

ORDINANCE NO. 25-2020

BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 30 OF THE LAND DEVELOPMENT
ORDINANCES OF THE BOROUGH OF ROSELAND

WHEREAS, the Mayor and Council of the Borough of Roseland wish to amend various sections of Chapter 30 of the Land Development Ordinances of the Borough of Roseland;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Roseland that Chapter 30 of the Land Development Ordinances of the Borough of Roseland shall be amended as follows:

SECTION I

That Section 30-305.6 entitled "Distribution of Approved Plat or Plan" shall be amended to add the following **thus** and to delete the following **thus**:

§ 30-305.6 Distribution of Approved Plat or Plan.

Municipal Clerk (1)
Engineer (1)
Construction Official (1)
Tax Assessor (1)
County Planning Board (1)
Planning Board File (1)
Fire (1)
Police (1)
~~Borough Arborist~~Shade Tree Commission (1)
~~Superintendent of Public Works~~ (1)
~~Code Enforcement Officer~~ (1)

SECTION II

That Section 30-307.3 entitled "Details Required for Preliminary Development Plans" shall be amended to add the following **thus** and to delete the following **thus**:

§ 30-307.3 Details Required for Preliminary Development Plans.

a. The following are required:

Subsections 1 – 43 No change

44. Additional certification and documents shall accompany all preliminary development plans and shall include the following:

- (a) Certification that the applicant is the owner or purchaser under contract for the land.
- (b) Certificate from the Tax Collector that all taxes and assessments for local improvements are paid to date.
- (c) Certification from the Board of Health approving the method and type of sewage disposal and water supply if public sewage disposal and/or water supply are not used.
- (d) Comments from the Superintendent of Public Works and/or Borough Arborist Shade Tree Commission. The Superintendent of Public Works and Borough Arborist Shade Tree Commission is advisory and the Planning Board may take their comments into consideration when rendering a decision.
- (e) Comments from the Environmental Commission. The Environmental Commission is advisory and the Planning Board may take their comments into consideration when rendering a decision.
- (f) In a development served by public water, hydrants are to be located and fire flows are to be such that they meet the minimum standards of the Insurance Services Office of New Jersey and certification to that effect from that agency shall be submitted.
- (g) Domestic water supplies for each house shall have a residual pressure in the water main in front of the dwelling of not less than fifty (50) psi. Certification to that effect from either the serving utility or the Insurance Services Office of New Jersey shall be submitted.
- (h) Certification of available sewage capacity from the serving utility.
- (i) Where water or sewage service is to be obtained from a private or public utility system, certification from the appropriate agency that it has consented to such method of service and copies of all agreements or written consents from utilities undertaking to provide such services.
- (j) A copy of all existing protective covenants or deed restrictions of every nature affecting the premises sought to be developed or any part thereof and including a statement as to whether such deeds or covenants are of record. A copy or abstract of the deed or deeds or other instruments by which title is derived with the names of all owners shall also be presented with the application.
- (k) Corporate Disclosure. Any corporation or partnership applying for permission to subdivide a parcel of land into six (6) or more lots or applying for a variance to construct a multi-family dwelling of twenty-five (25) or more units or applying for approval of a site to be used for commercial purposes shall submit to the Board a list of the names and addresses of all stockholders or individual partners owning at least ten (10%) percent of its stock of any class or at least ten (10%) percent of the interest in the partnership, as the case may be. If another corporation or partnership owns ten (10%) percent or more of the stock of the applicant corporation, or ten (10%) percent or greater interest in the applicant partnership, as the case may be, that corporation or partnership shall list the names and addresses of its stockholders or individual partners holding ten (10%) percent or more of its stock or ten (10%) percent or greater interest in the partnership, as the case may be, and this requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and

addresses of the noncorporate stockholders and individual partners exceeding the ten (10%) percent ownership criterion have been listed.

SECTION III

That Section 30-309.4 entitled “On-Site Installations for Nonresidential Site Plans” shall be amended to add the following **thus** and to delete the following **~~thus~~**:

§ 30-309.4 On-Site Installations for Nonresidential Site Plans.

Subsections a. through g. – No change

- h. Landscaping. All portions of the property not used for off-street parking shall be attractively landscaped with grass lawns, trees and shrubs as approved by the Board. Shade trees shall be installed within the street right-of-way in accordance with requirements of the Borough Engineer ~~Shade Tree Commission~~.

Subsections i. through j. – No change

SECTION IV

That Section 30-516 entitled “Landscaping, Shade Trees and Buffers” shall be amended to add the following **thus** and to delete the following **~~thus~~**:

§ 30-516 LANDSCAPING, SHADE TREES AND BUFFERS.

Section 30-516.1 through Section 516.2 – No change

§ 30-516.3 Shade Trees.

Each development plan shall provide for shade trees having a maximum spacing of fifty (50) feet along each side of all streets, public or private, existing or new. In determining the need for new shade trees, the location of existing shade trees shall be considered, and if existing shade trees will remain, new shade trees will not be required in such areas. Additionally, shade trees shall be provided within parking areas containing eight thousand (8,000) or more square feet and shall be planted at a minimum ratio of one (1) shade tree for every ten (10) parking spaces. Shade trees shall be a minimum caliper of two and one-half (2 1/2) inches (D.B.H.). The Board may consult with the Borough Arborist ~~Shade Tree Commission~~ concerning the adequacy and appropriateness of the proposed shade trees.

Section 30-516.4 through Section 516.6 – No change

SECTION V

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5: COPIES OF ORDINANCE

At least three copies of said full Ordinance are on file in the Office of the Borough Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Borough Clerk.

SECTION VI

This ordinance shall take effect immediately upon its proper publication after passage in the manner provided by law.

DATE OF INTRODUCTION: October 20, 2020

Motion to Introduce by: Councilwoman Fishman

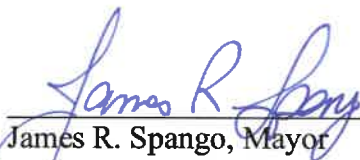
Motion Seconded by: Councilwoman Perrotti

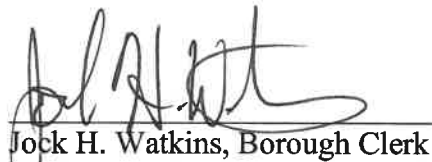
Introduction Approved: 6-0 Voice Vote

DATE OF ADOPTION: December 15, 2020

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi	X		X				
Councilwoman Fishman		X	X				
Councilman Freda			X				
Councilwoman Perrotti			X				
Councilwoman Tolli			X				
Councilman Trillo			X				
Mayor Spango (In case of tie)							
VOTE:			6	0			

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Borough of Roseland at a meeting of Borough Council held on the 15th day of December, 2020.


James R. Spango, Mayor


Jock H. Watkins, Borough Clerk

Date of Publication: December 24, 2020, The Progress



BOROUGH OF ROSELAND

ESSEX COUNTY, NEW JERSEY

140 EAGLE ROCK AVENUE, ROSELAND, NEW JERSEY 07068
(973) 226-8080

BOROUGH CLERK

Jock H. Watkins, RMC

CERTIFIED MAIL NO: 7020-1290-0000-4098-9373

October 28, 2020

Mr. David Antonio, P.P., AICP
Essex County Planning Board
900 Bloomfield Avenue
Verona, NJ 07044

RE: Ordinance No. 25-2020
Amend and Supplement Borough Code
Chapter XXX, Land Development

Dear Mr. Antonio:

Pursuant to N.J.S.A. 40:55D-15, enclosed is a copy of the above referenced ordinance(s) that was introduced by the Borough Council at a meeting held October 20, 2020. The Council will conduct a public hearing and consider final passage of the ordinance during its regular meeting scheduled for December 15, 2020 at 6:30 PM to be held via teleconference. To join the Roseland Council meeting via computer, log in to: [HTTPS://ZOOM.US/J/93530484582](https://zoom.us/j/93530484582). To join the Roseland Council meeting via telephone, dial: +1 646-558-8656, Webinar ID: 935 3048 4582

Sincerely,

Jock H. Watkins
Municipal Clerk
jwatkins@roselandnj.org
973-403-6029

Enclosure

Via Certified mail to Municipal Clerks of:

Borough of Essex Fells
Township of East Hanover
Township of Livingston
Township of West Caldwell
Township of West Orange

Certified Mail No. 7020-1290-0000-4098-9380
Certified Mail No. 7020-1290-0000-4098-9397
Certified Mail No. 7020-1290-0000-4098-9403
Certified Mail No. 7020-1290-0000-4098-9410
Certified Mail No. 7020-1290-0000-4098-9427

7020 1290 0000 4098 9373

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 Total Postage and Fees \$7.10

10/29/2020

 Mr. David Antonio, P.P., AICP
 Essex County Planning Board
 900 Bloomfield Avenue
 Verona, NJ 07044

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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10/29/2020

 Ms. Paula A. Massaro, Clerk
 Township of East Hanover
 411 Ridgedale Avenue
 East Hanover, NJ 07936

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 Total Postage and Fees \$7.10

10/29/2020

 Ms. Mary Donovan, Clerk
 Township of West Caldwell
 30 Clinton Road
 West Caldwell, NJ 07006

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7020 1290 0000 4098 9380

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10/29/2020

 Ms. Francine T. Paserchia, Clerk
 Borough of Essex Fells
 255 Roseland Avenue
 Essex Fells, NJ 07021

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☐ Adult Signature Restricted Delivery \$0.00
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 Postage \$0.70
 Total Postage and Fees \$7.10

10/29/2020

 Mr. Glenn R. Turteltaub, Clerk
 Township of Livingston
 357 South Livingston Avenue
 Livingston, NJ 07039

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 Postage \$0.70
 Total Postage and Fees \$7.10

10/29/2020

 Ms. Karen J. Carnevale, Clerk
 Township of West Orange
 66 Main Street, Room 101
 West Orange, NJ 07052

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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- Complete items 1, 2, and 3.
 ■ Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Mr. David Antonio, P.P., AICP
 Essex County Planning Board
 900 Bloomfield Avenue
 Verona, NJ 07044



9590 9402 5760 0003 0992 52

2. Article Number (Transfer from service label)

7020 1290 0000 4098 9373

PS Form 3811, July 2015 PSN 7530-02-000-9053

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A. Signature **X** *Glenn R. Turteltaub* ☐ Agent
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 C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

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☐ Adult Signature Restricted Delivery
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☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail (over \$500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
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☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

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1. Article Addressed to:

Ms. Francine T. Paserchia, Clerk
 Borough of Essex Fells
 55 Roseland Avenue
 Essex Fells, NJ 07021



9590 9402 5760 0003 0992 69

2. Article Number (Transfer from service label)

7020 1290 0000 4098 9380

PS Form 3811, July 2015 PSN 7530-02-000-9053

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 C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

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☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail (over \$500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

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A. Signature **X** *Glenn R. Turteltaub* ☐ Agent
 B. Received by (Printed Name) ☐ Addressee
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D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
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☐ Adult Signature Restricted Delivery
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☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail (over \$500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

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1. Article Addressed to:

Mr. Glenn R. Turteltaub, Clerk
 Township of Livingston
 357 South Livingston Avenue
 Livingston, NJ 07039



9590 9402 5760 0003 0993 06

2. Article Number (Transfer from service label)

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1. Article Addressed to:

Ms. Paula A. Massaro, Clerk
 Township of East Hanover
 411 Ridgedale Avenue
 East Hanover, NJ 07936



9590 9402 5760 0003 0992 90

2. Article Number (Transfer from service label)

7020 1290 0000 4098 9397

PS Form 3811, July 2015 PSN 7530-02-000-9053

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A. Signature **X** *Glenn R. Turteltaub* ☐ Agent
 B. Received by (Printed Name) ☐ Addressee
 C. Date of Delivery

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If YES, enter delivery address below: ☐ No

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1. Article Addressed to:

Ms. Karen J. Carnevale, Clerk
Township of West Orange
66 Main Street, Room 101
West Orange, NJ 07052



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2. Article Number. (Transfer from service label)

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PS Form 3811, July 2015 PSN 7530-02-000-9053

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A. Signature

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- ☐ Agent
- ☐ Address

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

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| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation® |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

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