Large Scale Planned Retail Overlay Zone shall be in effect when both:~~

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- a. ~~The relocation or ceasing of operation and availability for development of the Marpal Waste Transfer Station (Block 113, Lots 1.01 & 2).~~
- b. ~~The relocation or ceasing of operation and availability for development of the Clayton Concrete Manufacturing Plant (Block 109, Lots 9.01, 12.01, 13.01, 15, 18, 19, 20, 21, 22, 23, 24, & 29.02).~~
- 3. ~~Until such time as both conditions under paragraphs 2a and 2b above are complete, the zoning for the area described Block 113, Lots 1.01 & 2 and Block 109, Lots 9.01, 12.01, 13.01, 15, 18, 19, 20, 21, 22, 23, 24, & 29.02 shall remain IOP.~~
- 4. ~~Permitted Use in the RET – Large Scale Planned Retail Overlay Zone shall be regional shopping centers, subject to the bulk and design standards of this Chapter.~~

SECTION 14. Section 40-37 of the Borough Code, entitled “Conditional Uses,” shall be amended and supplemented as indicated below:

40-37 CONDITIONAL USES

B. Requirements for Specific Uses

- 4. Townhouses, Duplexes or Other Plex Units. Townhouses, duplexes or other plex units, as defined in this Chapter, may be located, when approved as conditional uses, in the zone as specified in Schedule A subject to the following:
Editor's Note: Schedule A is included as an attachment to this chapter.
 - a. No parking shall be permitted between the front building line and the street right-of-way.
 - b. Parking must be provided on site as required by this Chapter.
 - c. All yard areas shall be attractively landscaped with grass lawns, trees and shrubs or other vegetation or material as the Planning Board may approve or require.
 - d. Compliance with all bulk requirements as indicated below:

Use	Minimum Lot Requirements			Minimum Yard Requirements				Maximum Lot Coverage	Maximum Building Height		Maximum Density-Dwelling Units per Acre
	Lot Area	Width		Front	Side		Rear		Stories	Feet	
Town-houses, duplexes or other plex units	6,000 2,000 square feet per unit	50 20 feet per unit	60 30 feet per unit	45 feet	0 feet interior 20 feet exterior	40 feet	35 feet	50%	2.5	30 feet	6.5 units per acre

- e. **A minimum setback of 25 feet between buildings is required.**

- 22. Cannabis Facilities. Cannabis Class uses (other than Alternative Treatment Centers) shall be permitted as a conditional use if in compliance with the following conditions:

- f. Bulk Requirements. All bulk requirements shall be in accordance with Section 40-28E, Schedule B, **with the exception of any bulk variances previously granted by the Planning Board or Zoning Board during prior site plan approval for the site.**

SECTION 15. Section 40-38.2 of the Borough Code, entitled “Small Wind and Small Solar Energy Systems,” shall be amended and supplemented as indicated below:

40-38.2 SMALL WIND AND SMALL SOLAR ENERGY SYSTEMS

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- C. Small Solar Energy Systems. (110% Production) will be created and shall state the following:
1. Rooftop solar arrays for small solar energy systems are permitted as an accessory use in all zones subject to the following requirements.
 - a. Rooftop solar arrays shall not exceed a height of 12 inches from the existing roof surface of a peaked roof and not exceed a height of four feet from the existing roof surface of a flat roof.
 - b. In no event shall the placement of the solar energy system result in a total height **of the building plus panels and mounting equipment higher** than what is permitted in the zoning district which the subject energy system is located.

SECTION 16. Section 40-39 of the Borough Code, entitled "Off Street Parking and Loading," shall be amended and supplemented as indicated below:

40-39 OFF STREET PARKING AND LOADING

A. Location of Parking and Loading Areas

* * *

4. Other than driveways for detached single-family homes, ~~uses having parking lots for more than six (6) vehicles or having at least one (1) loading space shall have all aisles and spaces set back at least twenty-five (25) feet~~ **all parking aisles and spaces shall be set back at least 20 feet** from any lot line and street right-of-way.
 5. Drive-Up Window Services. Any use having drive-up window services shall provide at least one (1) by-pass lane **for the full length of the drive-thru lane** and each window shall have an access lane long enough to accommodate at least six (6) vehicles in addition to the vehicle at the window. These access lanes shall be separate from all interior driveways and aisles serving other on-site circulation and parking areas.
 6. No loading area shall be located in a front yard.
 7. There shall be no loading in ~~a yard abutting, or in,~~ a public right-of-way.
- B. Minimum Required Off-Street Parking Schedule for Nonresidential Uses. The number of off-street parking spaces required for any nonresidential use shall be determined by reference to Parking Schedule 1 below. "GFA" shall mean "gross floor area."

* * *

3. Fractional Spaces. Whenever the application of Parking Schedule 1 standards results in the requirements of a ~~major~~ fraction of a space ~~in excess of one-half (0.5)~~, a full space shall be required.

Parking Schedule 1

Parking Requirements for Nonresidential Uses

Use	Minimum Number of Off-Street Parking Spaces
Automobile Car Wash	10 spaces/washing lane and 2 spaces/vacuum or similar machine <u>2 spaces per service lane, plus one space per employee at maximum shift</u>
Automobile Fueling Stations Any Associated Retail	1 space/fueling pump 4 spaces/1,000 sq. ft. GFA
Automobile Oil Change and Lubrication Shop	8 spaces/service lane and 2 spaces/vacuum or similar machine
Automobile Repair Shop	4 spaces/service bay

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Assisted Living Residence	0.5 space/unit
Banks and Fiduciary Institutions	1 space/250 sq. ft. GFA
Bowling Alley	2 spaces/lane or alley
Car and Truck Dealers	1 space/300 sq. ft. showroom area, sales area and office area
Child Care Center	As specified in Section 40-35A
Church	1 space/5 seats
Community Center	1 space/800 sq. ft. GFA
Communication/Radio Tower	2 spaces minimum
Continuing Care Retirement Community	0.9 space per independent living unit to be distributed to meet the particular needs of individual buildings on-site
Contractors/Landscaping Yards	1 space/300 sq. ft. display area, sales area and office area
Delicatessens/Specialty Food	1 space/1,000 sq. ft. GFA
Family Day Care Home	2 for the dwelling unit + 2 for clients
Farm Stand	3 spaces minimum
Fitness Centers, Weight Rooms, Gyms	1 space/200 sq. ft. GFA
Flex Space Buildings	1 space/800 sq. ft. GFA
Golf Course	
full-size	3 spaces/green
par-3	3 spaces/green
miniature golf	2.2 spaces/hole
pitch and putt	2.2 spaces/hole
driving range	1.4 spaces/tee
Home Occupation	3 spaces minimum
Hospital	1.5 spaces/bed
Hotel	
Guest Room	1 space/guest room
Employee	1 space/employee on largest shift
Restaurant/Lounge/Banquet/Conference	1 space/3 seats in restaurant, lounge & conference/banquet space
Library	1 space/300 sq. ft. GFA
Light Industrial/ Fabrication/ Assembly	1 space/800 sq. ft. GFA
Lumber and Contractor's Yard	1 space/5,000 sq. ft. storage area and 1 space/250 sq. ft. retail GFA
Manufacturing	1 space/800 sq. ft. GFA
Mortuary	10 spaces/viewing room and/or chapel
Office (Non - Medical)	1 space/250 sq. ft. GFA
Office Park	1 space/300 sq. ft. GFA
Office (Medical and Dental)	
Less than 5,500 sq. ft. GFA	6 spaces/1,000 sq. ft. GFA
5,500 sq. ft. to 10,000 sq. ft. GFA	5.5 spaces/1,000 sq. ft. GFA
More than 10,000 sq. ft. GFA	5 spaces/1,000 sq. ft. GFA
Pharmacy	3 spaces/1,000 sq. ft. GFA
Pro Shop	1 space/300 sq. ft. GFA

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Research/Testing/Experimentation	1 space/800 sq. ft. GFA
Restaurant	
Sit-down	1 space/3 seats
Take-out	1 space/ employee at maximum shift plus 1 space/250 sq. ft. GFA 40 sq. ft. GFA
Mixed	1 space/ employee at maximum shift plus 1 space/2 seats 3 seats plus 1 space per 40 sq. ft. of floor area
Retail Sales and Services	
Less than 400,000 sq. ft. GFA	4.0 spaces/1,000 sq. ft. GFA
400,001 to 600,000 sq. ft. GFA	4.5 spaces/1,000 sq. ft. GFA
600,001+ sq. ft. GFA	5.0 spaces/1,000 sq. ft. GFA
Retail Warehouse	5.5 spaces/1,000 sq. ft. GFA
Schools	
Elementary (Pre-K thru 8)	1.2 spaces/classroom; min. 1/staff
Middle (5-8)	1.2 spaces/classroom; min. 1/staff
High School (9-12)	2.0 spaces/classroom; min. 2/staff
Scrap Metal	1 space/employee
<u>Self-Storage</u>	<u>1 space/8,000 sq. ft. GFA</u>
Shipping/Receiving	1 space/5,000 sq. ft. GFA
Shopping Centers	Same as Retail Sales and Services
Swim Club	1 space/30 sq. ft. water surface
Tavern	1 space/2.5 seats
Tennis Club	2 spaces/court
Theater	1 space/4 seats
Training and Instructional Classes, Dance and Rehearsal Studios	1 space/250 sq. ft. GFA
Veterinary Clinic/Hospital	6 spaces/doctor
Warehousing	1 space/5,000 sq. ft. GFA
Wireless Telecommunications Equipment	1 space minimum

* * *

- D. Minimum Required Off-Street Loading Schedule for Nonresidential Uses. The number of off-street loading spaces required for any nonresidential use shall be determined by reference to Loading Schedule 2 below.

* * *

3. Fractional Spaces. Whenever the application of Loading Schedule 2 standards results in the requirements of a ~~major~~ fraction of a space ~~in excess of one-half (0.5)~~, a full space shall be required.

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SECTION 17. The Appendix for Chapter XL of the Borough Code, Land Use, located at the end of Chapter XL in the Borough Code, shall be amended and supplemented as indicated in the revised Schedules below:

SCHEDULE A - DISTRICT USE REGULATIONS –RESIDENTIAL USES

District	Permitted Principal Use	Permitted Accessory Uses	Permitted Conditional Uses
RA RESIDENTIAL AGRICULTURE	<ol style="list-style-type: none"> 1. Single Family detached dwellings 2. Public Library, parks and playgrounds 3. Borough uses, firehouses and first aid stations 4. Utility services 	<ol style="list-style-type: none"> 1. Fences and walls 2. Patios and decks 3. Barns for keeping of sheet, cattle, pigs and other livestock. 4. One (1) accessory building for household goods and equipment such as a barn, tool shed, storage shed, or garden shed, accessory to a detached single-family dwelling 5. Gazebos, pergolas, greenhouses, atriums, orangeries and other such roofed structures 6. One (1) detached garage and associated driveway provided there is no attached garage. 7. One (1) swimming pool and hot tub with related decking and coping 8. One (1) amateur radio and television transmitting and receiving tower 	<ol style="list-style-type: none"> 1. Agricultural use and farms 2. Cemetery, with or without mausoleum or crematory. 3. Churches and places of worship. 4. Schools

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<p>R-1 SINGLE FAMILY RESIDENTIAL</p>	<ol style="list-style-type: none"> 1. Single family detached dwellings 2. Public Library, parks and playgrounds 3. Borough uses, firehouses and first aid stations 4. Utility Services 	<ol style="list-style-type: none"> 1. Fences and walls 2. Patios and decks 3. One (1) detached garage and associated driveway provided there is no attached garage. 4. One (1) swimming pool and hot tub with related decking and coping. 5. One (1) accessory building for household goods and equipment such as a barn, tool shed, storage shed, or garden shed, accessory to a detached single-family dwelling 6. One (1) amateur radio and television transmitting and receiving tower 	<ol style="list-style-type: none"> 1. Cemetery, with or without mausoleum or crematory. 2. Churches and places of worship. 3. Schools
<p>R-2 SINGLE FAMILY RESIDENTIAL</p>	<p>Any principal use permitted in the R-1 Single Family Residential District</p>	<p>Any accessory use permitted in the R-1 Single Family Residential District</p>	<p>Any conditional use permitted in the R-1 Single Family Residential District</p>
<p>R-3 Residential</p>	<ol style="list-style-type: none"> 1. Single Family detached dwellings 2. Public Library, parks and playgrounds 3. Borough uses, firehouses, and first aid stations 4. Utility services 	<p>Any accessory use permitted in the R-1 Single Family Residential District</p>	<ol style="list-style-type: none"> 1. Townhouses 2. Garden Apartments 3. Churches and places of religious worship 4. Schools
<p>R-4 Residential</p>	<p>Any principal Use permitted in the R-3 Residential District</p>	<p>Any accessory use permitted in the R-1 Single Family Residential District</p>	<p>Any conditional use permitted in the R-3 District</p>

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<p>AR Age Restricted Housing</p>	<p>1. Active adult community of single family detached dwelling units with at least one resident with a minimum age of fifty-five (55)</p>	<p>1. Fences and walls 2. Patio and decks 3. Club house with meeting rooms, social rooms, indoor and outdoor recreation area.</p>	<p>1. Townhouses</p>
<p>CCRC Continuing Care Retirement Community</p>	<p>1. Continuing Care Retirement Community (CCRC) with a minimum age of fifty-five (55). 2. Townhouses 3. Garden Apartment 4. Apartment Buildings. 5. Assisted Living/Skilled Nursing Facilities.</p>	<p>1. Fences and walls 2. Health Center 3. Club house with meeting rooms, social rooms, indoor and outdoor recreation areas 4. Cafeterias and eating areas 5. Lecture halls, libraries, places of worship, post office, banks, news and entertainment centers, and swimming pools. 6. Operation and maintenance facilities related to the principal use such as, administrative office, food and record storage areas, property maintenance facility, radio and satellite dish antennas, non-age restricted day care center for relatives of employees, security operations and off-street parking as surface parking or garages</p>	

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<p>R-3-I, R-4-1 <u>R-4-A</u> Residential</p>	<ol style="list-style-type: none"> 1. Single family detached dwellings 2. Townhouses 3. Public Libraries, parks and playgrounds 4. Borough uses, firehouses and first aid stations 4. Utility Services 	<ol style="list-style-type: none"> 1. Fences and walls 2. Patio and decks 3. Community Clubhouse 4. One (1) detached garage and associated driveway provided there is no attached garage 5. One (1) swimming pool and hot tub with related decking and coping 6. Outdoor recreation facilities such as a putting green, bocce courts, tennis courts, etc. 	<ol style="list-style-type: none"> 1. Any conditional use permitted in the R-3 Residential District
<p>AH Affordable Housing</p>	<ol style="list-style-type: none"> 1. Single family detached dwellings 2. Townhouses 3. Garden Apartments 4. Apartment Buildings 	<ol style="list-style-type: none"> 1. Fences and walls 2. Patio and decks 3. Community Clubhouse 4. One (1) detached garage and associated driveway provided there is no attached garage 5. One (1) swimming pool and hot tub with related decking and coping 6. Outdoor recreation facilities such as a putting green, bocce courts, tennis courts, etc. 	<ol style="list-style-type: none"> 1. Churches and places of worship 2. Schools
<p>CECOM Redevelopment Area</p>	<p>Pursuant to the district use standards of the CECOM Redevelopment Plan</p>		
<p><u>FMRA Fort Monmouth Redevelopment Area</u></p>	<p><u>Pursuant to the standards of the Fort Monmouth Reuse and Redevelopment Plan and the Fort Monmouth Economic Revitalization Authority Land Use Rules (N.J.A.C. 19:31C-3)</u></p>		

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SCHEDULE A - DISTRICT USE REGULATIONS – NONRESIDENTIAL USES

District	Permitted Principal Use	Permitted Accessory Uses	Permitted Conditional Uses
<p>NC Neighborhood Commercial</p>	<ol style="list-style-type: none"> 1. Retail sales (excluding drive-thru service) such as, consumables, apparel, hardware, lawn & patio equipment, appliances, household goods, and confections. 2. Retail services such as, repair of appliances and shoes, cleaners, tailors, barbershops, and beauty salons. 3. Offices such as professional, medical, veterinary and financial services. 4. Restaurants (excluding drive-thru service) and taverns. 5. Fitness centers, training and instructional classes, and instructional centers such as dance and rehearsal studios. 6. Delicatessens and specialty food/drink facilities such as, ice cream, bagels, bakery, pizza, ices, and sodas (excluding drive- thru service). 7. Public Library, parks, and playgrounds. 8. Borough uses, firehouses, and first aid stations. 9. Utility services. 	<ol style="list-style-type: none"> 1. Off-street parking and loading areas. 2. Fences and walls. 	<ol style="list-style-type: none"> 1. Automobile fueling stations. 2. Automobile repair shops. 3. Automobile car wash. 4. Automobile oil change and lubrication shops. 5. Second floor residential units on floors above office or retail uses. 6. Churches and places of religious worship. 7. Schools. 8. Convenience Store with Gas

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	<p>10. Child Care Centers 11. Assisted Living/Skilled Nursing Facilities.</p>		
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District	Permitted Principal Use	Permitted Accessory Uses	Permitted Conditional Uses
HCC Highway/ Community Commercial	<ol style="list-style-type: none"> 1. Retail sales such as, consumables, apparel, hardware, lawn & patio equipment, appliances, household goods, and confections. 2. Retail services such as, repair of appliances and shoes, cleaners, tailors, barbershops, and beauty salons. 3. Delicatessens and specialty food/drink facilities such as, ice cream, bagels, bakery, pizza, ices, and sodas (including drive- thru service). 4. Shopping centers 5. Pharmacies (including drive- thru service) 6. Banks (including drive- thru service) 7. Offices such as professional, medical, veterinary and financial services. 8. Office Parks 9. Research facilities. 10. Hospitals. 11. Mortuary. 12. Theaters, bowling alleys, gymnasiums, weight rooms, fitness centers, training and instructional classes, and instructional centers such as dance and rehearsal studios. 13. Restaurants (including drive- 	<ol style="list-style-type: none"> 1. Off-street parking and loading areas. 2. Fences and walls. 3. Parking garages 	<ol style="list-style-type: none"> 1. Automobile Fueling stations. 2. Automobile Repair shops. 3. Automobile car wash. 4. Automobile oil change and lubrication shops. 5. Car and truck dealers. 6. Hotels 7. Swim clubs, tennis clubs 8. Golf driving range, miniature golf and par-3 golf course 9. Churches and places of religious worship. 10. Schools. 11. Convenience Store with Gas 12. Retail Warehouse 13. Transportation services

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	<p>thru service) and taverns.</p> <ul style="list-style-type: none">14. Assisted Living/Skilled Nursing Facilities.15. Public Library, parks, and playgrounds.16. Borough uses, firehouses, and first aid stations.17. Utility services.18. Child Care Centers.		
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District	Permitted Principal Use	Permitted Accessory Uses	Permitted Conditional Uses
IOP Industrial Office Park	<ol style="list-style-type: none"> 1. Offices such as professional, medical, veterinary, and financial services. 2. Office parks. 3. Research facilities. 4. Hospitals. 5. Veterinary hospitals without outside kennels or runs. 6. Light Industrial facilities such as warehousing, shipping and receiving, fabrication and assembly operations within an enclosed building. 7. Landscaping/ construction contractors and landscaping/ construction contractor storage yards. 8. Theaters, bowling alleys, gymnasiums, weight rooms, fitness centers, training and instructional classes, and instructional centers such as dance and rehearsal studios permitted only as indoor facilities. 9. Flex space buildings of a light industrial type. 10. Retail warehouse. 11. Public Library, parks, and playgrounds. 12. Borough uses, firehouses, and first aid stations. 13. Utility services. 14. Childcare Centers 	<ol style="list-style-type: none"> 1. Off-street parking and loading areas. 2. Supply and equipment storage within accessory structures 3. Cafeterias and eating areas accessory to permitted use facilities. 4. Fences and walls. 5. Parking garages 6. Wireless telecommunications equipment wholly installed within existing structures and utilizing fully screened antennas installed on top of or exterior to existing structures. 	<ol style="list-style-type: none"> 1. Hotels 2. Swim clubs and tennis clubs 3. Golf driving range, miniature golf and par-3 golf course. 4. Wireless telecommunications equipment utilizing new monopoles subject to the conditional use standards of the Wireless telecommunications equipment chapter. 5. Churches and places of religious worship. 6. Schools. 7. Convenience Store with Gas 8. Cannabis facilities

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	<p>15. Recreation and Sports Fields.</p> <p>16. Assisted Living/Skilled Nursing Facilities.</p> <p>17. <u>Retail sales such as, consumables, apparel, hardware, lawn & patio equipment, appliances, household goods, and confections.</u></p> <p>18. <u>Retail services such as, repair of appliances and shoes, cleaners, tailors, barbershops, and beauty salons.</u></p> <p>19. <u>Delicatessens and specialty food/drink facilities such as ice cream, bagels, bakery, pizza, ices, and sodas (including drive-thru service)</u></p> <p>20. <u>Restaurants (including drive-thru service) and taverns.</u></p> <p>21. <u>Self-Storage facilities</u></p>		
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District	Permitted Principal Use	Permitted Accessory Uses	Permitted Conditional Uses
MFG Manufacturing	<ol style="list-style-type: none"> 1. Offices such as professional, medical, veterinary and financial services. 2. Research facilities. 3. Light Industrial facilities such as warehousing, shipping and receiving, fabrication and assembly operations within an enclosed building. 4. Landscaping/ construction contractors and landscaping/ construction contractor storage yards 5. Hospitals. 6. Veterinary hospitals without outside kennels 7. Manufacturing within an enclosed building. 8. Flex space buildings of a light industrial type. 9. Public Library, parks, and playgrounds. 10. Borough uses, firehouses, and first aid stations. 11. Utility services. 12. Child Care Centers 13. Assisted Living/Skilled Nursing Facilities. 	<ol style="list-style-type: none"> 1. Off-street parking and loading areas. 2. Supply and equipment storage within accessory structures 3. Cafeterias and eating areas accessory to permitted use facilities. 4. Fences and walls. 5. Wireless telecommunications equipment wholly installed within existing structures and utilizing fully screened antennas installed on top of or exterior to existing structures 	<ol style="list-style-type: none"> 1. Commercial radio towers. 2. Wireless telecommunications equipment utilizing new monopoles subject to the conditional use standards of the Wireless telecommunications equipment chapter. 3. Churches and places of religious worship. 4. Schools. 5. Single stream recycling facilities 6. Convenience Store with Gas 7. Cannabis facilities

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District	Permitted Principal Use	Permitted Accessory Uses	Permitted Conditional Uses
MFG 2 Manufacturing 2	<ol style="list-style-type: none"> 1. Offices such as professional, medical, veterinary and financial services. 2. Research facilities. 3. Light Industrial facilities such as warehousing, shipping and receiving, fabrication and assembly operations within an enclosed building. 4. Landscaping/ construction contractors and landscaping/ construction contractor storage yards 5. Manufacturing within an enclosed building. 6. Concrete Manufacturing Plants 7. Asphalt Manufacturing Plants 8. Waste Transfer Stations 9. Flex space buildings of a light industrial type. 10. Public Library, parks, and playgrounds. 11. Borough uses, firehouses, and first aid stations. 12. Utility services. 13. Child Care Centers 14. Assisted Living/Skilled Nursing Facilities. 	<ol style="list-style-type: none"> 1. Off-street parking and loading areas. 2. Supply and equipment storage within accessory structures 3. Cafeterias and eating areas accessory to permitted use facilities. 4. Fences and walls. 	<ol style="list-style-type: none"> 1. Commercial radio towers. 2. Wireless telecommunications equipment utilizing new monopoles subject to the conditional use standards of the Wireless telecommunications equipment chapter. 3. Resource Recycling Facilities. 4. Churches and places of religious worship. 5. Schools. 6. Convenience Store with Gas 7. Cannabis facilities

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<p>RET - Large Scale Planned Retail Overlay Zone (Requires certain requirements be met prior to application per 40-36 J)</p>	<ol style="list-style-type: none"> 1. Regional Shopping Center 2. Public Library, parks, and playgrounds. 3. Borough uses, firehouses, and first aid stations. 4. Utility services. 5. Child Care Centers 	<ol style="list-style-type: none"> 1. Off-street parking and loading areas. 2. Fences and walls. 3. Parking garages 	<ol style="list-style-type: none"> 1. Churches and places of religious worship. 2. Schools. 3. Convenience Store with Gas
<p>OS/GU Open Space/Government Use</p>	<ol style="list-style-type: none"> 1. Open space. 2. Borough and Government uses. 		<ol style="list-style-type: none"> 1. Churches and places of religious worship. 2. Schools. 3. Convenience Store with Gas
<p>Route 66 Redevelopment Area</p>	<p>Pursuant to the district use standards of the Route 66 Redevelopment Plan</p>		
<p><u>FMRA Fort Monmouth Redevelopment Area</u></p>	<p><u>Pursuant to the standards of the Fort Monmouth Reuse and Redevelopment Plan and the Fort Monmouth Economic Revitalization Authority Land Use Rules (N.J.A.C. 19:31C-3)</u></p>		

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SCHEDULE B – DISTRICT BULK REGULATIONS – RESIDENTIAL USES

District	Minimum Lot Requirements			Minimum Yard Requirements						Maximum Building Height		Maximum Floor Area	Maximum Density – Dwelling Units Per Acre
	Lot Area (sf)	Width (ft)	Depth (ft)	Front (ft)	Side		Rear (ft)	Maximum Coverage (%)		Height in Stories	Height in Feet		
					Each (ft)	Both (ft)		Lot	Bldg.				
RA RESIDENTIAL AGRICULTURE													
DETACHED SINGLE FAMILY RESIDENTIAL	80,000	150	250	40	25	-	40	15	5	2.5	30	-	0.5
R-1 SINGLE FAMILY RESIDENTIAL													
DETACHED SINGLE FAMILY RESIDENTIAL (STANDARD SUBDIVISION)	60,000 (W/SEPTIC) & 40,000 (SEWER AND WATER SERVICE REQUIRED)	200	200	40	25	-	40	28	8	2.5	30	-	1
DETACHED SINGLE FAMILY RESIDENTIAL (LOT SIZE AVERAGE/CLUSTER)	60,000 (W/SEPTIC) & 30,000 (SEWER AND WATER)	200	150	40	25	-	40	28/37	10	2.5	30	-	1.2

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	SERVICE REQUIRED)												
R2 SINGLE FAMILY RESIDENTIAL													
DETACHED SINGLE FAMILY RESIDENTIAL (STANDARD SUBDIVISION)	60,000 (W/SEPTIC) & 30,000 (SEWER AND WATER SERVICE REQUIRED)	200	150	40	25	-	40	28	10	2.5	30	-	1.5
DETACHED SINGLE FAMILY RESIDENTIAL (LOT AVERAGING/CLUSTER) – PERMITTED ONLY WHEN BOTH A SANITARY SEWER AND A CENTRAL SOURCE OF POTABLE WATER ARE PROVIDED	20,000 (SEWER & WATER SERVICE REQUIRED)	100	200	40	25	-	40	28/37	12	2.5	30	-	1.5
R-3 RESIDENTIAL													
DETACHED SINGLE FAMILY DWELLINGS	11,500 ^{1,2}	90	125	35	10	35	25	38	25	2.5	30	-	3.2
R-4 RESIDENTIAL SINGLE FAMILY DWELLINGS													
DETACHED SINGLE FAMILY DWELLINGS	8,000 ^{1,2}	80	100	25	10	35	25	38	25	2.5	30	-	6.4
AR AGE RESTRICTED HOUSING	Note: Master Plan recommends that zoning should reflect current approvals of Lennar Project and Twin Brook Golf Club												

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DETACHED SINGLE FAMILY RESIDENTIAL		8,000 ^{1,2}	80	100	35	-	35	25	35	20	2.5	30	-	2.5
CCRC CONTINUING CARE		Note: See Section 40-36E for additional requirements												
CCRC		100 acres (entire tract)	-	-	-	-	-	-	50	-	7	85	.60	-
		25 acres (each phase)												
APARTMENTS		10 ACRES	250	250	15	15	30	15	70	-	4	50	8.5	
AH AFFORDABLE HOUSING (INCLUDING AGE RESTRICTED)														
APARTMENTS/ TOWNHOUSES	TRACT	30 ACRES	-	-	50	50	-	50	70	35	3	45	-	8.5
	INDIVIDUAL BUILDNGS	-	-	-	25	-	30	30	-	-	3	45	-	-
R-3-1 <u>R-3-1</u> RESIDENTIAL INCLUSIONARY		Note: Subject to COAH Mediation and Tinton Falls Third Round Affordable Housing and Fair Share Plan												
<u>R4A R-4-A</u>														
DETACHED SINGLE FAMILY DWELLINGS		8000	80	100	45	10	35	25	35	20	2.5	30	-	6.4
TOWNHOUSES		2,000 6,000 PER UNIT	20 60	100	45	0 interior, 20 exterior	- 40	35	50	40	2.5	35	-	6.5

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APARTMENTS	2 ACRE & 4,000/UNIT	280	200	60	75	150	75	25	35	2.5	35	-	10
AARZ ACTIVE ADULT REDEVELOPMENT	Pursuant to the district bulk standards of the Route 66 Redevelopment Plan												
<u>CECOM REDEVELOPMENT AREA</u>	<u>Pursuant to the district bulk standards of the CECOM Redevelopment Plan</u>												
<u>FMRA FORT MONMOUTH REDEVELOPMENT AREA</u>	<u>Pursuant to the standards of the Fort Monmouth Reuse and Redevelopment Plan and the Fort Monmouth Economic Revitalization Authority Land Use Rules (N.J.A.C. 19:31C-3)</u>												

¹ Regardless of zone or district, if central water and sewer service are not available, the minimum lot size shall be 60,000 square feet.

² Existing developed single-family lots and isolated undersized lots shall be grandfathered as conforming lots as to lot size after the effective date of this ordinance July 2008. No new lots shall be created by subdivision except by the lot size standards enumerated in the chart above.

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SCHEDULE B – DISTRICT BULK REGULATIONS – NON-RESIDENTIAL USES

District	Minimum Lot Requirements			Minimum Yard Requirements						Maximum Building Height		Maximum Floor Area	Maximum Density – Dwelling Units Per Acre
	Lot Area (sf)	Width (ft)	Depth (ft)	Front (ft)	Side		Rear (ft)	Maximum Coverage (%)		Height in Stories	Height in Feet		
					Each (ft)	Both (ft)		Lot	Bldg.				
NC NEIGHBORHOOD COMMERCIAL													
All principal permitted uses	20,000	100	200	25	10	-	40	65	-	-	35	0.30	-
HCC HIGHWAY COMMUNITY COMMERCIAL													
Retail Sales, Retail Services, Specialty Food, Offices	20,000	100	120	50	10	-	40	65	-	-	35	0.30	-
Shopping Centers	5 acres (max. 15 acres)	300	300	80	80	-	80	65	-	-	35	0.20	-
Pharmacies, Banks, Restaurants	1 acre	100	120	25	10	-	40	65	-	-	35	0.30	-

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Office Parks, Research Facilities	3 acres	200	300	80	60	-	60	60	-	-	70	0.33	-
Hospitals, mortuary	4 acres	150	250	80	50	-	80	40	-	-	35	0.20	-
Theaters, bowling alleys, gymnasiums, weight rooms, fitness centers, training and instructional uses	2 acres	200	200	80	60		60	60	-	-	35	0.20	
Public Uses, Borough uses, Utility	-	-	-	-	-	-	-	-	-	-	-	-	-
Childcare Centers	12,000	100	120	25	10	-	40	65	-	-	35	0.30	-
All Other Uses	20,000	100	120	50	10	-	40	65	-	-	35	0.30	-
IOP INDUSTRIAL OFFICE PARK													
Offices	20,000	100	120	50	10	-	40	65	-	-	35	0.30	-
Office Parks, Research Facilities	3 acres	200	300	80	50	-	60	60	-	-	70	0.33	-
Hospitals, Veterinary Hospitals	4 acres	250	250	80	50	-	80	40	-	-	35	0.20	-
Landscaping / Construction Contractors and Landscaping/Construction Yards	2 acres	225	225	70 but not less than 3x bldg ht.	30 but not less than 2x bldg ht.	-	30 but not less than 2x bldg ht.	40	-	-	35	0.20	-
Light Industrial Facilities, Flex Space Buildings	2 acres	225	225	70 but not less than 3x bldg ht.	30 but not less than 2x bldg ht.	-	30 but not less than 2x bldg ht.	60	-	-	40	0.30	-
Theaters, bowling alleys, gymnasiums, weight rooms, fitness centers, training and instructional uses	2 acres	225	225	80	60	-	60	60	-	-	35	0.20	-
Child Care Centers	20,000	100	200	25	10	-	40	65	-	-	35	0.30	-

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All Other Uses	20,000	100	200	50	10	-	40	65	-	-	35	0.30	
MFG MANUFACTURING													
Offices	20,000	100	120	50	10	-	40	65	-	-	35	0.30	-
Research Facilities	3 acres	200	300	80	50	-	60	60	-	-	70	0.33	-
Landscaping/Construction Contractors and Landscaping/Construction Yards	2 acres	225	225	70 but not less than 3x bldg ht.	30 but not less than 2x bldg ht	30 but not less than 2x bldg ht	<u>40</u> <u>30 but not less than 2x bldg ht</u>	-	-	35 :	0.20 <u>35</u>	- <u>0.20</u>	-
Light Industrial Facilities, Flex Space buildings	2 acres	225	225	70 but not less than 3x bldg ht.	30 but not less than 2x bldg ht	30 but not less than 2x bldg ht	<u>60</u> <u>30 but not less than 2x bldg ht</u>	-	-	40 :	0.30 <u>40</u>	- <u>0.30</u>	-
Hospitals, Veterinary Hospital	4 acres	150	250	80	50	-	80	40	-	-	35	0.20	-
Manufacturing only within an enclosed building	2 acres	250	250	75 but not less than 3x bldg ht.	30 but not less than 2x bldg ht	-	30 but not less than 2x bldg ht	60	-	-	40	0.20	
Public Uses, Borough uses, Utilities	-	-	-	-	-	-	-	-	-	-	-	-	-
Childcare Centers	12,000	100	120	25	10	-	40	65	-	-	35	0.30	-
All Other Uses	20,000	100	120	50	10	-	40	65	-	-	35	0.30	-
MFG 2 MANUFACTURING 2													
Offices	20,000	100	120	50	10	-	40	65	-	-	35	0.30	-

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Research Facilities	3 acres	200	300	80	50	-	60	60	-	-	70	0.33	-
Landscaping/Construction Contractors and Landscaping/Construction Yards	2 acres	225	225	70 but not less than 3x bldg ht.	30 but not less than 2x bldg ht	30 but not less than 2x bldg ht	40 30 but not less than 2x bldg ht	-	-	35	0.20 35	-	0.20
Light Industrial Facilities, Flex Space buildings	2 acres	225	225	70 but not less than 3x bldg ht.	30 but not less than 2x bldg ht	30 but not less than 2x bldg ht	60 30 but not less than 2x bldg ht	-	-	40	0.30 40	-	0.30
Manufacturing only within an enclosed building	2 acres	250	250	75 but not less than 3x bldg ht.	30 but not less than 2x bldg ht	-	30 but not less than 2x bldg ht	60	-	-	40	0.20	-
Concrete Manufacturing Plants, Asphalt Manufacturing Plants and Waste Transfer Stations	10 acres	300	300	100	100	200	100	65	-	-	80 for silos/40 all other	0.20	-
Public Uses, Borough uses, Utilities	-	-	-	-	-	-	-	-	-	-	-	-	-
Childcare Centers	12,000	100	120	25	10	-	40	65	-	-	35	0.30	-
All Other Uses	20,000	100	120	50	10	-	40	65	-	-	35	0.30	-
RET LARGE SCALE PLANNED RETAIL OVERLAY													
Regional Shopping Center	25 acres	300	300	80	80	-	80	65	-	2	45	0.40	-
Public Uses, Borough uses, Utilities	-	-	-	-	-	-	-	-	-	-	-	-	-
Childcare Centers	12,000	100	120	25	10	-	40	65	-	-	35	0.30	-

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All Other Uses	20,000	100	120	50	10	-	40	65	-	-	35	0.30	-
OS/GU OPEN SPACE/GOVERNMENT USE													
Public Uses, Borough uses, Utilities	-	-	-	-	-	-	-	-	-	-	-	-	-
ROUTE 66 REDEVELOPMENT AREA	Pursuant to the district bulk standards of the Route 66 Redevelopment Plan												
<u>FMRA FORT MONMOUTH REDEVELOPMENT AREA</u>	<u>Pursuant to the standards of the Fort Monmouth Reuse and Redevelopment Plan and the Fort Monmouth Economic Revitalization Authority Land Use Rules (N.J.A.C. 19:31C-3)</u>												

**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

**Schedule D E
BOROUGH OF TINTON FALLS
LAND DEVELOPMENT APPLICATION CHECKLIST**

Name of Application _____

Application No. _____

Block _____ Lot _____

Date Filed _____

An application shall not be considered complete until all the materials and information specified below have been submitted, unless upon receipt of a written waiver request from the applicant, a specified requirement is waived by the municipal agency. The waiver request shall be granted or denied within 45 days of receipt of said request. In an item is considered by the applicant to be "Not Applicable", a waiver request should be made.

Item Number	Minor		Major				Variance 40:55D-70			Item Description	Applicant Mark	Status	Borough Mark	Comments	
	GDP	Subdivision	Site Plan	Prelim		Final		(a) & (b)	(c)						(d)
				Subdivision	Site Plan	Subdivision	Site Plan								
1	●	●	●	●	●	●	●	●	●	●	Calculation of the application fee and the review escrow	Complies Waiver			
2	●	●	●	●	●	●	●	●	●	●	Individual checks made out to Tinton Falls Borough in the amount calculated for the application fee and the review escrow.	Complies Waiver			
3	●	●	●	●	●	●	●	●	●	●	A completed Checklist (latest revision) with written explanations for all requested completeness waivers.	Complies Waiver			
4	●	●	●	●	●	●	●	●	●	●	Completed Tinton Falls Borough application forms.	Complies Waiver			
5	●	●	●	●	●	●	●	●	●	●	Completed Escrow Agreement signed by owner and applicant.	Complies Waiver			
6	●	●	●	●	●	●	●	●	●	●	Ownership Disclosure Affidavit	Complies Waiver			
7	●	●	●	●	●	●	●	●	●	●	Contribution statement pursuant to Borough ordinance NO. 05-1153	Complies Waiver			
8	●	●	●	●	●	●	●	●	●	●	Tax Collector Certification from the Tinton Falls Borough Tax Collector that all taxes and assessments on the property are paid in full.	Complies Waiver			
9	●	●	●	●	●	●	●	●	●	●	Certified list of property owners within 200' of the property as prepared by the Tinton Falls Borough Tax Assessor.	Complies Waiver			
10	●	●	●	●	●	●	●	●	●	●	Completed Monmouth County Planning Board application. Copy of a check made payable to "Monmouth County".	Complies Waiver			
11	●	●	●	●	●	●	●	●	●	●	Completed Freehold Soil Conservation District (FSCD) application. Copy of a check made payable to "FSCD".	Complies Waiver			
12	●	●	●	●	●	●	●	●	●	●	Completed Monmouth County Freehold Area Health Department application.	Complies			

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Item Number	GDP	Minor		Major				Variance 40:55D-70			Item Description	Applicant Mark	Status	Borough Mark	Comments					
		Subdivision	Site Plan	Prelim		Final		(a) & (b)	(c)	(d)										
				Subdivision	Site Plan	Subdivision	Site Plan													
																	Copy of a check made payable to "Monmouth County Freehold Township ".		Waiver	
13	●	●	●	●	●	●	●	●	●	●	●						Copies of all easements, covenants and deed restrictions including metes and bounds descriptions, on or affecting the property in question.		Complies	
																			Waiver	
14	●	●	●	●	●	●	●	●	●	●	●						Twenty (20) Fifteen (15) copies of a current Property Survey not more than three years old prepared by a New Jersey Licensed Land Surveyor. (5 4 copies full size, 15 11 copies half size)		Complies	
																			Waiver	
15	●	●	●	●	●	●	●	●	●	●	●						Twenty (20) Four (4) full size black or blue line prints prepared by a New Jersey Licensed Engineer or a Licensed Land Surveyor. Each sheet must be signed and sealed by the appropriate professional. Eleven (11) more half size copies to be submitted upon determination of completeness. (5 copies full size, 15 copies half size)		Complies	
																			Waiver	
16	●	●	●	●	●	●	●	●	●	●	●						An electronic PDF copy of the full application package, including application, letters, reports, plans, etc. plan set, including surveys or architectural plans.		Complies	
																			Waiver	
17		●	●	●	●	●	●	●	●	●	●						Public utility "will serve" letters.		Complies	
																			Waiver	
18	●			●	●	●	●	●	●	●	●						Fifteen (15) copies of a Traffic Impact Assessment.		Complies	
																			Waiver	
19	●			●	●	●	●	●	●	●	●						Fifteen (15) copies of an Environmental Impact Assessment.		Complies	
																			Waiver	
20		●		●	●												Two (2) copies of the Stormwater Management Report in accordance with NJAC 7:8, including pre- and post-development calculations and drainage area maps. Eleven (11) more copies to be submitted upon determination of completeness.		Complies	
																			Waiver	
21		●	●	●		●											Certification from the Tinton Falls Borough Tax Assessor approving the block and lot designations.		Complies	
																			Waiver	
22				●													Certification from the Borough of Tinton Falls approving the road names and subdivision name.		Complies	
																			Waiver	
23			●		●						●						An affirmative statement in writing indication how all applicable conditional use standards are met.		Complies	
																			Waiver	
24				●													A conceptual development plan of the property in accordance with the "conventional lot" requirements of the Borough Land Use Ordinance (yield plan)		Complies	
																			Waiver	

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Item Number	GDP	Minor		Major				Variance 40:55D-70			Item Description	Applicant Mark	Status	Borough Mark	Comments
		Subdivision	Site Plan	Prelim		Final		(a) & (b)	(c)	(d)					
				Subdivision	Site Plan	Subdivision	Site Plan								
25						●	●				An engineer's estimate of all the improvements identified on the approved preliminary plan, which remain to be completed at the time of final plat.	Complies			
												Waiver			
26						●	●				An engineer's estimate of all the improvements identified on the approved preliminary plan, whether completed or remaining to be completed.	Complies			
												Waiver			
27						●	●				Deed descriptions including metes and bounds for all easements, buggers and right of way dedications, as identified on the approved preliminary plan.	Complies			
28	A site plan/use variance application for any manufacturing or industrial use shall be accompanied by the following:														
a			●		●						A description of any proposed machinery operation, products, by-products and processes to be contained on the site, including a description of raw materials from which products are to be manufactured.	Complies			
												Waiver			
b			●		●						A statement containing estimates of daily water consumption, volume and nature of sewage, waste and water to be disposed of, descriptions of water supply and sewage treatment facilities.	Complies			
												Waiver			
c					●						A statement on the anticipated number of shifts and number of employees per shift.	Complies			
												Waiver			
29										●	As-built drawing depicting all the proposed site improvements approved during the preliminary site plan application and any deviations noted in the actual constructed improvements.	Complies			
												Waiver			
30								●	●	●	Photograph(s) of the subject premises that may prove useful in helping the Board make a more informed decision on the application.	Complies			
												Waiver			

Plans shall show or include the following:

31	●	●	●	●	●	●	●	●	●	●	Map scale not less than 1 inch = 100 feet showing the entire tract on one sheet not exceeding 24" x 36".	Complies			
												Waiver			
32	●	●	●	●	●	●	●	●	●	●	A Key Map showing the entire site, the surrounding area (at least 1,000 feet from the property) and any and all zone district boundary lines in the surrounding area.	Complies			
												Waiver			
33	●	●	●	●	●	●	●	●	●	●	Site or Subdivision name.	Complies			
												Waiver			
34												Complies			

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Item Number	Minor			Major				Variance 40:55D-70			Item Description	Applicant Mark	Status	Borough Mark	Comments
	GDP	Subdivision	Site Plan	Prelim		Final		(a) & (b)	(c)	(d)					
				Subdivision	Site Plan	Subdivision	Site Plan								
	●	●	●	●	●	●	●	●	●	●	Scale and references meridian. The reference source (i.e. deed, filed map, etc.) of the meridian shall be identified.		Waiver		
35	●	●	●	●	●	●	●	●	●	●	Name, address, and phone number of the professional responsible for preparing the plans.		Complies		
													Waiver		
36	●	●	●	●	●	●	●	●	●	●	Name address, and phone number of the Owner of the property, including a notarized signature block for the Owner.		Complies		
													Waiver		
37	●	●	●	●	●	●	●	●	●	●	Name, address, and phone number of the Applicant, including a notarized signature block for the Applicant.		Complies		
													Waiver		
38	●	●	●	●	●	●	●	●	●	●	Date of the plans and revision block identifying any and all revisions.		Complies		
													Waiver		
39	●	●	●	●	●	●	●	●	●	●	Approval signature block for Board Chairman, Secretary and Borough Engineer.		Complies		
													Waiver		
40	●	●	●	●	●	●	●	●	●	●	The name and address of the owner and the block and lot designation of any and all property located within 200 feet of the tract.		Complies		
													Waiver		
41	●	●	●	●	●	●	●	●	●	●	The tax map sheet. The block and lot numbers of the subject property and any and all properties within 200 feet of the tract.		Complies		
													Waiver		
42	●	●	●	●	●	●	●	●	●	●	All existing streets, roads, watercourses and water bodies on the property and within 500 feet of the property.		Complies		
													Waiver		
43	●	●	●	●	●	●	●	●	●	●	Lot line dimensions, including metes and bounds. Original boundary survey used to prepare the plan should be provided with the application.		Complies		
													Waiver		
44	●	●	●	●	●	●	●	●	●	●	Location and use of all existing structures on the property, and within 100 feet of the tract. Property lines of adjacent properties shall be shown.		Complies		
													Waiver		
45	●	●	●	●	●	●	●	●	●	●	Location of all proposed streets, property lines, lot lines and areas. All lot areas to be shown in acres and square feet. The area within the maximum depth of measurement should be identified if different from entire area.		Complies		
													Waiver		
46	●	●	●	●	●	●	●	●	●	●	Dimensional ties from existing structures to property lines. Ties from proposed structures to property lines for site plans. A minimum of two ties per structure.		Complies		
													Waiver		
47	●	●	●	●	●	●	●	●	●	●	Building envelope of each proposed lot as defined by the minimum yard setbacks required by the zoning ordinance.		Complies		
													Waiver		
48	●	●	●	●	●	●	●	●	●	●			Complies		

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Item Number	Minor		Major				Variance 40:55D-70			Item Description	Applicant Mark	Status	Borough Mark	Comments			
	GDP	Subdivision	Site Plan	Prelim		Final		(a) & (b)	(c)						(d)		
				Subdivision	Site Plan	Subdivision	Site Plan										
														Schedule of applicable zoning regulations.		Waiver	
49	●	●	●	●	●	●	●	●	●	●	●			Existing wells and septic system on the property and within 100 feet of the property.		Complies	
																Waiver	
50	●	●	●	●	●	●	●	●	●	●	●			Location of any critical environmental areas, wooded areas, stone rows, tree rows, rights of way, structures, isolated trees > 4" diameter and stream corridors on the property and within 500 feet of the property.		Complies	
																Waiver	
51	●	●	●	●	●	●	●	●	●	●	●			Show all easements and dedications, including metes and bounds and purpose, on the plan.		Complies	
																Waiver	
52		●	●	●	●	●	●	●	●	●	●			Existing contours at a maximum of 2 foot intervals within the tract and within 200 feet of the tract.		Complies	
																Waiver	
53		●	●	●	●	●	●	●	●	●	●			Proposed contours at 1 foot intervals within the tract.		Complies	
																Waiver	
54		●		●	●						●	●		Plans, profiles, and cross sections of all streets, common driveways or private roads, provide a request for inspection by the Borough Engineer.		Complies	
																Waiver	
55		●	●	●	●						●			Plans and profiles of utility layouts (i.e. sanitary sewers, storm sewers, water mains, gas and electric)		Complies	
																Waiver	
56		●		●	●						●			A Soil Erosion and Sediment Control Plan in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.		Complies	
																Waiver	
57			●	●	●	●	●				●			Location, specifications and lighting for all outdoor storage.		Complies	
																Waiver	
58		●		●	●									A minimum of two (2) soil logs, together with the permeability test results for each proposed lot or use if on-site sewerage disposal systems or stormwater management facilities are proposed.		Complies	
																Waiver	
59	●			●	●	●	●							Residential cluster details including amount (SF and acres) and location of common open space to be provided, location and description of the organization to be established for the ownership and maintenance of any common space.		Complies	
																Waiver	
60				●	●									Details for the construction of any on-site improvements (i.e. curb, pavement, fences, sidewalk, lighting, etc.)		Complies	
																Waiver	
61				●	●		●							A Landscaping Plan		Complies	
																Waiver	
62				●	●		●							A Lighting Plan		Complies	
																Waiver	
63																Complies	

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Item Number	GDP	Minor		Major				Variance 40:55D-70			Item Description	Applicant Mark	Status	Borough Mark	Comments
		Subdivision	Site Plan	Prelim		Final		(a) & (b)	(c)	(d)					
				Subdivision	Site Plan	Subdivision	Site Plan								
	●		●	●	●	●	●				Specific location and design of traffic control devices, signs, and signals.		Waiver		
64	●		●	●	●	●	●				Specific location and design of site identification signs.		Complies		
			●		●				●	●	Location and dimensions of all off-street loading areas.		Complies		
			●		●						Location and treatment of proposed entrances and gates to public rights of way, including use of signals, channelization and all other traffic alterations.		Waiver		
66	●				●		●				Use of existing and proposed buildings by floor area. Floor area and ground area of existing and proposed buildings in square feet.		Complies		
			●		●					●	Parking requirement calculations and the location of the parking area. The actual spaces should be designated for existing parking areas. Show dimensions from parking spaces to the property lines, street and structures.		Waiver		
68			●		●		●				Elevations at the corners of all proposed buildings, paved areas and property corners, if new buildings or paved areas are proposed.		Complies		
			●		●						Location of any solid waste and recyclable storage facilities.		Waiver		
69			●		●						Location of any solid waste and recyclable storage facilities.		Complies		
			●		●					●	Preliminary architectural plans for proposed buildings or structures, including floor plans and elevations.		Waiver		
70	●		●		●						All certifications and signature lines in accordance with the Map Filing Law.		Complies		
			●		●						Location and description of all monuments, whether found or to be set in accordance with the Map Filing Law.		Waiver		
71	●		●		●						The tract boundary lines, right of way lines and easement areas shall be defined with accurate dimensions including bearing and distances, curve data including central angle, radius, arc and accurate dimensions to the actual street intersections.		Complies		
			●		●						A certification from the applicant's engineer stating that the final plat conforms to the preliminary plat as submitted and approved.		Waiver		
72	●				●						The entire tract on one sheet at the same scale as the Tax Map sheet it appears on.		Complies		
			●		●						A Tree Preservation and Removal Plan		Complies		
73	●				●								Waiver		
74	●				●								Complies		
75	●				●								Complies		
76	●				●								Complies		
77	●				●								Complies		

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Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
	Subdivision	Site Plan	Prelim	Final	40:55D-70							
			Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)					
										Waiver		

Revised 9/5/2024

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Application Incomplete pending the Board's determination regarding the following written waiver requests:

By: _____

Date: _____

Application Incomplete with the following information to be submitted or written waiver requests provided:

By: _____

Date: _____

**REGULAR MEETING
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Schedule F G – Borough of Tinton Falls Land Use Fee Schedule

APPLICATION TYPE	ADMINISTRATIVE FEE	ESCROW/PROFESSIONAL FEE
Informal Hearing/Concept Plan Review		
Minor Subdivision	\$250	\$750
All Others	\$250	\$1,500
Appeals & Interpretations	\$300 plus any other costs incurred by Board during review process	\$1,500
Certificate of Non-Conforming Use		
From the Administrative Officer	\$50	N.F.
From the Zoning Board of Adjustment	\$250	\$350 \$450 per review required by the Borough agency of legal, engineering, planning, etc.
Capital Review	\$150	\$350 \$450 per review required by the Borough agency of legal, engineering, planning, etc.
Architectural Review		
Residential	\$150	\$350 \$450 per review required by the Borough agency of legal, engineering, planning, etc.
Non-residential	\$300	
Subdivision		
Minor	\$500	\$3,500 \$5,000
Preliminary	\$500 \$1,000 + \$50 per lot	\$4,000 \$5,000 + \$115 per lot
Final	\$250 \$500 + \$50 per lot	\$2,500 + \$75 per lot
Site Plan		
Minor	\$500	\$3,500 \$5,000
Residential Preliminary	\$500 \$1,000 + \$50 per dwelling unit	\$1,000 per acre of disturbance (Minimum \$5,000 \$10,000)
Final	50% of Preliminary Fee	N.F.
Non-residential Preliminary	\$1,000 \$1,500 + \$50 per acre of disturbance + \$0.05 per SF of proposed building area	\$100 per 1,000 SF of disturbance (Minimum \$5,000 \$10,000)
Final	50% of Preliminary Fee	N.F.
Conditional Use	\$300 plus fees as designated under site plan	\$2,000
Waiver (Submittal Requirement or Design Waiver)	N.F.	\$500

**REGULAR MEETING
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Bulk "C" Variance	\$300 for 1 + \$50 for each additional variance	\$750 for single-family residential \$1,000 for all other residential & non-residential
Use "D" Variance		
Single Family	\$300	\$1,500 <u>\$3,000</u>
All other Residential & Non-residential	\$600 plus fees as designated under Site Plan	\$4,500 <u>\$6,000</u>
General Development Plan		
Initial Submission	\$500	\$100 per 1,000 SF of disturbance (Minimum \$5,000)
Administrative Change Determined to be Minor by Borough Engineer	\$150	\$350 <u>\$450</u>
Plan Amendment	\$250	\$100 per 1,000 SF of disturbance (Minimum \$5,000)
Timing Schedule Amendment	\$250	\$350 <u>\$450</u> per review required by the Borough agency of legal, engineering, planning, etc.
Amendment of Approvals		
Administrative change, determined by Borough Engineer to be minor	\$150 <u>\$500</u>	\$750 <u>N. F.</u>
Amendment of preliminary or final plat or site plan previously approved, determined to be minor by Borough Engineer or Agency	\$250	\$750 <u>\$1,500</u> per review required by the Borough agency of legal, engineering, planning, etc.
Amendment of preliminary or final plat or site plan previously approved, determined to be substantial by Borough Engineer or Agency	Full fees as required by this section	75% of the full fees as required by this section
Application for extension of time of site plan or subdivision approval pursuant to MLUL	\$500 plus any other costs incurred by the Board during review process	\$350 <u>\$450</u> per review required by the Borough agency of legal, engineering, planning, etc. \$750 <u>\$1,500</u>

**REGULAR MEETING
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Application for signs requiring Board approval	\$150 plus any other costs incurred by the Board during review process	
Tax Map Revision Fee		N.F.
Single Family Lots	1-2 lots \$200	Note: Tax Map Revision Fee to be submitted as a separate check.
	3-10 lots \$500	
	11-25 lots \$1,000	
	26-100 lots \$2,000	
	101 lots plus \$2,500	
Condominiums and/or Singly Family New Sheet (Up to 200 Units)	\$2,500 per sheet	
Condominiums only New Sheet (Over 200 Units)	\$3,500 per sheet	
Commercial Revision to Existing Sheet	\$250	
New Tax Map Sheet	\$1,500	
G.I.S. Fees		
Zoning Board Variance, non-development application	\$13 per variance	N.F.
Planning or Zoning Board, development application	\$56 per application plus \$13 per variance	N.F.
Publication Fee		
Single Family	\$20 per decision rendered	N. F.
All other Residential & Non-residential	\$30 per decision rendered	N. F.
Certified List of Property Owners	\$10 or \$0.25 per name, whichever is greater	N. F.
Special Meetings	\$1,750 per special meeting	N. F.
Tree Removal	\$150 (no fee with subdivision or site plan approval) Per §17-8	N. F.
Fire Prevention (Site Plan or Major Subdivision)	\$100	N. F.
Zoning Permit		
Residential New Home	\$250 <u>\$350</u>	N. F.
Grading New Home	\$175 <u>\$250</u>	N. F.
Revised Grading New Home	\$100 <u>\$200</u>	N. F.

**REGULAR MEETING
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Residential Property Addition	\$75	N. F.
Non-residential New Building Use	\$350	N. F.
Site Plan	\$500	N. F.
Non-residential Minor Addition	\$100	N. F.
<u>Improvements</u>		
Above-ground Pool	\$100	N. F.
In-ground Pool	\$175	N. F.
Commercial Use	\$100	N. F.
Sign (commercial)	\$50 per sign \$150	N. F.
<u>Single Family</u> Residential Tree Removal	\$5 \$25	N. F.
<u>Special Event</u>	\$25	<u>N. F.</u>
<u>All Other</u>	\$75	<u>N. F.</u>

SECTION 18. Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 19. Severability.

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

SECTION 20. Effective Date.

This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

ORDINANCES FOR FINAL CONSIDERATION - None

PUBLIC DISCUSSION

Dr. Dobrin offered a motion to open the Public Discussion, seconded by Mr. Nesci.

ROLL CALL

AYES: All in Favor
NAYS: None
ABSENT: Mr. Manginelli
ABSTAIN: None

Mrs. Clay asked the Clerk if there were any submitted comments and there were none.

*Stacey Slowinski, 755 Tinton Avenue – Ms. Slowinski, Historic Commission Chair, complimented DPW staff for their assistance with a community garden project. She mentioned the *Who's Land is it Anyway* event at the Crawford House this Sunday at 2:00pm in celebration of Native American Heritage month. She thanked everyone at the Borough for their support in the reopening of the library.*

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Sheila Hatami, 2 Palermo Drive – Ms. Hatami welcomed the reopening of the library. She urged the Council to pause to reconsider the reintroduction of the land use ordinance on the agenda. She proceeded to read her email that was sent after the deadline to receive public comments for this meeting. Ms. Hatami commented on all the reasons why aspects of this plan are detrimental to the community and other resources and how the process does not provide the residents with a more robust discussion of the planned changes either at the Council or Planning Board meetings.

Mrs. Clay stated that there were seven public meetings regarding the ordinance and listed them all. Mr. Neff also commented regarding the uses proposed for retail are from the Master Plan Report recommended by the Planning Board.

Ellen Goldberg, 90 Glenwood Drive – Ms. Goldberg thanked everyone for the library reopening. She thanked Ms. Buckley and Mrs. Clay for their involvement in the Environmental Commission and Green Team. Also, thanked Borough Clerk, Michelle Hutchinson, for assistance whenever she needed information.

There being no further comments, Mr. Nesci offered a motion to close the Public Discussion, seconded by Ms. Buckley.

ROLL CALL

AYES: All in Favor
NAYS: None
ABSENT: Mr. Manginelli
ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS - None

CONSENT AGENDA

Dr. Dobrin offered a motion to approve the Consent Agenda, seconded by Mr. Nesci.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay
ABSTAIN: None
NAYS: None
ABSENT: Mr. Manginelli

Mrs. Clay recused and abstained from item #24-00973 listed on page 135 of the approval of bills, resolution R-24-226; R-24-223 and R-24-224.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-212

**RESOLUTION DESIGNATING MEETINGS OF THE
BOROUGH COUNCIL FOR THE YEAR 2025**

WHEREAS, the New Jersey Open Public Meetings Act (N.J.S.A. 10:4-8a, et seq.) requires the governing body of a municipality to designate and disseminate schedules, meeting dates, times and location.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following dates are hereby designated as scheduled meetings of the Borough Council for calendar year 2025 to be held at the Borough of Tinton Falls Municipal Court Room, 556 Tinton Avenue, Tinton Falls NJ 07724.

BE IT FURTHER RESOLVED, that written public comments may be emailed to the Clerk at boroughclerksoffice@tintonfalls.com or via regular mail to the attention of the Borough Clerk at 556 Tinton Avenue, Tinton Falls, NJ 07724. Written public comments may not be submitted via any other form of electronic communication and must include the individual's name, full address and contact information (telephone number and/or email address). If the information is incomplete and the Borough is unable to verify the individual's identity, the written comment will not be read into the record. Written public comments must be received by the Borough Clerk by 9:00 a.m. on the day of the meeting in order to be included in the meeting. Any written comments received after 9:00 a.m. on the day of the meeting will not be read into the record or become part of the meeting record.

Meetings of Borough Council for 2025 Where Formal Action May Be Taken

**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

Tuesday January 7, 2025	7:30 (Reorganization/Regular/Workshop)
Tuesday January 21, 2025	7:30 Regular/Workshop
Tuesday February 4, 2025	7:30 Regular/Workshop
Tuesday February 18, 2025	7:30 Regular/Workshop
Tuesday March 4, 2025	7:30 Regular/Workshop
Tuesday March 18, 2025	7:30 Regular/Workshop
Tuesday April 1, 2025	7:30 Regular/Workshop
Tuesday April 15, 2025	7:30 Regular/Workshop
Tuesday May 6, 2025	7:30 Regular/Workshop
Tuesday May 20, 2025	7:30 Regular/Workshop
Tuesday June 10, 2025	7:30 Regular/Workshop
Tuesday July 8, 2025	7:30 Regular/Workshop
Tuesday August 12, 2025	7:30 Regular/Workshop
Tuesday September 2, 2025	7:30 Regular/Workshop
Tuesday September 16, 2025	7:30 Regular/Workshop
Tuesday October 7, 2025	7:30 Regular/Workshop
Tuesday October 21, 2025	7:30 Regular/Workshop
Monday November 10, 2025	7:30 Regular/Workshop
Tuesday December 2, 2025	7:30 Regular/Workshop
Tuesday December 16, 2025	7:30 Regular/Workshop
Tuesday January 6, 2026	7:30 P.M. (Reorganization/Regular/Workshop)

*Unless otherwise noticed workshop meetings will begin immediately following the regular meeting.

BE IT FURTHER RESOLVED, that as needed, all executive sessions of the Borough Council shall be held at 6:30 p.m. or immediately following the conclusion of the Regular Meeting as noticed by 4:30 p.m. the Friday before the meeting week and convene with the public reading of a Resolution onto the record prior to the Borough Council's vote to enter executive session pursuant to the OPMA. When an executive session is held, the executive session Resolution shall be re-read onto the record at the beginning of the public portion of any applicable workshop, regular or special meeting so the public will know what issues were addressed during the executive session without having to be present for the earlier public reading of the Resolution. When necessary, executive sessions may be continued upon the adjournment of the public portion of any meeting with the reading of the Resolution for entry into executive session reciting the issues to be continued for executive session deliberations.

BE IT FURTHER RESOLVED that this Resolution shall supersede any, and all Resolutions previously adopted by the Borough specifying meetings of the Borough Council.

BE IT FURTHER RESOLVED, that the Borough Clerk shall post a copy of this Resolution in Borough Hall and that copies of this Resolution shall be forwarded by the Borough Clerk to the official newspapers, The Asbury Park Press and The Coaster as previously designated by the Borough and to individuals requesting same under the New Jersey Open Public Meetings Act.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-213

**RESOLUTION AUTHORIZING ENTRY INTO SHARED SERVICES AGREEMENT WITH THE
MONMOUTH REGIONAL HIGH SCHOOL BOARD OF EDUCATION**

WHEREAS, the Borough of Tinton Falls ("Tinton Falls") is a municipal corporation of the State of New Jersey; and

WHEREAS, the Monmouth Regional High School Board of Education ("Board") is an organized school district pursuant to N.J.S.A. 18A:10-1 et seq. that educates Tinton Falls students in grades 9-12; and

WHEREAS, Tinton Falls and the Board seek to enter into a shared services agreement for the provision of a school resource officer at Monmouth Regional High School, in order to ensure the continued safety and welfare of persons and students at the same, pursuant to the terms set forth in the shared services agreement attached hereto and incorporated by reference; and

WHEREAS, Tinton Falls and the Board are authorized to enter into such a shared services agreement, pursuant to the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that it hereby authorizes the Mayor to execute a shared services agreement by and between the Borough of Tinton Falls and the Monmouth Regional High School Board of Education, in the form attached hereto, consistent with the foregoing.

**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-214

**RESOLUTION – AUTHORIZING MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT
WITH THE COUNTY OF MONMOUTH – SPECIAL CITIZENS AREA TRANSPORTATION SYSTEM**

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the Mayor and Municipal Clerk are hereby authorized to execute a Food Shopping Agreement with the County of Monmouth for Special Citizens Area Transportation System (S.C.A.T.) for 2025.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-215

**RESOLUTION AUTHORIZING A ONE (1) YEAR CONTRACT WITH MONMOUTH COUNTY SPCA
FOR ANIMAL CONTROL SERVICES FOR THE YEAR 2025**

WHEREAS, the Borough of Tinton Falls requires services for animal control on a daily basis as well as a facility to keep stray animals that are picked up, injured etc.; and

WHEREAS, the Monmouth County SPCA, 260 Wall Street, Eatontown, NJ 07724, provides the services required as detailed in the contract attached hereto and made part hereof; and

WHEREAS, this is a one (1) year contract at the rate of \$2,625 per month for a total of \$31,500 for one year as well as other miscellaneous fees included in the attached contract; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey as follows:

- 1) That the Mayor and Borough Clerk are hereby authorized and directed to enter into a one (1) year contract with Monmouth County SPCA, 260 Wall Street, Eatontown, NJ 07724 for the provision of animal control services for the fees set forth therein; and
- 2) That a copy of this Resolution be forwarded to the Township of Freehold along with a copy of the executed contract.

I hereby certify funds are available contingent upon the necessary funds being appropriated by the governing body in the 2025 budget from: Animal Control

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-216

**RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH OF
TINTON FALLS AND THE MONMOUTH COUNTY S.P.C.A. FOR A TRAP, NEUTER AND RELEASE PROGRAM**

WHEREAS, the Borough of Tinton Falls desires to continue to implement a Trap, Neuter and Release (“TNR”) Program in the Borough for the purpose of humanely trapping, neutering, vaccinating and spaying and neutering of feral cats; and

WHEREAS, the Monmouth County S.P.C.A. is a duly licensed animal shelter under the authority of New Jersey State Title 4 and is willing to act as the approved sponsor of said TNR Program; and

WHEREAS, there will be a \$75.00 fee per feral cat under the TNR Program, of which the Borough will be responsible for 50% (\$37.50) of said fee, not to exceed a total annual cost of \$3,750.00 for the 2025 Calendar Year; and

WHEREAS, the necessary funds have been certified by the Director of Finance and are available in the Animal Control Trust Fund; and

WHEREAS, a Memorandum of Understanding (“MOU”) has been prepared by the S.P.C.A. and has been reviewed by the Borough and requires execution by the Mayor in order to implement the TNR Program; and

WHEREAS, the MOU requires the Borough to appoint a designee to represent the Borough on matters related to the TNR Program, and the Borough desires to appoint Kerry Morgenthaler as the Borough designee;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Mayor is hereby authorized to execute the Memorandum of Understanding between the Borough of Tinton Falls and the Monmouth County S.P.C.A for the implementation of the Trap, Neuter and Release Program in the Borough; and

BE IT FURTHER RESOLVED that Kerry Morgenthaler is hereby appointed as the Borough’s designee for matters related to the TNR Program; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Monmouth County S.P.C.A. and to the Director of Finance.

CERTIFICATION OF FUNDS: Animal Control Trust

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-217

**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

**RESOLUTION AUTHORIZING GRANT AGREEMENT WITH THE NEW JERSEY HISTORIC TRUST
FOR A DISCOVERY NJ HISTORY LICENSE PLATE GRANT**

WHEREAS, the Borough of Tinton Falls Historic Preservation Commission has been recommended for a grant in the amount of \$5,000 through the Discovery New Jersey History Heritage Tourism Grant Program, New Jersey Historic Trust, State of New Jersey, for the project known as Interpretive Signage at the Historic Crawford House; and

WHEREAS, the Borough Council desires to further historic preservation by approving an grant agreement with the State; and

WHEREAS, the Borough Council desires to authorize Charles Terefenko, the Borough's Administrator to execute a grant agreement with the State in an amount up to \$5,000 and to seal the grant agreement;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Charles Terefenko, the Borough's Administrator, is authorized to sign the grant application, and they or their successors in said titles are authorized to sign the grant agreement, and any other documents needed in connection therewith.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-218

**RESOLUTION AUTHORIZING THE FILING OF AN APPEAL WITH THE TAX COURT OF THE STATE
OF NEW JERSEY TO OBJECT TO THE TABLE OF EQUALIZED VALUATIONS**

WHEREAS, pursuant to N.J.S.A. 54:51A-4(c), any taxing district can file an appeal with the Tax Court of the State of New Jersey to object to the table of equalized valuations, promulgated in accordance with N.J.S.A. 54:1-35.4, within 45 days of its promulgation; and

WHEREAS, the Tinton Falls Municipal Assessor has determined that it is in the best interest of the Borough to file such an appeal; and

WHEREAS, the Mayor and Borough Council desire to authorize the filing of an appeal with the Tax Court;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the municipal assessor is hereby authorized to file an appeal with the Tax Court to object to the table of equalized valuations, and to take any action necessary to prosecute such appeal.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-219

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER, BOROUGH ADMINISTRATOR
AND DIRECTOR OF LAW TO PURCHASE TAX SALE CERTIFICATE(S) FROM THE BOROUGH'S TAX
SALE WITH RESPECT TO AFFORDABLE HOUSING UNITS**

WHEREAS, the Tax Collector of the Borough of Tinton Falls has advertised a tax sale to be held on December 11, 2024 for unpaid taxes and sewer fees which include affordable housing units; and

WHEREAS, the sale of tax sale certificates to third parties could jeopardize the Borough's Affordability controls that are included as part of the Borough's Fair Share Plan pending substantive certification before the Council On Affordable Housing ("COAH"); and

WHEREAS, persons so designated to bid on the referenced tax sales are the Borough Administrator, Chief Financial Officer, Financial Assistant and Director of Law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Chief Financial Officer, Financial Assistant, Borough Administrator, & the Director of Law be and are hereby authorized to purchase the tax sale certificate(s) for any affordable housing units listed in the Borough's Tax Sale Notice at the Tax Sale to be held in the Borough on December 11, 2024. Funds for said purchase will be provided for from the Borough's Affordable Housing Trust Fund.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-220

**RESOLUTION AUTHORIZING CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES
GIS PROFESSIONAL SERVICES SUPPORT HOURS**

**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

WHEREAS, the Borough of Tinton Falls needs T & M Associates to provide GIS Professional Services in the form of technical hours for the implementation and configuration of ArcGIS Online, data layer schema and attribution updates, development and enhancements to web and mobile mapping applications, and additional support as needed; and

WHEREAS, T & M Associates is one of the approved Engineering Companies that was approved by Resolution R-23-197 adopted on December 19, 2023; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$15,390; and

WHEREAS, this contract will be for one year from the date of award;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby authorized to provide professional services as described in the proposal dated October 8, 2024, for an amount not to exceed \$15,390; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to publish a public notice of this Resolution as required by law.

I hereby certify funds are available from: DEP Stormwater Grant

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-221

**RESOLUTION AUTHORIZING CHANGE ORDER #1
DECREASING CONTRACT #21-4 IN THE AMOUNT OF \$117,537.76
AND FINAL PAYMENT FOR THE
2021 SIDEWALK IMPROVEMENT PROGRAM**

WHEREAS, Contract #21-4 for the 2021 Sidewalk Improvement Program was awarded to Your Way Construction, Inc., 404 Coit Street, Irvington, NJ 07111 by Resolution R-21-197 in the amount of \$560,510.21 at a Council Meeting held on October 5, 2021; and

WHEREAS, Change Order #1 dated January 29, 2024, from T & M Associates (annexed hereto and part hereof) requests a decrease in the amount of \$117,537.76, for a total contract in the amount of \$442,972.45;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls authorizes Change Order #1 decreasing Contract #21-4 in the amount of \$117,537.76 as well as final payment in the amount of \$8,859.45 for a total contract in the amount of \$442,972.45 is hereby authorized for the above contract awarded to Your Way Construction, Inc.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-222

**RESOLUTION AUTHORIZING CHANGE ORDER #1 & #2
DECREASING CONTRACT #21-1 IN THE AMOUNT OF \$14.92
2022 ROAD IMPROVEMENT PROGRAM**

WHEREAS, Contract #21-1 for the 2022 Road Improvement Program was awarded to Fernandes Construction, Inc., 25 Stonegate Drive, Monroe, NJ 08831 by Resolution R-22-106 in the amount of \$1,971,332.46 at a Council Meeting held on May 3, 2022; and

WHEREAS, Change Order #1 dated August 30, 2022, from T & M Associates (annexed hereto and part hereof) requests a increase in the amount of \$4,960, for a total contract in the amount of \$1,976,292.46;

WHEREAS, Change Order #2 dated September 14, 2023, from T & M Associates (annexed hereto and part hereof) requests a decrease in the amount of \$14.92, for a total contract in the amount of \$1,971,317.54;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls to authorize Change Order #1 increasing the contract in the amount of \$4,960 as well as Change Order #2 decreasing the contract in the amount of \$14.92 for a total contract in the amount of \$1,971,317.54 is hereby authorized for the above contract awarded to Fernandes Construction, Inc.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-223

**RESOLUTION REVIEWING AND APPROVING THE ANNUAL COMPENSATION FOR THE BOARD
COMMISSIONERS OF FIRE DISTRICT NO. 1**

WHEREAS, the Tinton Falls Fire District No. 1 authorized and approved annual compensation for 2025 for the Board of Fire Commissioners via the adoption of Resolution No. 09-24; and

**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

WHEREAS, N.J.S.A. 40A:14-88 requires the salaries of members of the Board Commissioners of Fire Districts to be reviewed and approved annually by the governing body; and

WHEREAS, the Mayor and Borough Council have reviewed the proposed annual compensation for the members of the Board of Fire Commissioners as follows: four thousand dollars (\$4,000.00) per commissioner;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of Tinton Falls:

1. The proposed 2025 annual compensation of the Board of Fire Commissioners of Tinton Falls Fire District No. 1 is approved.
2. A certified copy of this Resolution shall be provided to the Board of Fire Commissioners of Tinton Falls Fire District No. 1.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-224

**RESOLUTION REVIEWING AND APPROVING THE ANNUAL COMPENSATION FOR THE BOARD
COMMISSIONERS OF FIRE DISTRICT NO. 2**

WHEREAS, the Tinton Falls Fire District No. 2 authorized and approved annual compensation for 2025 for the Board of Fire Commissioners via the adoption of Resolution No. 24-17; and

WHEREAS, N.J.S.A. 40A:14-88 requires the salaries of members of the Board Commissioners of Fire Districts to be reviewed and approved annually by the governing body; and

WHEREAS, the Mayor and Borough Council have reviewed the proposed annual compensation for the members of the Board of Fire Commissioners as follows:

Commissioners	\$4,000.00
Secretary	\$4,500.00
Treasurer	\$4,500.00

NOW THEREFORE BE IT RESOLVED, by the Borough Council of Tinton Falls:

3. The proposed 2025 annual compensation of the Board of Fire Commissioners of Tinton Falls Fire District No. 2 is approved.
4. A certified copy of this Resolution shall be provided to the Board of Fire Commissioners of Tinton Falls Fire District No. 2.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-225

**RESOLUTION – REFUNDING CONSTRUCTION PERMIT FEES
TO FREEDOM FOREVER FOR 102 STRATFORD ROAD**

WHEREAS, permit fees in the amount of \$448 were paid by Freedom Forever on July 16, 2024, for the install of a roof mounted solar system at 102 Stratford Road, Permit Number 24-587.

WHEREAS, said monies were deposited in July 2024 by the Borough of Tinton Falls in accordance with the law; and

WHEREAS, the applicant has requested a refund as the homeowner has canceled the job; and

WHEREAS, a refund in the amount of **\$327.00** (\$448.00 minus the non-refundable State surcharge fee of \$39.00 and the 20% non-refundable plan review fee of \$82.00) shall be issued.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that a refund in the amount of \$327.00 be issued to Freedom Forever, Attn: Permit Refunds, 6569 S Las Vegas Blvd Suite 200, Las Vegas, NV 89119.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

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**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

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**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

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**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-226

RESOLUTION – APPROVAL OF BILLS – November 12, 2024

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending November 12, 2024; and

WHEREAS, the Borough Council has reviewed said claims.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, County of Monmouth, that the following claims be certified by the Chief Financial Officer for approval and payment.

SUMMARY

GENERAL	471,767.01
SEWER UTILITY	80,501.47
GENERAL CAPITAL	153,523.14
GRANT FUND	4,315.50
TRUST FUNDS	220,818.21
DOG TRUST FUND	6,119.45
ESCROW	38,173.79
ADDITIONS	<u>1,419,685.99</u>
TOTAL	<u>2,394,904.56</u>

CERTIFICATION OF FUNDS:

**REGULAR MEETING
NOVEMBER 12, 2024
BOROUGH COUNCIL**

ADJOURNMENT

Dr. Dobrin offered a motion to adjourn, seconded by Mr. Nesci.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Manginelli

ABSTAIN: None

TIME: 8:51pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Risa Clay, Council President

APPROVED AT A MEETING HELD ON: