

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY**



TOWNSHIP COUNCIL AGENDA

REGULAR MEETING

7:00 P.M.

FEBRUARY 23, 2026

****THIS MEETING WILL BE HELD IN-PERSON****

MUNICIPAL BUILDING, 600 BLOOMFIELD AVENUE

Via the internet, please click the link below to join the meeting:

<https://zoom.us/j/95262662770>

Via telephone, please dial 1(312)626-6799 or 1(646)558-8656

Use Zoom Meeting ID: 952-6266-2770, when prompted for a Participant ID, press #

A. CALL TO ORDER

The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting of the Township Council. The meeting time and date were included in the public meeting notice along with the public internet link and telephone call-in information. Said notice and the meeting agenda was posted in the Municipal Building, and sent the official newspapers of the Township, the Verona-Cedar Grove Times and the Star Ledger at least 48 hours preceding the start time of this meeting. The agenda and public handouts for this meeting can be viewed online at veronanj.org/councilmeetings. A public comment period will be held in the order it is listed on the meeting agenda and instructions on how to comment will be provided at the appropriate time.

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. MAYOR'S REPORT

- 1. Julius N. Coltre, Essex County Liaison

E. REPORT OF THE TOWNSHIP MANAGER

- 1. 2026 Municipal Budget Discussion

Administration	Municipal Clerk	Planning/Zoning Rent Bds	Court
A&E	Finance	Communications	Civic Affairs
Executive	Tax Assessor	Legal	Library

- 2. Deputy Manager's Report

F. COUNCILMEMBERS' REPORTS

G. PUBLIC COMMENT

H. HEARING ADOPTION OR AMENDMENT OF ORDINANCES

I. ORDINANCES FOR INTRODUCTION

- 1. Ordinance No. 2026- Amending Chapter A565-1 Schedule of Fees – Blasting, A565-3 Administrative and Other Fees and A565-6 Uniform Construction Code Fees
- 2. Ordinance No. 2026- Amending Chapter 150 "Zoning" of the Code of the Township, Specifically Article XVI, "Administration and Enforcement", Sections 16.1-16.8

TOWNSHIP COUNCIL AGENDA

FEBRUARY 23, 2026

3. Ordinance No. 2026- Amending Chapter 390 Property Maintenance, Article II Lead Based Paint Hazard Inspection Requirements for Rental Dwellings
4. Ordinance No. 2026- 420 Bloomfield Avenue Redevelopment Plan
5. Ordinance No. 2026- 885 Bloomfield Avenue Redevelopment Plan
6. Ordinance No. 2026- Amending and Supplementing the Standards of the Town Center Mixed-Use ("TCMU") Zone District in Chapter 150 "Zoning" of the Code of the Township of Verona
7. Ordinance No. 2026- Repealing Article XIX and XXI of Chapter 150 in its Entirety and Replacing with a New Article XIX – Affordable Housing and Article XXI – Development Fees

J. PUBLIC COMMENT ON CONSENT AGENDA ITEMS

CONSENT AGENDA

K. MINUTES

1. February 9, 2026

L. PROPOSED RESOLUTIONS

1. Resolution No. 2026- Budget Transfers ***
2. Resolution No. 2026- Providing for the Combination of Certain Issues of General Improvement Bonds of the Township into a Single Issue of Bonds Aggregating Not to Exceed \$5,000,000 in Principal Amount for Sale to the New Jersey Infrastructure Banks and the State of New Jersey
3. Resolution No. 2026- Accepting a Grant-Funded Storm Water Management Study from NJIT as Lead Agency
4. Resolution No. 2026- Authorize Execution of Agreement with Cougar Aquatic Swim Team
5. Resolution No. 2026- Authorize Contract with Edmunds
6. Resolution No. 2026- Authorize Contract with Lyons Environmental
7. Resolution No. 2026- Authorize Contract with SD Cleaning Services
8. Resolution No. 2026- Authorizing Sustainable Jersey Grant Application
9. Resolution No. 2026- Appointment of Clean Communities Coordinator
10. Resolution No. 2026- Executive Session

M. LICENSES AND PERMITS

N. ADDENDUM

O. NEW/UNFINISHED BUSINESS

1. Discussion on Proposed Ordinances
 - a. Ordinance No. 2026- Establishing Chapter 382 of the Township Code Entitled Pest Control Upon
 - b. Ordinance No. 2026- Amending Chapter 150, Sections 7.5 and 7.13 of the Township Code
2. Appointment
 - a. Open Space Trust Fund Advisory Committee

i. Corey Schor	Public Member	Unexpired Term Ending 1/17/2027
----------------	---------------	---

P. PUBLIC COMMENT

Q. EXECUTIVE SESSION

R. ADJOURNMENT

**DUE TO THE ENACTMENT OF DANIEL'S LAW, PLEASE PROVIDE
ONLY YOUR NAME & TOWNSHIP DURING PUBLIC COMMENT & PUBLIC HEARINGS**
*The public may speak on any matter during Public Comment, listed on the agenda as items "I" and "O" on the agenda. At that time, anyone from the public wishing to speak will be recognized.
Your comments shall be limited to four (4) minutes.*

*****AGENDA SUBJECT TO CHANGE*****

TOWNSHIP OF VERONA
 COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-

AMENDING CHAPTER A565 - FEES OF THE TOWNSHIP CODE,
 SPECIFICALLY SECTIONS A565-1 SCHEDULE OF FEES,
 A565-3 ADMINISTRATIVE FEES AND OTHER FEES AND A565-6
 UNIFORM AND CONSTRUCTION CODE FEES

BE IT ORDAINED by the Township Council of the Township of Verona, County of Essex, New Jersey, as follows:

SECTION 1: Chapter A565 of the Township Code is amended as follows: [Added text is **emboldened**, and text being eliminated is shown in *strikethrough italics*.]

§ A565-1 Schedule of fees.

Type		Fee
Ch. <u>156</u> , Blasting [Added 6-7-2021 by Ord. No. 2021-17]		
	§ <u>156-4</u> , Application fee blasting permit	\$1,000 plus \$100 per day of proposed blasting activity
	§ <u>156-5E</u> , Fee for furnishing list of property owners	\$40
Conversion fee, per unit		\$150
Basic filming fee		\$75
Basic filming permit with expedited processing		\$125
Daily filming fee, per day		\$500
Basic filming permit, nonprofit/educational		\$25
Annual registration		
	15,000 square feet and over	\$370
	10,000 to 14,999 square feet	\$250
	5,000 to 9,999 square feet	\$130
	1,000 to 4,999 square feet	\$80
	251 to 999 square feet	\$50
	Up to 250 square feet	\$30
After Annual Registration		
Residential Certificate of Compliance		
	11 or more business days in advance	\$50
	4-10 business days in advance	\$70
	3 or less business days in advance	\$125
Commercial Certificate of Compliance		
	0-5,000 square feet	\$100
	5,001-20,000 square feet	\$150
	Over 20,001 square feet	\$225
Permit fees for storage of flammable, combustible, hazardous and unstable materials in liquid, gas or solid form		

Ch. 519, Water and Sewers

Type	Fee
------	-----

	Inspection of service line	\$25
	Minimum charge for test to determine accuracy of water meter	\$20
	Basic rate per 1,000 gallons of water consumed:	
	Current rate (effective January 1, 2022)	\$5.92
	Temporary water surcharge (expiring 12/31/2024)	\$1
Type		Fee
	Minimum rate for water for any purpose on water consumed less than 3,000 gallons per quarter	
	2024	\$26.64
	2025	\$27.71
	2026	\$28.81
	2027	\$29.97
	2028	\$31.17
	Installation of water services from main to curb (Township roads; additional cost for county or state highways based on time and material):	
	Size (inches)	
	3/4	\$600
	1	\$700
	1 1/2	\$800
	2	\$1,000
	Furnishing and installing meter other than for one- or two-family dwellings	
	Size (inches)	
	5/8 x 3/4	\$250
	1	\$350
	1 1/2	\$550
	2	\$850
	Servicing of water meter	
	Minimum charge for all repairs	\$25
	Relocation of service line	
	Cost of new service, plus specified amount for discontinuance of existing service	\$150
	Water used for construction purposes	
	Minimum charge	\$100
	Use of nonmetered fire plug and hydrant, annually, per hydrant	\$500
	Cost of shutting off water as Township action	\$20
	Cost of turning on water as Township action	\$20
	Cost of shutting off water at owner's request	\$20
	Cost of turning on water at owner's request	\$20
	Application for installation of refrigeration and air-conditioning system	\$15
	Final reading	\$25 \$50
	Building sewer permit	\$50
	Sewer extension permit	\$100
	Quarterly sewer user charge for all users, per equivalent connection (billed in quarterly installments)	

§ A565-3 Administrative and other fees.

[Added 4-5-1999 by Ord. No. 1-99; amended 3-21-2005 by Ord. No. 5-2005; 12-8-2015 by Ord. No. 16-15]

Administrative and other fees are as follows:

Type	Fee
Tax Map	\$5
Township Map	\$1
Reproduction	
Letter size, per page	\$0.05
Legal size, per page	\$0.07
Special Service Charge – Body Worn Camera Footage	
Adoption of Fee Ordinance – 6/30/2026	\$37.47/hr (\$0.62/minute)
July 1, 2026 – December 31, 2026	\$38.57/hr (\$0.64/minute)
January 1, 2027 – December 31, 2027	\$40.86/hr (\$0.68/minute)
Requests for body worn or dash cam footage with run times of less than one (1) hour shall be provided free of charge	
The special service fee shall not apply to discovery requests or requests made by individuals who are listed in a police report or who have a direct on-camera interaction with police officer	
Transaction Fees	
Credit and Debit Card	Up to 3.4% + \$0.30
Google and Apple Pay	Up to 3.4% + \$0.30
E-Check and ACH	Up to \$1.95 or 0.65% depending on platform
Transaction fee will not exceed the actual cost to the Township	
Flood hazard area determination certification	\$20
Duplicate tax bill - same tax bill in same fiscal year [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]	
First duplicate copy	\$5
Each subsequent duplicate copy	\$25
Copy of tax history	\$3
Copy of water history	\$3
Returned check (all Township departments) [Amended 8-19-2019 by Ord. No. 2019-20]	\$20
Duplicate tax sale certificate [Added 8-19-2019 by Ord. No. 2019-20]	\$100
Tax sale certificate redemption [Added 8-19-2019 by Ord. No. 2019-20]	\$50
Public improvement projects with specifications, per set	\$50
Public improvements projects with plans and specifications, per set	\$75

§ A565-6 Uniform Construction Codes fees.

[Added 4-5-1999 by Ord. No. 1-99; amended 3-18-2002 by Ord. No. 5-2002; 9-3-2002 by Ord. No. 8-2002; 3-21-2005 by Ord. No. 4-2005; 10-22-2007 by Ord. No. 14-07; 11-1-2010 by Ord. No. 11-10; 12-8-2015 by Ord. No. 16-15; 2-11-2019 by Ord. No. 2019-07]

F. Certificate fees.

- (1) The fee for a certificate of occupancy for new construction shall be 10% of the building permit or a minimum fee of \$100.
- (2) The fee for a **Non-UCC** certificate of continued occupancy, for certificate of occupancy granted pursuant to a change of use, and for multiple certificates of occupancy shall be \$100.

- (3) The fee for a temporary certificate of occupancy for a multifamily dwelling or commercial use shall be \$100. A temporary certificate of occupancy shall expire 90 days from the date issued. An extension may be applied for and, if granted, there shall be an additional fee of \$100 charged.
- (4) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$100.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

JENNIFER KIERNAN, CMC
MUNICIPAL CLERK

INTRODUCTION:
PUBLIC HEARING:
EFFECTIVE DATE:

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-

AMENDING CHAPTER 150 "ZONING" OF THE CODE OF THE TOWNSHIP
SPECIFICALLY ARTICLE XVI, "ADMINISTRATION AND ENFORCEMENT"
SECTIONS 16.1 - 16.8

BE IT ORDAINED by the Township Council of the Township of Verona, County of Essex, New Jersey, as follows:

SECTION 1: Chapter 150-16.1-16.8 of the Township Code is amended as follows: [Added text is **emboldened and underlined**, and text being eliminated is shown in *strikethrough italics*.]

§ 150-16.1. Enforcing officer.

The Zoning Officer shall enforce the provisions of this chapter. **The Zoning Officer** He may require any member of the Police, Fire or Health Department or other department to report to **them** ~~him~~, in writing, any violation of the provisions of this chapter.

§ 150-16.2. Building permit, certificate of occupancy and conditions of approval.

- A. Building permits. No person shall construct, erect, repair or make any alteration to or restoration of any structure or swimming pool until **they have** ~~he shall be~~ applied for and secured a building permit from the Construction Official **or their designee**.
- B. Certificates of Occupancy or **Non-UCC Certificates of Continued Occupancy**. No person shall occupy or use or change the occupation or use of, in whole or in part, any building or structure until **they have** ~~he shall~~ have applied for and secured a certificate of occupancy **or Non-UCC certificate or continued occupancy** therefor from the ~~Chief Building Inspector~~ **Construction Official or designee**.
- C. Conditions of approval. No person shall construct, erect, repair or make any alteration to or restoration of any structure that does not comply with any and all conditions required at the time of approval.

§ 150-16.3. Application requirements.

- A. Building permits.
 - (1) Unless otherwise provided by this chapter, applications for building permits shall be submitted to the **Construction Official or designee** ~~Chief Building Inspector~~ in the manner prescribed by the **Uniform Construction Code of New Jersey and Township of Verona Code** ~~Building Code of the Township of Verona~~, including the amendments and supplements thereto.
 - (2) For all apartment houses, all plans submitted for approval to the Department of Community Affairs shall contain on the plan a breakdown giving the number of apartments, number of bedrooms per apartment, percentage of land covered and the total square foot area of the lot.
- B. Certificates of occupancy and **Certificates of Continued Occupancy**. Applications for certificates of occupancy **and Non-UCC certificates of continued occupancy** shall be submitted to the **Construction Official or designee** ~~Chief Building Inspector~~ in the manner prescribed by the **Uniform Construction Code of New Jersey and Township of Verona Code** ~~Building Code of the Township of Verona~~, including the amendments and supplements thereto.

§ 150-16.4. Issuance of permits and certificates.

- A. Building permits, ~~and~~ certificates of occupancy, **and Non-UCC certificates of continued occupancy** shall be issued by the **Construction Official or designee** ~~Chief Building Inspector~~.
- B. Determination required as prerequisite to issuance.
 - (1) The **Construction Official or designee** ~~Chief Building Inspector~~ shall issue building permits, ~~or~~ certificates of occupancy, **or Non-UCC certificates of continued occupancy** only after **they** ~~he shall~~ have determined that the building, structure or use is one permitted under the provisions of this chapter and that any and all conditions required at the time of approval have been addressed.
 - (2) To assist the **Construction Official or designee** ~~Chief Building Inspector~~ in making

such a determination, ~~they~~ he may require any member of the Police ~~Department~~, Fire ~~Department~~, ~~or~~ Health Department, Bureau of Fire Prevention or other department to make an investigation of the premises in question and to report to ~~them~~ ~~him~~ the findings of such investigation.

- (3) When the building being occupied is not new construction or renovated the Construction Official or Designee shall instruct the Bureau of Fire Prevention to conduct an occupancy inspection prior to the building being occupied and must receive a commercial certificate of compliance

§ 150-16.5. Notice of denial to permit a certificate.

If the Construction Official or designee ~~Chief Building Inspector~~ shall determine that a building, structure or use is not permitted under any provision of this chapter, ~~they~~ he shall give written notice thereof to the applicant and Zoning Officer as follows:

- A. Such notice shall state in what respects the building, structure or use does not conform to such provision or provisions, and shall contain a brief description of the building, structure or use to which the notice refers in terms sufficient to identify it and its location.
- B. The notice may be served upon the applicant by registered or certified mail, return receipt requested, or where such resides in the Township of Verona, in person or by leaving it at the applicants ~~his~~ usual place of residence with a member of their ~~his~~ family above the age of 18 ~~14~~ years. Where lands are held by joint tenants, tenants in common or tenants by the entirety, service upon one of the owners shall be sufficient and deemed and taken as notice to all.

§ 150-16.6. Violations and penalties.

- A. Any owner, general agent, contractor or tenant of any building or premises or part thereof, in which the premises or part thereof is in violation of any provision of this chapter has been committed or shall exist, or any other person who commits, takes part or assists in such violation or who maintains any building or premises in which any such violation shall exist; or any person who constructs, alters, restores, repairs, reconstructs, converts or maintains, or permits the construction, alteration, restoration, conversion or maintenance of, any building or structure, or who uses, maintains or permits the use or maintenance of any land, building or structures, in violation of any provisions of this chapter, shall, upon conviction, be subject to a fine not to exceed \$1,250 or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court.
- B. For every day that a use or structure in violation of any provision of this chapter is permitted to exist or is continued in any building or location, a distinct violation of this chapter shall be deemed to have been committed.
- C. Any owner, agent, or tenant of any building or premises or part thereof, in which premises or part thereof occupies or uses the structure, or any other person who commits, takes part or assists in such, in violation of any provisions of this chapter, shall, upon conviction, be subject to a fine, for the first offense, of \$1,250. For the second and subsequent violation, the fine shall be equal to the annual cost of the education of a student in the schools in the Township of Verona. Said fines shall be recovered in a civil action, in a summary proceeding, in the name of the municipality, pursuant to the Penalty Enforcement Law, N.J.S.A. 2a:58-10 et seq., said proceeding shall be commenced in the municipal court of the Township of Verona for the enforcement of the penalty provided for herein. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]
- D. Complaints of violations. Any person may file a complaint if there is any reason to believe a violation of this chapter exists. All such complaints must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and immediately investigate.
- E. Procedures for abatement of violations.
 - (1) In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure of land is used in violation of this chapter or of any ordinance or regulation made under authority conferred hereby, the Zoning Officer or other proper official, in addition to other remedies, may institute any appropriate legal action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct business or use about such premises.
 - (2) A violation of any of these terms of this chapter shall be abated within five days, or within as reasonable time as may be determined, after written notice has been served, either by mail or personal service.

§ 150-16.7. Amendments.

All amendments to this chapter and to the Zoning Map, which forms a part hereof, shall be adopted in accordance with the provisions of New Jersey law.

§ 150-16.8. Interpretation of provisions.

In the interpretation and the application of the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances; provided, that, where this chapter imposes greater restrictions, the provisions of this chapter shall apply.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

JENNIFER KIERNAN, CMC
MUNICIPAL CLERK

INTRODUCTION: *referred to the Planning Board for consistency review*
PUBLIC HEARING:
EFFECTIVE DATE:

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-

**AMENDING CHAPTER 390 PROPERTY MAINTENANCE, ARTICLE II
LEAD BASED PAINT HAZARD INSPECTION REQUIREMENTS FOR
RENTAL DWELLINGS, SPECIFICALLY PARAGRAPH 5-G**

BE IT ORDAINED by the Township Council of the Township of Verona, County of Essex, New Jersey, as follows:

SECTION 1: Chapter 390 article II of the Township Code is amended as follows: [Added text is **emboldened**, and text being eliminated is shown in *strikethrough italics*.]

G. The fees for a lead-based paint inspection shall be as follows:

- (1) The fee for a visual assessment **will be \$150 per unit when completed by a Township Inspector and \$250 per unit if completed by a contracted vendor.**
- (2) The fee for the filing of a lead-safe certification or lead-free certification shall be \$25.
- (3) In a common interest community, any inspection fee charged shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit.
- (4) In accordance with N.J.S.A. 52:27D-437.16h, an additional fee of \$20 per dwelling unit inspected by the Township's lead inspector or the owner's private lead inspector shall be assessed for the purposes of the Lead Hazard Control Assistance Act (N.J.S.A. 52:27D-437.1 et seq.) unless the unit owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20. The fees collected pursuant to this subsection shall be deposited into the Lead Hazard Control Assistance Fund.
- (5) Reinspection/clearance: **\$150 per unit when completed by a Township Inspector and \$250 per unit if completed by a contracted vendor.**
- (6) XRF lead inspection: \$150/unit per lead free.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

JENNIFER KIERNAN, CMC
MUNICIPAL CLERK

INTRODUCTION:
PUBLIC HEARING:
EFFECTIVE DATE:

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-__

ADOPTING THE REDEVELOPMENT PLAN FOR
420 BLOOMFIELD AVENUE REDEVELOPMENT AREA (BLOCK 701, LOT 3)

WHEREAS, on May 6, 2024, the Township Council (“the “Township Council”) of the Township of Verona, in the County of Essex, New Jersey (the “Township”) adopted Resolution 2024-075 declaring the entirety of Bloomfield Avenue Corridor, which includes the above referenced property, as an Area in Need of Rehabilitation; and

WHEREAS, on February 9, 2026, the Township Council adopted Resolution 2026-028 declaring the above referenced block and lot as a non-condemnation area in need of redevelopment (the “420 Bloomfield Avenue Redevelopment Area”); and

WHEREAS, N.J.S.A. 40A:12A-7 provides for a procedure for the adoption of a redevelopment plan for all or a portion of a duly designated redevelopment area; and

WHEREAS, Block 701, Lot 3 in the Township (the “Property”) are located within the 420 Bloomfield Avenue Redevelopment Area; and

WHEREAS, N.J.S.A. 40A:12A-7a provides that “No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, ...”; and sets forth statutory requirements for the contents of a Redevelopment Plan; and

WHEREAS, the Township Council directed its planning consultant, H2M engineers and architects (the “Professional Planner”) to prepare a draft redevelopment plan concerning the 420 Bloomfield Avenue Redevelopment Area; and

WHEREAS, the Township Council is desirous of enacting a redevelopment plan to guide the future use, development and redevelopment of Block 701, Lot 3, heretofore designated as an area in need of redevelopment with provisions to enable the construction of a mixed-use building with affordable housing.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Verona, County of Essex and State of New Jersey as follows:

SECTION 1. The Redevelopment Plan, as filed in the Office of the Township Clerk and attached hereto as Exhibit A and by the reference made a part hereof is hereby approved and adopted pursuant to N.J.S.A. 40A-12A-1 et. seq.

SECTION 2. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. This ordinance shall take effect 20 days after final passage and publication as prescribed by law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

JENNIFER KIERNAN, CMC
MUNICIPAL CLERK

INTRODUCTION:
PUBLIC HEARING:

EFFECTIVE DATE:



Township of Verona 420 Bloomfield Ave

Redevelopment Plan

Date: February 16, 2026

Prepared by:



Redevelopment Plan
For The 420 Bloomfield Avenue Redevelopment Area

Verona Planning Board

Christopher Tamburro, Mayor
Jessica Pearson, Chairperson
Jason Hyndman, Vice Chairperson
Kevin O'Sullivan
Jesse Lilley
David Freschi
Tim Camuti
Julie Parker
Jim Day –Alt. #1
Dylan Margarell – Alt. #2

Verona Township Council

Christopher Tamburro, Mayor
Jack McEvoy, Deputy Mayor
Alex Roman, Councilman
Christine McGrath, Councilwoman
Cynthia Holland, Councilwoman
Brian Aloia, ESQ, Township Attorney

Special Thanks to:

Kevin O'Sullivan, Township Manager

Greg Mascera, Esq., Planning Board Attorney
Mr. Peter Ten Kate, Township Engineer
Dolores Carpinelli, Planning Board Secretary
Kathleen Miesch, Zoning Official

Consultants:

H2M Associates, Inc.
119 Cherry Hill Road, Suite 110
Parsippany, NJ 07054

Adopted by Verona Township Council:

_____, 2026

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12



Sanyogita Chavan PP, AICP, License Number: 33LJ00593300

(Page intentionally left blank)



Table of Contents

- 1.0 INTRODUCTION 4**
 - 1.1 BASIS FOR THE PLAN4
 - 1.2 PURPOSE/VISION.....6
 - 1.3 NOTE ON PLAN TERMINOLOGY.....6
 - 1.4 REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN.....6

- 2.0 EXISTING CONDITIONS 8**
 - 2.1 2024 AREA IN NEED OF REDEVELOPMENT INVESTIGATION SUMMARY8
 - 2.2 SURROUNDING AREA CONTEXT9
 - 2.3 RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES.....14
 - 2.4 Redevelopment Plan Objectives15
 - 2.5 RELATIONSHIP TO ZONING ORDINANCE15

- 3.0 DEFINITIONS..... 16**

- 4.0 USE AND BULK REGULATIONS 19**
 - 4.1 Land Uses19
 - 4.2 Bulk Regulations.....20
 - 4.3 PROHIBITED USES IN REDEVELOPMENT AREA21
 - 4.4 BUILDING AND UNIT DESIGN21
 - 4.5 DRIVEWAYS & CURBS.....22
 - 4.6 PARKING AND LOADING.....22
 - 4.7 ON-SITE PEDESTRIAN REQUIREMENTS.....22
 - 4.8 SIGNAGE23

- 5.0 BUILDING AND SITE DESIGN 24**
 - 5.1 ARCHITECTURE AND RESIDENTIAL STANDARDS.....24
 - 5.2 BUILDING MATERIALS24
 - 5.3 BUFFERS AND LANDSCAPING.....25
 - 5.4 FAÇADES.....25
 - 5.5 ROOFS.....27
 - 5.6 MECHANICAL EQUIPMENT SCREENING27
 - 5.7 TRASH/TRASH ENCLOSURES/RECYCLING27
 - 5.8 UTILITIES.....28
 - 5.9 LIGHTING.....28
 - 5.10 STORMWATER MANAGEMENT29



5.11 SUSTAINABILITY.....29

6.0 PLAN CONSISTENCY..... 31

6.1 RELATIONSHIP TO MASTER PLANS.....31

7.0 IMPLEMENTATION 32

7.1 DESIGNATION OF REDEVELOPMENT ENTITY & ITS POWERS32

7.2 GENERAL PROVISIONS.....32

7.3 SITE PLAN AND SUBDIVISION REVIEW32

7.4 ACQUISITION AND RELOCATION32

7.5 AFFORDABLE HOUSING REQUIREMENTS.....32

7.6 REQUESTS FOR DEVIATIONS AND DESIGN EXCEPTIONS32

7.7 ADVERSE INFLUENCES.....33

7.8 PROCEDURES FOR AMENDING THE PLAN33

7.9 DURATION OF THE PLAN.....33

7.10 COMPLETION OF REDEVELOPMENT.....33

7.11 SEVERABILITY.....33

8.0 APPENDICES 34



1.0 INTRODUCTION

1.1 BASIS FOR THE PLAN

This redevelopment plan has been prepared for 420 Bloomfield Avenue Area in Need of Redevelopment within the Township of Verona, Essex County, New Jersey (the “Redevelopment Plan” or the “Plan”). The Bloomfield Avenue Redevelopment Area comprises of one lot, which is approximately 0.995 acres. This property is identified as Block 701, Lot 3 (420 Bloomfield Avenue) with frontages along Bloomfield Avenue and Claremont Avenue. The property is developed with one principal structure, a one-story flat roofed, commercial building with an asphalt parking lot to the rear of the property, along Claremont Avenue. The southwesterly side of the building, fronting Bloomfield Avenue, maintains a zero-foot setback, along the westbound side of Bloomfield Avenue. Immediately to the east/southeast of the building is a landscaped patio leading to a brick-paver drive aisle. The drive-aisle provides ingress and egress to the site from Bloomfield Avenue. The main entrance to the building is also along the southeasterly side of the building, facing the brick-paver drive aisle. The main entrance is sheltered by an attached, one-story canopy with a gable roof. Traversing in the northerly direction, just past the canopy, the brick-paver drive aisle transitions into an asphalt parking lot that spans the entire Claremont Avenue frontage. This parking lot is divided into two sections by the main building, which juts into the parking lot. Both sections of the parking lot are connected by an approximately 12- to 15-foot drive aisle.

The interior of the building has a complex configuration. Although the building is only one (1) story, the site slopes downwards from the east to the west. As a result, the building’s ground floor (exclusive of the basement) is partially below grade. The main entrance, on the southeasterly side of the building, is directed away from Bloomfield Avenue and leads to a foyer which is slightly below grade and is accessed by steps. From the foyer, there is access to five event spaces including three ballrooms, a lounge, and a chapel—all of which are located on the ground floor but at staggered levels. On the upper floor, above the main entrance and foyer, is an administrative office space. There are two kitchens in the building, a main service kitchen on the ground floor and Kosher kitchen down a flight of stairs from the main kitchen. The basement is an expansive series of storage rooms and hallways used primarily to store old catering materials. Additionally, the basement contains service hallways that lead outdoors and to the ballrooms and kitchens on the upper floors.

The entirety of the Bloomfield Avenue corridor has been designated as an area in need of rehabilitation pursuant to Resolution 2024-75, which also includes Block 701, Lot 3, as seen in **Figure 1**. Additionally, this property is designated as a non-condemnation area in need of redevelopment pursuant to Resolution 2026-028, which means that the Township **will not use eminent domain** to acquire these properties. The resolutions are included herein in **Appendix A**. This Redevelopment Plan provides the development regulations and other standards to guide the redevelopment of the 420 Bloomfield Avenue Redevelopment Area (“Redevelopment Area”).



Figure 1: 420 Bloomfield Redevelopment Area Map





1.2 PURPOSE/VISION

The 420 Bloomfield Avenue Redevelopment Plan sets forth standards for development and site improvements in the declared area in need of redevelopment. The 420 Bloomfield Avenue Redevelopment Plan (“Redevelopment Plan”) is intended to incentivize property owners to improve their buildings, to create a more vibrant environment for both residents and visitors, and to attract businesses and residential uses along the Bloomfield Avenue corridor while maintaining the small-town charm and character. This Redevelopment Plan is proposed to address several Township’s issues and priorities, such as help stimulate economic development, remove conflicts for mixed-use development, incentivize property and façade improvement, promote walkability by activating the ground floors of structures, and help create a place where people will want to live, work, play, and shop.

The Redevelopment Area is proximate to an assortment of retail and commercial uses, and existing residential uses. To west of the Redevelopment Area are commercial and retail uses. To the north of the Redevelopment Area, along Claremont Avenue, are multi-family condominiums and a parking lot which is owned and used by Richfield Regency. To the south of Redevelopment Area, along Bloomfield Avenue, are multi-family apartments buildings and condominiums. The Redevelopment Area is less than half mile away from the NJ Transit 29 and 105 bus stops, which are located on both sides of Bloomfield Avenue. Both the NJ Transit 29 and 105 bus runs between West Caldwell – Essex Mall, makes stops in Verona, and travels to New York City. The proximity to major bus routes connecting to nearby towns and attractions encourages the use of public transportation and reduces dependency on automobiles, which in turn helps to create a more walkable and attractive downtown.

1.3 NOTE ON PLAN TERMINOLOGY

Throughout the Redevelopment Plan, a conscious distinction is made in the regulations between “shall” and “should.” “Shall” means that a developer is required to comply with the specific regulation, without any deviations. “Should” means that a developer is encouraged to comply but is not required to do so.

1.4 REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN

The Local Redevelopment and Housing Law (LRHL) pursuant to N.J.S.A 40A:12A-7 requires that a redevelopment plan includes an outline for the planning, development, redevelopment, or rehabilitation of the redevelopment plan area sufficient to indicate the following:

1. Its relationship to definite local objectives as to appropriate land use, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to:
 - a. The master plans of contiguous municipalities.
 - b. The master plan of the county in which the municipality is located.



- c. The State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” P.L. 1985, c.398 (C.52:18A-196 et al.).
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low- and moderate-income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the “Fair Housing Act,” P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.
8. Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
9. The redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” N.J.S.A. 52:27D-301 et seq. and the housing element of the municipal master plan.
10. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the “Municipal Land Use Law,” P.L.1975, c. 291 (C.40:55D-1 et seq.).
11. The redevelopment plan must state whether it shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area.
12. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.



2.0 EXISTING CONDITIONS

2.1 2024 AREA IN NEED OF REDEVELOPMENT INVESTIGATION SUMMARY

On December 15, 2025, the Township Council authorized the Planning Board to undertake a preliminary investigation to determine whether the property, identified in the Township's Tax Maps as Lot 3 on Block 701, qualified as an area in need of redevelopment according to the criteria set forth in Section 5 of the LRHL (N.J.S.A. 40A:12A-5). On January 22, 2026, Verona Township's Planning Board held a public hearing on the findings of the preliminary investigation as set forth within the report entitled "420 Bloomfield Avenue Area in Need of Redevelopment Preliminary Investigation Report ("AINR Report"). The AINR Report found that parcels within the area met criteria "d" and "h." A summary of the necessary criteria as presented in the AINR Report and met by the study area is listed below.

- **Criterion d**
Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. Both parcels in the Redevelopment Area were classified as meeting the "d" criterion, as the properties were found to be inconsistent with modern land use planning standards and practices.
- **Criterion h**
Designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. Smart Growth Area Classification commonly refers to growth that serves the environment, economy, and community equally. It attempts to concentrate development into already-existing communities, when possible. Additionally, it addresses the inherent interconnections between environmental protection, social equity, public health, and economic sustainability. Selected areas throughout the State of New Jersey are designated as a Smart Growth Area by NJ State's Office for Planning Advocacy, from the spatial data related to the 2025 New Jersey State Development and Redevelopment Plan (SDRP). The SDRP was adopted pursuant to the State Planning Act and contains several smart growth policies and goals and a map that reflects the State's desired growth patterns. The properties in the Redevelopment Area were classified as meeting the "h" criterion, as the properties are located within Planning Area 1 (PA-1) known as the Metropolitan Planning Area. The PA-1 areas contribute to smart growth planning principles, pursuant to the SDRP, under the State Planning Act. The parcel is located within a walkable distance to bus stops and are in an area with existing water and sewer.

The Planning Board recommended that the Township Council designate the said parcels as an area in need of redevelopment. The Township Council accepted the Planning Board's recommendation and pursuant to Resolution No. 2026-028, included herein Appendix A, designated the area as an area in need of redevelopment on February 9, 2026.



2.2 SURROUNDING AREA CONTEXT

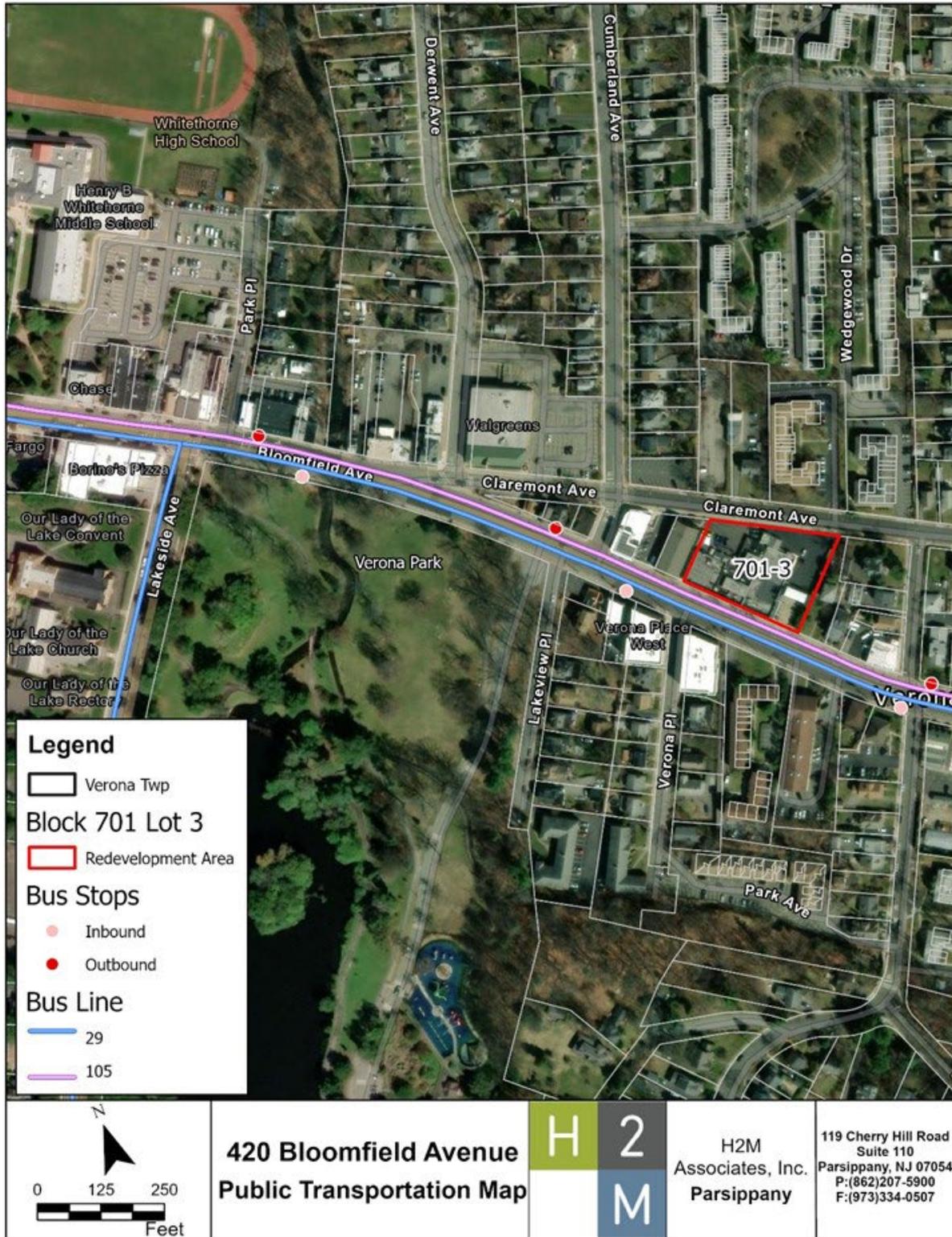
The Redevelopment Area is located on the eastern side of Verona, with frontage along Bloomfield Avenue and Claremont Avenue and is located east of the intersection of Bloomfield Avenue and Cumberland Avenue. Bloomfield Avenue, a roadway under Essex County's purview, traverses from Fairfield to Newark. This roadway cuts through the heart of Verona and serves as the Township's traditional downtown. The Redevelopment Area is serviced by the NJ Transit 29 and 105 bus routes, as shown in Figure 2. The NJ Transit 29 bus connects West Caldwell to New York City with 19 stops in Verona, 26 of which are on Bloomfield Avenue. Additionally, it takes less than 15 minutes to walk from the Redevelopment Area to the NJ Transit 105 bus stop at Bloomfield Avenue and Lakeside Avenue. Both the NJ Transit 29 and 105 bus runs between West Caldwell – Essex Mall, makes stops in Verona, and travels to New York City. The optimal walking distance between a transit station or stop and a place of employment/residential use is between $\frac{1}{4}$ mile (1,320 feet) and $\frac{1}{2}$ mile (2,640 feet), which places the redevelopment area within walking distance of a good bus service.

The uses to the east of the Redevelopment Area include residential single-family dwellings and some commercial uses that front along Bloomfield Avenue. To the west of the Redevelopment Area, are commercial and retail uses. Across Claremont Avenue, to the northeast of the property, are condominiums and to the northwest of the property is a parking lot, which is owned and used by Richfield Regency. This parking lot is used to park cars for the events at Richfield Regency. To the south of the property, along Bloomfield Avenue, are multi-family apartments buildings and condominiums.



420 Bloomfield Avenue Non-Condensation Redevelopment Plan
 Township of Verona

Figure 2: 420 Bloomfield Redevelopment Area Existing Public Transportation Map





The redevelopment area is bounded by Bloomfield Avenue to the south and Claremont to the north. The Redevelopment Area, as shown in **Figure 3**, is located within one (1) zoning district - the Township's Town Center ("TC") Zone District. A list of permitted uses allowed in the zone district is provided below. The complete zoning standards can be found in Chapter 150 of the Township Code. As mentioned earlier and shown in **Figure 4**, the surrounding uses include single-family and some commercial to the east and commercial uses to the west. The uses to the south, along Bloomfield Avenue, includes multifamily apartments and condominiums. The uses to the north, along Claremont Avenue, include condominiums, a parking lot used by Richfield Regency, and some commercial uses.

TC – Town Center

§150-17.14 Permitted uses.

Principal permitted uses. No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Retail stores and retail service establishments, including stores or shops for retail business conducted entirely within the confines of a building.

Cafeteria.

2. Banks and other financial institutions, excluding drive in uses
3. Theatrical and motion-picture theaters
4. Family day-care centers
5. Personal service establishments

Permitted accessory uses. Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Accessory use customary incidental to the principal or conditional use
2. Outdoor restaurant seating in accordance with § 150-7.23.
3. Sidewalk café in accordance with § 150-7.22.

Conditional uses. The following conditional uses are permitted within the Town Center zone (TC) subject to area, yard and bulk regulations and other controls identified in the conditional uses regulations Chapter 150

1. Mixed residential and retail subject to the mixed-use standards set forth in § 150-8.3.
2. Mixed retail and commercial (nonmedical) subject to the mixed-use standards set forth in § 150-8.3.
3. Mixed retail and professional office (nonmedical) subject to the mixed-use standards set forth in § 150-8.3.
4. Massage parlors subject to the conditional standards set forth in § 150-8.11.



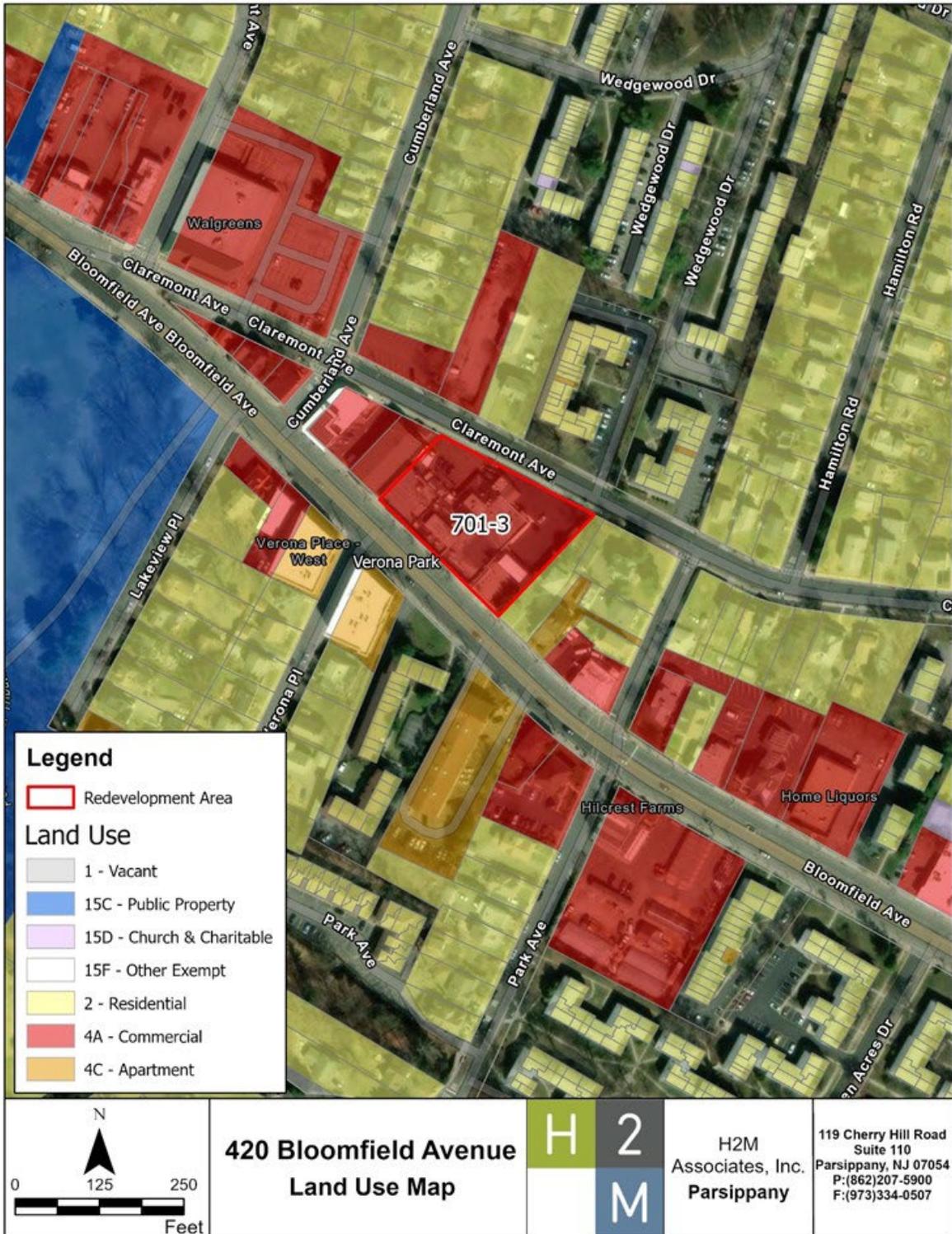
Figure 3: 420 Bloomfield Avenue Redevelopment Area Zoning Map





420 Bloomfield Avenue Non-Condemnation Redevelopment Plan
Township of Verona

Figure 4: 420 Bloomfield Redevelopment Area Land Use Map





2.3 RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES

The Township’s latest Master Plan was adopted in September 2022. The Master Plan sets forth the goals and objectives for land uses within the Township. The following information from the plans relates to the redevelopment area:

2022 Master Plan.

The Master Plan addresses several planning issues and priorities pertaining to revitalizing Verona’s downtown and commercial corridor along Bloomfield Avenue. These planning issues include stimulating economic development, increasing diversity in housing stock, removing conflicts for mixed-use development, incentivizing property and façade improvement, promoting walkability by activating the ground floors of structures, and being a place where people will want to live, work, play, and shop. The Master Plan acknowledges that Verona is a nearly fully built-out community and, thus, future major development would likely be through redevelopment initiatives. The Land Use Element provides guidelines for future development and redevelopment that address planning issues but aims to maintain the character of the Township’s residential neighborhoods. The Economic Development Element addresses these planning issues by encouraging strategic use of infill development and redevelopment to continue to ensure the Bloomfield Avenue corridor is vibrant and attractive to visitors and residents.

The 2022 Master Plan’s goals and objectives address the topic of redevelopment and are listed below:

Land Use Goal #5: “Promote growth in appropriate areas that meet current and future land use trends.”

Land Use Objective #5c: “Utilize redevelopment designations, where appropriate, to provide greater commercial and housing options.”

Land Use Objective #5f: “Guide the future development and/or redevelopment of land within the Township so as to incorporate new construction without undue disruption to the established character of the Township.”

Land Use Goal #7: “Ensure zoning districts regulations and land uses align with the Township’s development goals.”

Land Use Objective #7a: “Incentivize improvements along the Bloomfield Avenue corridor.”

Economic Development Goal #1 “Continue to ensure Bloomfield Avenue is a vibrant and attractive downtown.”

Economic Development Objective #1c: “Utilize incentives for infill development and redevelopment along Bloomfield Avenue commercial corridor.”

Economic Development Objective #3: “Maintain attractive and thriving business and commercial districts.”



2.4 REDEVELOPMENT PLAN OBJECTIVES

The Township seeks to promote the redevelopment of the area located at 420 Bloomfield Avenue (Block 701, Lot 3) into an area that is attractive to passersby and improves an underutilized property. The Redevelopment Plan helps to achieve the Township's goals of spurring economic development within the Bloomfield Avenue corridor by capitalizing on the area's proximity to public transportation and existing commercial and retail businesses. This will enable the Township to increase diversity of commercial options and housing types, while maintaining the existing character of the surrounding residential and commercial areas.

The objectives for this Redevelopment Plan are to:

1. Promote investment and economic vitality by encouraging mixed use commercial and residential development that activates the street-level.
2. Enhance and maintain the character of the Township by incorporating contemporary planning and design principles that instill a sense of place and provide an attractive livable environment.
3. Utilize sustainable development principles to improve stormwater management and overall sustainability.
4. Provide a range of market rate and affordable housing options that meet the current and future needs of Township residents.
5. Revitalize an obsolete and underutilized area of the Township with high-quality development.
6. Encourage walkability and public transit use and minimize vehicular dependency.

2.5 RELATIONSHIP TO ZONING ORDINANCE

This Redevelopment Plan shall constitute an overlay to the provisions set forth within the Zoning Ordinance of the Township of Verona (the "Zoning Ordinance"). In all situations where zoning issues are not specifically addressed herein, the Zoning Ordinance shall remain in effect. The Township's Zoning Map shall be amended upon the adoption of this Plan in accordance with N.J.S.A. 40A:12A-7.c to reflect this new classification.



3.0 DEFINITIONS

Any term or definition not addressed in this Redevelopment Plan shall rely on the term or definition set forth within the Zoning Code. In the event of a conflict or contradiction between the terms or definitions of this Redevelopment Plan and the Zoning Code, this Redevelopment Plan shall prevail.

Art Gallery

A room or building devoted to the exhibition and/or sale of works of art.

Art Studio

An artist's workspace, employed for the activities such as painting, pottery (ceramics), sculpture, scrapbooking, photography, graphic design, animation, or creation of music or dance practice.

Artisanal Workshop

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

Bistro

A small-scale restaurant, with or without some food prepared off-site and pre-packaged with seating at tables or counters.

Brewpub

An establishment that sells at least 25% or more of its product in-house and is accompanied by a restaurant area for dine-in use only.

Building Height

The vertical distance measured from the mean finished grade at the building line around the full perimeter of the building measured at 10-foot intervals to the building's highest point of a sloped roof. Building height limitations shall not apply to spires, belfries, parapets, towers designed exclusively for ornamental purposes, chimneys, flues, mechanical equipment, or elevator towers.

COWORKING SPACE

A building or portion thereof consisting of a shared office environment, which contains desks or other workspaces and facilities, including but not limited to, dedicated workstations, office suites, meeting rooms, event space, resource libraries, and business or administrative support services, and is used by a recognized membership who share the site to interact and collaborate with each other as part of a community. Rules for membership and participation in the coworking space are explicit, transparent, and available to the public. Coworking spaces may host classes or networking events which are open either to the public or to current and prospective members.

Commercial Entertainment

The rendering of entertainment, as opposed to products or services, to the general public. Commercial entertainment includes, but is not limited to, theaters and auditoriums, and indoor amusement/entertainment facilities such as a virtual gaming, bowling alley, an ice-skating rink, pool and/or billiard rooms, escape rooms, indoor rock-climbing gyms, indoor tennis or pickleball courts. Commercial entertainment shall not include uses such as dance halls or night clubs.



Commercial Recreation

A recreation facility operated as a business and open to the public for a fee. A commercial recreational facility includes the following uses: health clubs, day spas, yoga studios, pilates studios, gyms, and fitness centers.

Dwelling Unit

One or more rooms, occupied or intended for occupancy as separate living quarters by one family or household, provided, that access is directly from the outside or through a common hall and that separate cooking, sleeping and sanitary facilities are provided for each dwelling for the exclusive use of the occupants thereof.

Fast-Casual Restaurant

Restaurants with a limited menu, limited service, or self-service format, whose food is made to order and is fresher and higher quality and has more complex flavors than Fast-Food Restaurants, and whose décor is more upscale, unique or highly developed.

Fast-Food Restaurant

Restaurants whose emphasis is on convenience and speed of service, that are generally part of a restaurant chain or franchise, and that provide a limited menu and minimum table or fast counter services, and whose meals are typically inexpensive and made from standardized ingredients that are partially or fully cooked in bulk in advance and kept hot and then finished and packaged to order.

Learning Center

A facility at which students are provided with academic enrichment opportunities other than a regular academic program or other traditional schooling, and/or additional activities designed to complement their regular academic program, in consideration for a fee for the services offered in these centers that is the responsibility of a student or parent, guardian or another representative of the applicable student.

Med Spa

A facility that provides non-medical and medical cosmetic services such as infusion therapy, skin laser rejuvenation, laser hair removal, Botox and dermal filler, microneedling, medical weight loss, etc. Such facilities operate under the oversight of a licensed physician or independent practitioner, deliver services through skilled and certified practitioners, and ensure appropriate supervision by a qualified healthcare professional.

Mixed-Use Development

A development with a combination of residential and non-residential uses, with no residential dwelling unit on the first floor.

Personal Services

Establishments primarily engaged in providing nonmedical services involving the care of a person or his or her personal goods or apparel. Examples include salons, day spas, or hair salons.

Restaurant

An establishment where food and drink are preprepared, served and consumed, primarily within an enclosed building. A "restaurant" may include outdoor dining and may include pickup or delivery



services wherein food is prepared on the premises for off-premises consumption. Cafes, coffee shops, ice cream shops and Fast-Casual Restaurants shall be considered “Restaurants.”

Retail Sales

Establishments engaged in the selling or rental of goods or merchandise to the general public for personal or household consumption and in rendering services incidental to the sale of such goods. For the avoidance of doubt, “Retail Sales” shall include “Retail Nursery.”

Retail Services

Establishments selling services to the general public such as drug stores, travel agencies, real estate offices, jewelry repair, shoe repair, and tailors.



4.0 USE AND BULK REGULATIONS

4.1 LAND USES

The purpose of the Redevelopment Plan is to create Mixed-Use Development that will help spur economic growth into Verona's commercial and retail corridor on Bloomfield Avenue. The new commercial or retail uses on the ground floor will add to the commercial options for residents and visitors. The new market rate and affordable rental units, located above the ground floor, will increase the diversity of housing types for current and future Verona residents. The Redevelopment Plan aims to reduce vehicle dependency and promote walkability by taking advantage of its location within walking distance of NJ Transit bus stops and Verona Park. The Redevelopment Area aims to create an attractive and vibrant downtown area that can be enjoyed by residents and visitors. The Redevelopment Area uses, and bulk regulations will supersede the use bulk regulations of the underlying TC Zone District, shown in **Figure 3**:

1. Permitted Uses:

- a. Dwelling Units above the ground floor
- b. Art Gallery
- c. Art Studio
- d. Artisanal Workshop
- e. Bistro
- f. Brewpub
- g. Cafes
- h. Commercial Recreation
- i. Learning Center
- j. Med Spa
- k. Personal Services
- l. Restaurants
- m. Retail Sales
- n. Retail Services

Nothing contained herein shall prohibit two or more principal uses in the Redevelopment Area, provided the principal uses have their own distinct space and are separated from the other principal use(s) by interior walls and have separate entrances either to a common area or to the exterior.

The non-residential uses on the first floor shall be for other patrons and not amenity spaces for the residents living in the residential portion of the development at 420 Bloomfield Avenue Redevelopment Area. Access to the non-residential uses shall be from the street right of way and not the building.

2. Accessory Uses and Structures:

- a. Off-street parking.
- b. Amenity space for use by the occupants of the dwelling units, including but not limited to lobbies, fitness centers, lounges, and storage spaces.
- c. Shared amenity spaces for use by occupants of the Dwelling Units.
- d. Sidewalk café in accordance with Section 150-7.22.
- e. Residential amenity for the enjoyment of the residents.
- f. Utility rooms.
- g. Refuse and recycling enclosures.
- h. Accessory uses and/or structures that are customarily incidental to any of the principal permitted uses set forth within this Redevelopment Plan.



4.2 BULK REGULATIONS

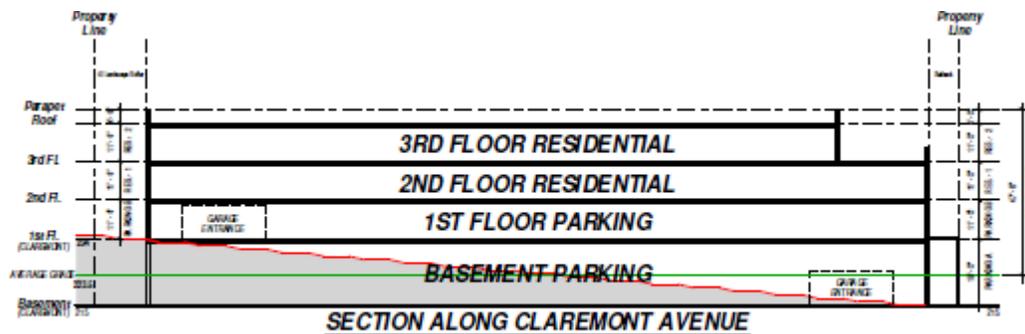
Development in the Redevelopment Area is subject to the requirements in the table below.

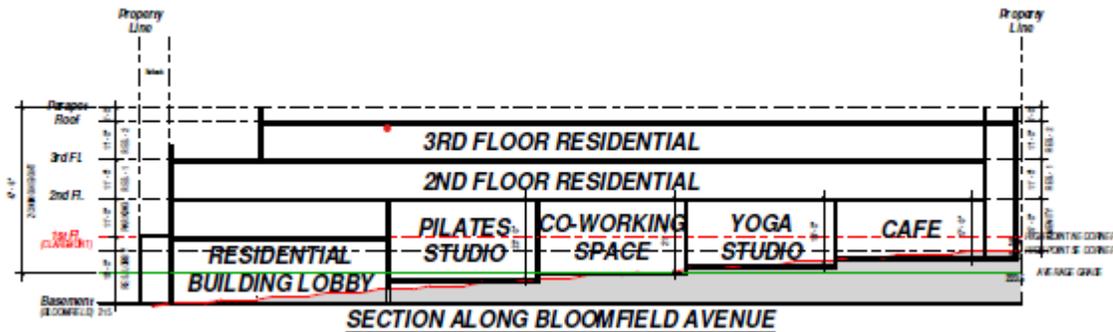
Bulk Standards	Requirements
Min. Lot Area	0.9 acres*
Maximum Number of Units	65 dwelling units
Min Lot Width	200 ft
Min. Front Yard Setback	0 ft
Min. Side Yard Setback (abutting nonresidential zone)	0 ft
Min. Side Yard Setback (abutting residential uses)	15 ft**
Rear Yard Setback	0 ft
Max. Building Coverage	90%
Max. Impervious coverage (%)	90%
Max Building Height (stories/feet)	4 stories/ 50 ft***

*The designated redevelopment area investigation and designation did not include the parking lot along Claremont Avenue (Block 1708, Lot 2), which will continue to be used for parking purposes. However, for lot area and density calculation, this Redevelopment Area Plan considers the total lot area to include both the lots (Block 701, Lot 3 and Block 1708, Lot 2) for a total of +/- 1.42 acres.

**This refers to the portion of the property line of the Redevelopment Area that abuts the residential building on Block 701, Lot 4.

***The total building height shall not exceed 50 feet. Four stories following the change in topography along Bloomfield Avenue from the westerly portion at a lower level than the easterly side of the property, with the fourth floor stepped back to reduce the impact of the massing along Bloomfield Avenue. Please see below images.





4.3 PROHIBITED USES IN REDEVELOPMENT AREA

The prohibited uses as per Section 150-4.3 of the Zoning Ordinance shall apply to the Redevelopment Area. In addition, fast-food restaurants shall not be permitted in the Redevelopment Area.

4.4 BUILDING AND UNIT DESIGN

1. Dwelling unit size: Pursuant to the UHAC regulations, NJAC 5:80-26.5(b)(2)(viii), restricted units, in developments comprising of market rate and restricted rental units, must be of at least the same size as the most common market-rate unit(s) of the same type and bedroom count within the same development, but under no circumstances shall any restricted unit or bedroom be less than 90 percent of the minimum size prescribed by the applicable municipal code or Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4, whichever prescribes the greater minimum size.
2. Affordable Housing is required as per the adopted Housing Element and Fair Share Plan and the pertinent municipal ordinances. The developer shall provide a minimum of ten (10) affordable housing credits within the project consistent with the projections contained in the approved Housing Element and Fair Share Plan contained in the Master Plan. Restricted units shall comply with the pertinent UHAC regulations pursuant to NJAC 5:80-1 et. seq.



4.5 DRIVEWAYS & CURBS

1. Driveway access to the site shall be provided from Claremont Avenue.
2. Two-way driveways shall be a minimum of 24 feet wide; in instances where a center median is proposed, the median shall be a minimum of five feet in width, and the driveway shall be a minimum of 18 feet in width. Depressed curb may be provided to enable circulation of emergency vehicles.
3. Curbs along public rights-of-way shall be poured-in-place concrete or other masonry material such as Belgian block.

4.6 PARKING AND LOADING

1. Off-street parking may be located underneath a building, taking advantage of the natural contours or topography.
2. Adequate fire and emergency access must be provided subject to the Township of Verona Fire Department.
3. All parking spaces shall be at least nine feet by eighteen feet, except that two and one-half feet of the length may be included in any overhang.
4. On-site parking shall not be used for any purpose other than parking. Adequate parking facilities for accessibility to people with mobility impairments shall be provided as required by the Americans with Disabilities Act (ADA).
5. Parking in the Redevelopment Area shall be required based on the following table.

Permitted Uses	Minimum Parking Requirements
Residential Apartments	1.8 parking spaces per unit
Non-residential uses*	1 space per 250 square feet
*Parking for non-residential uses shall be available to the general public and shall not be limited to use by residents.	

- a. Out of the total number of parking spaces required, 10% of the total required parking spaces can be provided through on-site compact car parking spaces. Each compact parking space shall not be less than eight feet wide and 16 feet deep.
- b. All off-street parking must comply with regulations for Make-Ready EV parking spaces set forth by P.L. 2021, c.171 of the Municipal Land Use Law. Each Make-Ready EV space shall count as two parking spaces for the purpose of complying with the minimum parking space requirements but shall not result in a reduction of more than 10% of the required off-street parking.
6. One loading space shall be provided to service the Redevelopment Area. The loading space may be located on-site or on-street subject to appropriate approvals.

4.7 ON-SITE PEDESTRIAN REQUIREMENTS

1. Walks, sidewalks and parking areas shall have lighting as required by Section 5.9 of this Redevelopment Plan.
2. Internal walkways shall be a minimum of four-feet wide and shall be designed to comply with the requirements of the Americans with Disabilities Act (ADA).



3. A designated area within the Redevelopment Area shall be provided for e-bicycle and bicycle racks and storage for e-bicycles and bicycles.

4.8 SIGNAGE

Wall Signs. Defer to the wall signs standards set forth within Section 150-7.9 of the Zoning Code.



5.0 BUILDING AND SITE DESIGN

These design guidelines shall be applied with the relevant use and bulk standards to reinforce the physical and spatial character of the Redevelopment Area. The following guidelines are intended to create a plan that excels at providing comfortable, convenient and aesthetically pleasing mixed-use development for the Township.

5.1 ARCHITECTURE AND RESIDENTIAL STANDARDS

1. **Dwelling Unit Privacy.** Adjacent dwelling units shall be adjoined in such a manner as to provide code required STC values for soundproofing and privacy between such units.
2. **Entrance Lighting.** A minimum of one (1) low-wattage incandescent or LED light fixture shall be provided outside the exterior entrance to the residential portion of the building.
3. **Fire Escapes.** Buildings containing dwelling units located above the second story and requiring a second means of egress pursuant to the Uniform Construction Code shall not utilize an attached external fire escape as one of the required means of egress.
4. **Type of Lighting Source.** Low-wattage lamps shall be used along all sidewalks, walkways, courtyards and plazas and on any building or unit.
5. **Cable Television Utility.** All dwelling units shall be provided with such facilities for potential linkage to cable service.
6. **Common Entrances.** Common entrances, lobbies, elevators and/or stairwells shall be designed to promote safety and security of residents and visitors using such areas.
7. Buildings with residential dwelling units shall provide laundry facilities and central air conditioning for each dwelling unit either in the unit or in common areas accessible only to residents. Window air conditioning units are not permitted. Television connections should be provided for each unit.

5.2 BUILDING MATERIALS

1. Building materials. Stone, masonry, brick, precast, and wood or aluminum framed glass, are preferred primary materials for the base of façades. Stone, masonry, brick, wood, fiber-cement, precast, metal panels, cast iron, steel, aluminum and other types of metal, and wood or aluminum framed glass, are acceptable primary materials for the middle and top of façades. Within the primary materials, variations in colors, textures, and patterns may be employed to further break up the building bulk. Exterior insulated finishing systems (EIFS) and vinyl siding shall not be permitted.
2. Natural materials are encouraged.
3. Nonnatural materials intended to imitate natural materials shall not be permitted.
4. There shall be no blank facades and buildings shall adhere to the standards listed above and in this document.



5.3 BUFFERS AND LANDSCAPING

1. A minimum 15-foot landscaped buffer is required along residential zones and uses, especially in the area abutting a single-family unit.
2. Such buffer shall include a visual screen designed to produce dense cover consisting of evergreen or evergreen-type hedges or shrubs, spaced at intervals of not more than five feet, located and maintained in good condition within 10 feet of the property line. A six-foot high privacy fence shall be provided along with the plantings.
3. Street trees are required 30 feet on center along Claremont Avenue redevelopment area frontage and to fill the gaps along Bloomfield Avenue redevelopment area frontage.

5.4 FAÇADES



View from Bloomfield Avenue looking towards the east.



View from Bloomfield Avenue looking towards the west.

1. The building shall provide scale-defining architectural elements or details, such as windows, spandrels, awnings, porticos, pediments, cornices, pilasters, columns and balconies. These elements should reflect the existing character and scale of Verona and incorporate elements that relate the façade to existing buildings along Bloomfield Avenue, while not imitating the exact elements. The images above are an example of such a design and are for representation purposes.
2. All entrances to a building, except service and emergency egress doors, shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades and other elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of the building, as shall the doors.
3. Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior. Monotonous, uninterrupted walls or roof planes shall be avoided. Building wall offsets, including projections such as balconies, canopies, awnings, and signs, recesses, and changes in floor level, shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers, or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
4. Terraces should be provided to break the massing and monotony of the building and portions of the highest floor should be set back to minimize the impact along Bloomfield Avenue and Claremont Avenue and to maintain the character of the neighborhood. Such terraces must be provided with planting/planters to soften the space as seen in the image below. However,



this shall not be construed to mean that planters containing artificial plants/faux plants or faux greenery are permitted and that all plantings must be live.



5. In any mixed-use building, the difference between ground floor commercial uses and upper-level dwelling units shall be reflected by differences in façade. Ground floor commercial entrances shall be accentuated through the use of cornice lines and can be accentuated further through the use of distinct but comparable materials, signs, and awnings.
6. Articulate the building entrance to the residential lobby in the façade to make it easily identifiable by pedestrians and motorists and to provide architectural interest.
7. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors and details.
8. There shall be no blank facades along any side, especially the sides that are visible from the street.
9. Fenestration:
 - a. Nonresidential space fronting Bloomfield Avenue should be designed with storefront type display windows. The ground floor shall be comprised of a regular rhythm of storefront bays and window treatments such that the ground floor façade is predominately glazed. The glazing materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with a sign band area and/or lintel composed of detailed layers of relief that create depth and shadow.
 - b. Upper floor windows should be vertically proportioned and be vertically aligned with the location of windows and doors on the ground floor below.
 - c. Fenestration patterns should utilize large window openings and/or tight groupings of smaller windows.
 - d. Window sizing and spacing shall be consistent with and complementary to the overall façade composition.
 - e. Window types shall be consistent with the building elements.
 - f.



5.5 ROOFS

1. The shape, pitch, and color of a roof should be architecturally compatible with the style, materials, and colors of such building.
2. If the building has a flat roof, a parapet shall project vertically to hide any roof-mounted mechanical equipment. Additionally, a cornice shall project out horizontally from the façade and shall be ornamented with moldings, brackets, or other detailing.
3. Roofline offsets shall be provided along any roof measuring more than 50 feet in length in order to provide architectural interest and articulation to a building.
4. Surfaces of flat roofs must be painted white or constructed with light colored roofing materials.

5.6 MECHANICAL EQUIPMENT SCREENING

1. Screening of rooftop mechanical equipment is required.
2. All rooftop mechanical equipment (HVAC, exhaust systems, etc.) shall be screened from view from all adjacent public streets in all directions and elevations to minimize the negative impact.
3. Screening materials shall be consistent with the architectural detail, color and materials of the building. Wire mesh screening is not permitted.
4. All roof and HVAC systems must meet the building code requirements and be set back a minimum of 15 feet from any street or public open space and screened to not be visible from any adjacent public street or public property within the Redevelopment Area.
5. Any parapet wall to screen mechanicals shall not be counted towards the building height calculation.

5.7 TRASH/TRASH ENCLOSURES/RECYCLING

1. All trash enclosures shall follow all regulations set forth by Section 446-9 of the municipal code.
2. All loading and refuse collection areas must be sufficient to serve the business being conducted on the parcel without using adjacent streets. No such areas shall be visible from any neighboring property or adjacent street and must be set at least 15 feet or more from adjacent streets. The recommended method of screening refuse collection enclosures shall consist of walls and gates compatible in color and texture with the building material, buffered by a landscape strip on two sides that do not abut parking spaces. Buffers shall be planted so as to sufficiently obscure the view of the facilities from public view throughout the year and walls and gates constructed as to minimize any emissions of noise or odor. The screen shall not be less than five (5) feet in height at the time of planting and eight (8) feet in height at the time of maturity.
3. All outdoor refuse enclosures shall be visually screened within a durable, noncombustible enclosure, so as not to be visible from adjacent lots or sites, neighboring properties or streets. Chain-link fencing or wire-mesh screening is not permitted.
4. Collection areas shall be effectively designed to contain all material generated on site and deposited between collections. Deposited materials should not be visible from outside the enclosure.



5. Collection enclosures shall be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.
6. Collection areas shall be located upon the site so as to provide clear and convenient access to collection vehicles. Refuse collection and recycling areas shall not be located within required landscaped yards and buffers.
7. An option to reduce the visual impact of the collection containers is to store and compact material inside the building, thus eliminating the need to screen outside containers.
8. The owner or occupant of each non-residential establishment shall be responsible for removing or making arrangements for the removal of garbage and recyclable items, such removal to be made at regularly scheduled intervals, not less than once a week.
9. Any internal collection and storage of trash or recycling within the building shall be in an area easily accessible by residents and shall be maintained to prevent any foul odors or spillage and to prevent any condition which may pose a hazard to life, health and safety. A refuse collection room shall be provided at the cellar or lowest story to receive the refuse. Such rooms shall be enclosed with walls and roofs constructed of material having a minimum fire resistive rating of three hours, except that gypsum masonry may not be used for such enclosure walls. Openings to such rooms shall be provided with fireproof, self-closing doors having a minimum fire resistive rating of one and one-half hours.
10. Trash and recycling collection shall be through a private service to be paid by residents and not by the general revenue or tax collections of Township of Verona. A recycling and trash pickup plan shall be submitted. The owner shall be responsible for removing or making arrangements for the removal of garbage and recyclable items, with such removal to be made at regularly scheduled intervals, not less than once a week. The owner shall be provided with credit in accordance with the law.
11. All bulk containers used by non-residential establishments or dwelling units shall at all times be kept in good repair, be structurally sound and leak-proof and constructed to stand firmly upright and shall be equipped with a cover which is secured to the unit or able to be secured. No bulk container shall be filled in excess of its stated capacity, causing overflow and unsanitary conditions. All users of bulk containers shall ensure that such containers are emptied promptly, not less than once a week. All bulk containers shall be maintained to prevent any foul odors or spillage and to prevent any condition which may pose a hazard to life, health and safety.

5.8 UTILITIES

All new utility distribution lines and utility service connections from such lines to any buildings in the Redevelopment Area shall be located underground, except as otherwise required by the utility provider. To the extent possible, existing utility lines should also be relocated underground. Remote readers for all utilities, in lieu of external location of the actual metering devices, are preferred.

5.9 LIGHTING

1. Adequate lighting shall be provided for all parking areas and pedestrian walkways. All outdoor lighting, including streetlamps and accent lighting, should comply with "dark sky" standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only the intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies. Lighting for a building must be contained on the property on which the building is located. LED lighting shall be permitted in addition to all of the conditions of the Township ordinance standards for lighting.
2. All lighting shall be serviced by underground wiring.



3. Spotlight-type fixtures attached to buildings are prohibited.
4. Light fixtures attached to the exterior of a building are encouraged and should be architecturally compatible with the style, material, and colors of the building. Exterior light figures attached to the building shall not project more than 24 inches from the building line.
5. Where lights along lot lines will be visible from the interior of adjacent buildings, the lights shall be properly shielded and/or mounting heights reduced.
6. All lighting designs and installations are subject to Township review and approval.
7. All lighting plans shall be accompanied by a point-by-point plan indicating numerical illumination levels. The plan shall indicate the average, minimum, maximum and minimum to maximum illumination levels for maintained foot-candles.

5.10 STORMWATER MANAGEMENT

All developments in the Redevelopment Area shall also comply with all pertinent provisions of the Zoning Code.

5.11 SUSTAINABILITY

The following sustainable development standards and practices are required in the redevelopment area:

1. Landscaping
 - a. Any trees slated for removal shall be replaced in accordance with Chapter 493, Article II.
 - b. Provide landscaping in the required front, rear, and side yard setbacks to the extent practicable and in the required buffer areas.
 - c. Use native species and species that are recommended in Chapter 150, Attachment 3, in the required landscape buffers.
2. Waste Management and Recycling
 - a. Facilitate recycling in common areas within buildings and in outdoor open spaces by providing easily accessible recycling bins.
 - b. Facilitate recycling in dwelling units by adding recycling bins and ensuring that the recycling drop-off location is clear and accessible.

The following sustainable development standards and practices are not mandatory but are strongly encouraged in the redevelopment area:

1. Energy Efficiency
 - a. Ensure refrigerators, washers, dryers, and dishwashers in all dwelling units are ENERGY STAR rated.
 - b. Specify windows with a low-E coating and follow ENERGY STAR guidelines.
 - c. Ensure windows are operable in dwelling units to allow residents to naturally vent or cool space.
 - d. Include digital, programmable and user-friendly thermostats in the dwelling units.
2. Indoor Air Quality
 - a. Incorporate ENERGY STAR rated fans that automatically vent in the bathrooms in dwelling units.
 - b. Protect ducts and HVAC from dust during construction to ensure they are clean before occupancy.



3. Water Efficiency
 - a. Use WaterSense rated fixtures in dwelling unit bathrooms.



6.0 PLAN CONSISTENCY

The Redevelopment Plan carefully considers the needs, issues and opportunities of multiple jurisdictions in an effort to further the goals of existing plans.

6.1 RELATIONSHIP TO MASTER PLANS

Verona Master Plan

This Plan acknowledges and serves to address many of the goals and objectives noted in the 2022 Master Plan associated with redevelopment including:

Goal #5 of the **Land Use Element of the 2022 Master Plan** is to “Promote growth in appropriate areas that meet current and future land use trends.” Furthermore, **Objective #5c** aims to “utilize redevelopment designations, where appropriate, to provide greater commercial and housing options” applies to Township’s efforts to utilize redevelopment to diversify housing stock and increase commercial options within the Township. This is in addition to **Objective #5f** which aims to “guide the future development and/or redevelopment of land within the Township so as to incorporate new construction without undue disruption to the established character of the Township.”

Objective #7a of the **Land Use Element** of the **2022 Master Plan**, which aims to “incentivize improvements along the Bloomfield Avenue corridor.” The Redevelopment Plan inherently aligns this objective as it aims to create attractive, multi-family housing and commercial space on an underutilized lot with property and building conditions that represent dilapidation, faulty arrangement or design, and excessive land coverage.

Goal #1 of the Economic Development Element of the 2022 Master plan, “continue to ensure Bloomfield Avenue is a vibrant and attractive downtown” is a guiding goal for the Redevelopment Plan which aims to improve an area along Bloomfield Ave.

Adjacent Municipalities

The Redevelopment Area is not close to the boundaries of any of the neighboring towns. Nevertheless, in reviewing the master plans for the adjacent municipalities of Essex Fells, North Caldwell, West Orange, Montclair, and Cedar Grove, there are no inconsistencies with the goals and recommendations of this plan.

2025 State Development and Redevelopment Plan (SDRP).

The objectives of the 420 Bloomfield Avenue Redevelopment Plan are consistent with the goals, strategies and policies of the 2025 New Jersey State Development and Redevelopment Plan (SDRP). The entire Plan Area is located within the PA-1 Metropolitan Planning Area, where growth and redevelopment is recommended. The study area, within the PA-1 area, is a location consistent with “Smart Growth” planning principles. The intent of the PA1 area of the SDRP is to: provide for much of the state’s future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize and enhance older suburbs; redesign areas of sprawl; and protect the character of existing stable communities. Beyond this, the redevelopment study area meets redevelopment criterion “h” as the Township’s land use policy documents recommend a smart growth redevelopment approach for this area.



7.0 IMPLEMENTATION

7.1 DESIGNATION OF REDEVELOPMENT ENTITY & ITS POWERS

1. The Verona Township Council shall be the designated Redevelopment Entity as permitted under the LRHL (N.J.S.A. 40A: 12A-1 et seq.) and shall for the purposes of this Plan be identified as the Verona Redevelopment Agency (“VRA”).
2. The VRA may designate an entity to implement redevelopment plans and carry out redevelopment projects in the area designated by this Plan, if necessary.
3. When necessary for the implementation of this Plan, VRA, as authorized shall designate and enter into a contract with a redeveloper for any construction or other work forming a part of this Redevelopment Plan (N.J.S.A. 40A: 12A-4(c)).

7.2 GENERAL PROVISIONS

The developer(s) of the Redevelopment Area shall submit a storm water management plan as part of the design submission for review by the Planning Board, which is intended to minimize the quantity of storm water entering the municipal sewer system or flowing directly into any adjacent streams.

7.3 SITE PLAN AND SUBDIVISION REVIEW

1. Pursuant to N.J.S.A. 40A:12A-13, all applications for development governed by this Redevelopment Plan shall be submitted to the Township Planning Board for review and approval.
2. Any subdivision of lots or parcels of land within the Redevelopment Area shall be in compliance with this Redevelopment Plan and reviewed by the Planning Board pursuant to the LRHL and N.J.S.A. 40:55D-1 et seq.
3. All applications for development within the Redevelopment Area shall be processed by the Township of Verona Planning Board in accordance with N.J.S.A. 40:55D-1 et seq.

7.4 ACQUISITION AND RELOCATION

The Redevelopment Plan does not authorize the acquisition of privately-owned property within the Redevelopment Area by the Township of Verona.

7.5 AFFORDABLE HOUSING REQUIREMENTS

The Redevelopment Area contains no existing housing units affordable to **low- and moderate-income** households, as defined pursuant to section 4 of P.L. 1985, c.222 (C.52:27D-304). Any proposed residential development of five (5) or more units within the Plan Area shall provide the required percentage of affordable housing as per the Township’s Adopted Housing Element and Fair Share Plan. Such residential developments will comply with accepted UHAC standards and be otherwise subject to all laws and regulations governing affordable housing in the Township of Verona and the State of New Jersey.

7.6 REQUESTS FOR DEVIATIONS AND DESIGN EXCEPTIONS

The Planning Board shall have the power to grant deviations from the requirements contained within this Redevelopment Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to N.J.S.A. 40:55D-70c and the power to grant waivers from the standards of the



Plan to the same extent as the Board may grant relief from site plan regulations pursuant to N.J.S.A. 40:55D-51.

Any deviation from the Redevelopment Plan standards which would typically result in a “d” variance, shall be addressed as an amendment to the Redevelopment Plan. Neither the Planning Board nor the Board of Adjustment shall have authority to allow deviations, which would result in a “d” variance pursuant to N.J.S.A. 40:55D-70d.

7.7 ADVERSE INFLUENCES

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to public health, safety or general welfare.

7.8 PROCEDURES FOR AMENDING THE PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee of \$5,000 shall be paid by the party requesting such amendment, unless the request is issued from the Township of Verona. The municipal governing body, at their sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study shall be prepared by a professional planner licensed in the State of New Jersey.

7.9 DURATION OF THE PLAN

Provisions of this Redevelopment Pan specifying redevelopment of the Redevelopment Area and requirements and restrictions with respect to thereto shall be in effect for a period of 30 years from the date of adoption of this Plan by the Township of Verona or the date of the last amendment thereof.

7.10 COMPLETION OF REDEVELOPMENT

Upon the inspection and verification and approval by the VRA that the redevelopment within the Redevelopment Area has been completed, certificates of completion shall be issued to the developer, in recordable form, and such area shall no longer be deemed an area in need of redevelopment. At such time, the development may request that the zoning for the Redevelopment Area as provided in this Redevelopment Plan be incorporated into the Zoning Ordinance to ensure that the standards remain applicable.

7.11 SEVERABILITY

If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.



8.0 APPENDICES

APPENDIX A

**RESOLUTION 2024-075 DECLARING BLOOMFIELD AVENUE
AS AN AREA IN NEED OF REHABILITATION**

**RESOLUTION 2026-028 DESIGNATING CERTAIN PROPERTY
KNOWN AS 420 BLOOMFIELD AVENUE (BLOCK 701, LOT 3)
AS AN AREA IN NEED OF REDEVELOPMENT**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2024-075

A motion was made by Deputy Mayor McEvoy; seconded by Mayor Tamburro that the following resolution be adopted:

**DECLARING BLOOMFIELD AVENUE AS AN AREA IN NEED OF
REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "Redevelopment Law") provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential, and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Township of Verona ("Township"), by and through its Township Council (the "Governing Body"), to delineate an area within the Township as an area in need of rehabilitation if the area qualifies under one of the criteria enumerated under *N.J.S.A. 40A:12A-14*; and

WHEREAS, Township Manager directed the Township's planning firm, H2M Associates, Inc. ("H2M"), to conduct a preliminary investigation to determine if the Bloomfield Avenue corridor ("Study Area"), as described in the attached boundary map, and which is generally bounded by Sunset Avenue to the east, White Rock Road to the west and an irregular boundary along properties fronting on Bloomfield Avenue, qualifies as an area in need of rehabilitation pursuant to *N.J.S.A. 40A-12A-14*; and

WHEREAS, H2M's findings, presented in a revised report entitled "*Area in Need of Rehabilitation Study Bloomfield Avenue Corridor*" dated March 15, 2024, attached herewith as **Exhibit A** ("H2M Report"); and

WHEREAS, the H2M report concludes that because (a) more than half of the housing stock were built before 1974 and, therefore, are at least 50 years old and (b) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance, the Study Area qualifies as an area in need of rehabilitation under the Redevelopment Law; and

WHEREAS, on February 26, 2024, the Governing Body referred the Study Report and this Resolution in draft form to the Planning Board for review and comment; and

WHEREAS, on April 16, 2024, the Planning Board returned this resolution and H2M Report with a recommendation that the Study Area be delineated as an area in need of rehabilitation; and

WHEREAS, the Township Council finds it to be in the best interest of the property owners and business owners within the Study Area to delineate the Study Area as an area in need of rehabilitation, and that based upon the H2M report and the Planning Board's recommendation, finds that the Study Area meets the criteria of *N.J.S.A. 40A:12A-14* of an area in need of rehabilitation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, and State of New Jersey, as follows:

1. Based upon the facts reported in the H2M report and the recommendation of the Planning Board, the Township Council find that the Study Area, consisting of the Bloomfield Avenue Corridor, meets the eligibility criteria of *N.J.S.A. 40A:12A-14* for designation as an area in need of rehabilitation in that (a) a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance and (b) more than half of the housing stock in the Study Area is at least 50 years old. The Township Council further find that the designation of the Study Area as an area in need of rehabilitation is expected to prevent further deterioration and promote the overall

development of the Township of Verona in accordance with the requirements of *N.J.S.A. 40A:12A-14*.

2. The Township Council hereby delineates the Study Area and all of the properties therein as an area in need of rehabilitation (hereinafter, the Study Area shall be the "Rehabilitation Area"), which delineation allows the Township Council to, among other things, adopt redevelopment plans for all or part of the Rehabilitation Area, enter into redevelopment agreements with redevelopers within the Rehabilitation Area, and adopt an ordinance pursuant to *N.J.S.A. 40A:12A-21, et seq.*, authorizing short-term tax exemptions and/or abatements to properties located within the Rehabilitation Area. Furthermore, the Township Council may further direct the Planning Board to conduct investigations to determine whether specific properties within the rehabilitation area meet the redevelopment criteria, pursuant to *N.J.S.A. 40A:12A-5*.
3. The Township Council hereby directs the Municipal Clerk to transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs in accordance with the Redevelopment Law.
4. All Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.
5. This Resolution shall take effect immediately.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

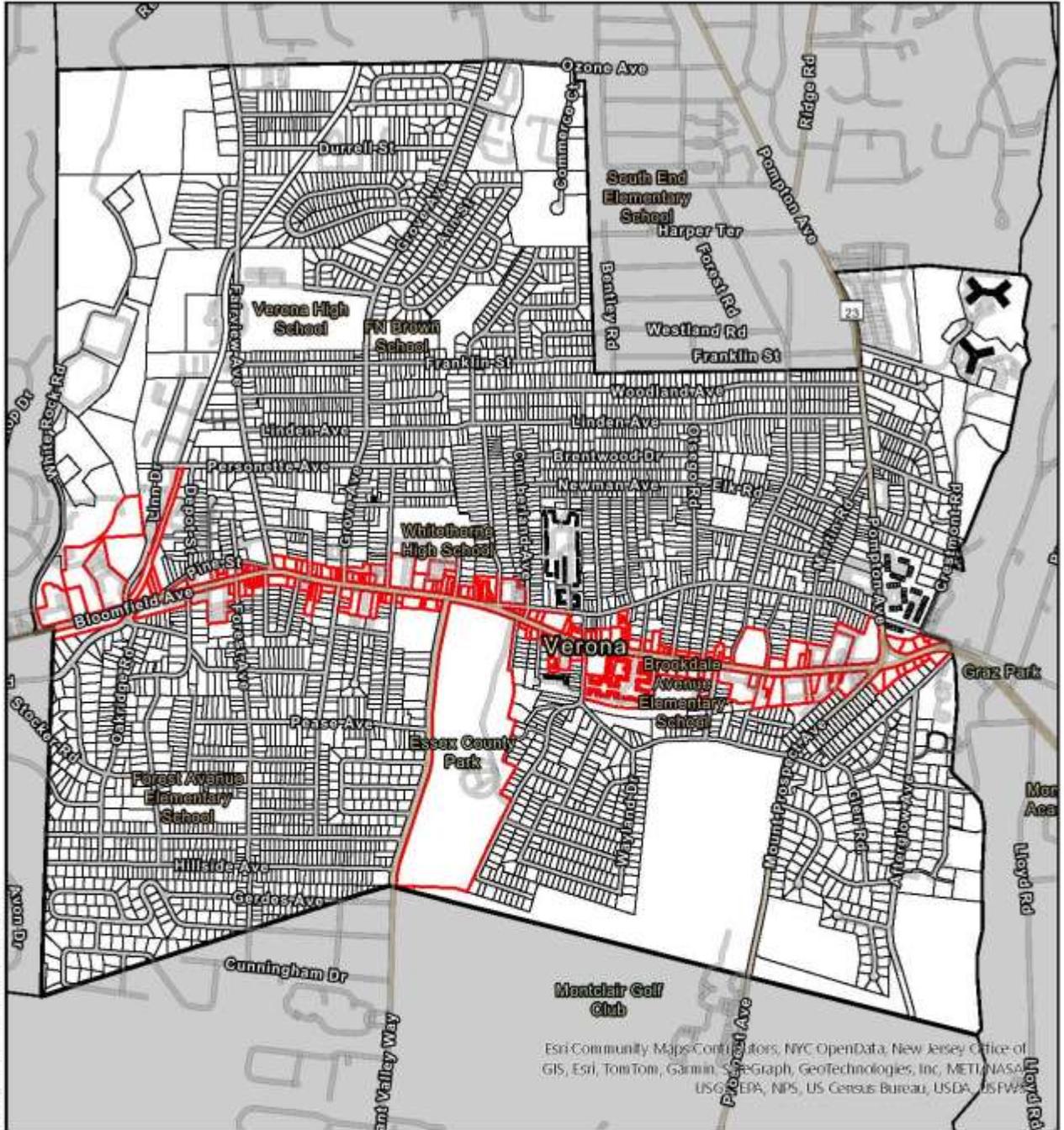
NAYS:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON MAY 6, 2024.


JENNIFER KIERNAN
MUNICIPAL CLERK



EXHIBIT A

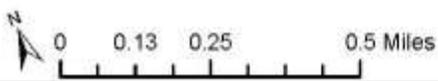


Esri-Community Maps Contributors, NYC OpenData, New Jersey Office of GIS, Esri, TomTom, Garmin, DeLorme, GeoGraph, Geotechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Document Path: X:\PROJ\Township of Verona\PROJ2101 - Master Plan and Community Outreach\ES2001-1302_VR101_VA_x.mxd

Legend

- Parcels fronting along Bloomfield Avenue
- Parcels



Township of Verona

Rehabilitation Area Map

H	2	architects	119 Cherry Hill Rd #110 Parsippany, 07054 631-756-8000 www.h2m.com
		+	
M	engineers		

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2026-028

A motion was made by Councilman Roman; seconded by Mayor Tamburro that the following resolution be adopted:

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA DESIGNATING AND DECLARING THAT CERTAIN PROPERTY LOCATED AT 420 BLOOMFIELD AVENUE AND IDENTIFIED AS BLOCK 701, LOT 3 BE DECLARED A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment or as areas in need of rehabilitation; and,

WHEREAS, by Resolution 2025-294, the Township Council (the "**Township Council**") of the Township of Verona (the "**Township**") authorized and directed the Planning Board of the Township of Verona (the "**Planning Board**") to conduct a preliminary investigation of the property identified as 420 Bloomfield Avenue, Block 701, Lot 3 on the tax map of the Township (the "**Study Area**") to determine whether all or a portion of the Study Area meets the criteria set forth in the Redevelopment Law to be designated as an area in need of redevelopment without condemnation powers ("**Non-Condemnation Redevelopment Area**"); and,

WHEREAS, in accordance with the Redevelopment Law, a study was performed by Sanyogita Chavan, AICP, PP of H2M Associates, the Planning Board's Professional Planner (the "**Planner**") to determine whether the Study Area should be designated an area in need of redevelopment; and,

WHEREAS, the Planner conducted an investigation and prepared a report with a map of the Study Area depicting the proposed redevelopment area and the location of the parcel under consideration which included a statement of the basis for the investigation and other information, in a report entitled "Township of Verona, 420 Bloomfield Avenue, Area in Need of Redevelopment Preliminary Investigation Report", dated January 2, 2026 (the "**Study**"), memorializing findings and recommendations; and,

WHEREAS, the Study concluded that the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5(d) and 5(h), including but not limited to dilapidation, obsolescence and the designation is consistent with smart growth principles to be designated as a Non-Condemnation Redevelopment Area under the Redevelopment Law; and,

WHEREAS, pursuant to the Redevelopment Law, the Planning Board held a duly noticed public hearing concerning the Study ("**Public Hearing**") and gave an opportunity to be heard to all persons interested in or affected by a determination that the Study Area is a Non-Condemnation Redevelopment Area; and,

WHEREAS, at the Public Hearing the Planning Board reviewed the findings of the Planner set forth in the Study, heard expert testimony from the Planner (Sanyogita Chavan, AICP, PP) concerning the potential designation of the Study Area as an area in need of redevelopment using the criteria set forth in the Redevelopment Law, and opened the Public Hearing to members of the public for comment and to present their own evidence and/or to address questions to the Planning Board and its representatives concerning the potential designation of the Study Area as an area in need of redevelopment with no member of the public appearing; and,

WHEREAS, on January 22, 2026, based on its review of the Study and the testimony presented at the Public Hearing, the Planning Board voted to recommend to the Council that the Study Area be designated a Non-Condemnation Area in Need of Redevelopment (the "**Planning Board Recommendation**"), accepting and adopting the recommendations contained in the Study, and recommending that the Study Area be declared a Non-Condemnation Redevelopment Area for the reasons set forth therein; and,

WHEREAS, after careful consideration of the Study, the Planning Board Recommendation, and all of the relevant facts and circumstances concerning this matter, the Township of Verona seeks to designate the Study Area as a non-condemnation area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona as follows:

SECTION 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION 2. Based upon the evidence and the recommendation of the Planning Board, the property in the Study Area satisfies the criteria for designation as an area in need of redevelopment set forth in N.J.S.A. 40A:12A-5(d) and 5(h), and such property is hereby designated as an area in need of redevelopment without condemnation powers.

SECTION 3. In connection with the redevelopment of the Study Area, the Township shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

SECTION 4. The Township Council hereby directs the Township Clerk to transmit a certified copy of this Resolution forthwith to the Commissioner of the Department of Community Affairs for review pursuant to Section 6(b)(5)(c) of the Redevelopment Law.

SECTION 5. The Township Council hereby directs the Township Clerk to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Study Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the Public Hearing, service to be in the manner provided by Section 6(b)(5)(d) of the Redevelopment Law.

SECTION 6. This Resolution shall take effect immediately.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 9, 2026.


JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK



**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

ORDINANCE No. 2026-

**ADOPTING THE REDEVELOPMENT PLAN FOR 885 BLOOMFIELD
AVENUE REDEVELOPMENT AREA (BLOCK 2205, LOT 6)**

WHEREAS, on February 11, 2019, the Township Council (“the “Township Council”) of the Township of Verona, in the County of Essex, New Jersey (the “Township”) adopted Resolution 2019-56 declaring Block 2205, Lot 6, as identified in the municipal tax maps, to be a Non-Condensation Redevelopment Area; and

WHEREAS, on May 6, 2024, the Township Council (“the “Township Council”) of the Township of Verona, in the County of Essex, New Jersey (the “Township”) adopted Resolution 2024-075 declaring the entirety of Bloomfield Avenue Corridor, which includes the above referenced property, as an Area in Need of Rehabilitation; and

WHEREAS, more than 45 days have passed since said Resolution was adopted, and no actions have been filed challenging such action; and

WHEREAS, N.J.S.A. 40A:12A-7 provides for a procedure for the adoption of a redevelopment plan for all or a portion of a duly designated redevelopment area; and

WHEREAS, Block 2205, Lot 6 in the Township (the “Property”) are located within the 885 Bloomfield Avenue Redevelopment Area; and

WHEREAS, N.J.S.A. 40A:12A-7.a provides that “No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, ...”; and sets forth statutory requirements for the contents of a Redevelopment Plan; and

WHEREAS, the Township Council directed its planning consultant, H2M engineers and architects (the “Professional Planner”) to prepare a draft redevelopment plan concerning the 885 Bloomfield Avenue Redevelopment Area; and

WHEREAS, the Township Council is desirous of enacting a redevelopment plan to guide the future use, development and redevelopment of Block 2205, Lot 6, heretofore designated as an area in need of redevelopment with provisions to enable the construction of a townhouse with units affordable family units and affordable group home units.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Verona, County of Essex and State of New Jersey as follows:

SECTION 1. The Redevelopment Plan, as filed in the Office of the Township Clerk and attached hereto as Exhibit A and by the reference made a part hereof is hereby approved and adopted pursuant to N.J.S.A. 40A-12A-1 et. seq.

SECTION 2. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. This ordinance shall take effect 20 days after final passage and publication as prescribed by law.

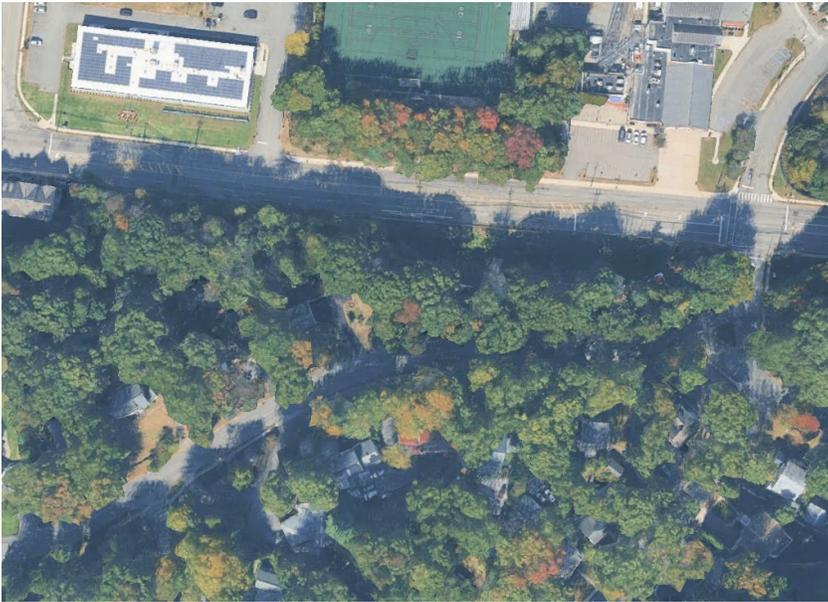
ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

**JENNIFER KIERNAN, CMC
MUNICIPAL CLERK**

INTRODUCTION:
PUBLIC HEARING:
EFFECTIVE DATE:



Township of Verona 885 Bloomfield Ave

Redevelopment Plan

Prepared by:



Redevelopment Plan for 885 Bloomfield Avenue

Verona Planning Board

Christopher Tamburro, Mayor
Kevin O'Sullivan
Jack McEvoy
Jessica Pearson, Chairperson
Jason Hyndman, Vice Chairperson
Tim Camuti
Jesse Lilley
David Freschi
Julie Parker
Jim Day –Alt. #1
Dylan Magarrell – Alt. #2
Greg Mascera, Esq., Planning Board Attorney
Mr. Peter Ten Kate, Township Engineer
Dolores Carpinelli, Planning Board Secretary
Kathleen Miesch, Zoning Official

Verona Township Council

Christopher Tamburro, Mayor
Jack McEvoy, Deputy Mayor
Alex Roman, Councilman
Christine McGrath, Councilwoman
Cynthia Holland, Councilwoman
Brian Aloia, ESQ, Township Attorney

Special Thanks to:

Kevin O'Sullivan, Township Manager
Michael Kraus, Deputy Township Manager

Consultants:

H2M Associates, Inc.
119 Cherry Hill Road, Suite 110
Parsippany, NJ 07054

Adopted by Verona Township Council:

_____, 2026

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12

Sanyogita Chavan PP, AICP, License Number: 33LJ00593300

(Page intentionally left blank)



Table of Contents

1.0 INTRODUCTION..... 4

 1.1 BASIS FOR THE PLAN4

 1.2 PURPOSE/VISION.....6

 1.3 NOTE ON PLAN TERMINOLOGY.....6

 1.4 REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN.....6

2.0 EXISTING CONDITIONS 8

 2.1 2019 AREA IN NEED OF REDEVELOPMENT SUMMARY8

 2.2 SURROUNDING AREA CONTEXT8

 2.3 RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES.....13

 2.4 Redevelopment Plan Objectives14

 2.5 RELATIONSHIP TO ZONING ORDINANCE14

3.0 USE AND BULK REGULATIONS 15

 3.1 Land Uses15

 3.2 Area, YARD, Bulk Regulations.....15

 3.3 BUILDING AND UNIT DESIGN16

 3.4 DRIVEWAYS & CURBS.....17

 3.5 PARKING AND LOADING.....18

 3.6 ARCHITECTURE AND RESIDENTIAL STANDARDS.....18

 3.7 BUILDING MATERIALS19

 3.8 ROOFS.....19

 3.9 MECHANICAL EQUIPMENT SCREENING19

 3.10 TRASH/TRASH ENCLOSURES/RECYCLING19

 3.11 UTILITIES.....20

 3.12 LIGHTING20

 3.13 STORMWATER MANAGEMENT21

 3.14 SUSTAINABILITY.....21

 3.15 EXEMPTIONS22

4.0 PLAN CONSISTENCY..... 23

 4.1 RELATIONSHIP TO MASTER PLANS.....23



5.0 IMPLEMENTATION 24

5.1 DESIGNATION OF REDEVELOPMENT ENTITY & ITS POWERS 24

5.2 GENERAL PROVISIONS..... 24

5.3 SITE PLAN AND SUBDIVISION REVIEW 24

5.4 ACQUISITION AND RELOCATION 24

5.5 AFFORDABLE HOUSING REQUIREMENTS 24

5.6 REQUESTS FOR DEVIATIONS AND DESIGN EXCEPTIONS 24

5.7 ADVERSE INFLUENCES 25

5.8 PROCEDURES FOR AMENDING THE PLAN 25

5.9 DURATION OF THE PLAN 25

5.10 COMPLETION OF REDEVELOPMENT..... 25

5.11 SEVERABILITY 25

6.0 APPENDICES 26



1.0 INTRODUCTION

1.1 BASIS FOR THE PLAN

This redevelopment plan has been prepared for 885 Bloomfield Avenue Area in Need of Redevelopment within the Township of Verona, Essex County, New Jersey (the “Redevelopment Plan” or the “Plan”). The Bloomfield Avenue Redevelopment Area comprises of one lot, which is 1.77 acres. This property is identified as Block 2205, Lot 6 (885 Bloomfield Avenue) and is located at the intersection of Bloomfield Avenue and Fells Road. The property is a corner lot which fronts the westbound side of Bloomfield Avenue and is bounded by Fells Road traversing along a portion of the rear property line. Presently, the property is a vacant, wooded lot with billboards. Surrounding uses consist of residential uses to the west and south and Fells Road to the east. Verona’s Fire Department, Community Center, and Township’s active recreation grounds (Centennial Field) are located to the north of the property.

The entirety of the Bloomfield Avenue corridor has been designated as an area in need of rehabilitation pursuant to Resolution 2024-75, which also includes Block 2205, Lot 6, as seen in **Figure 1**. Previously, this property was designated as a non-condemnation area in need of redevelopment pursuant to Resolution 2019-56. This means that the Township **will not use eminent domain** to acquire these properties. The resolutions are included herein in **Appendix A**. This Redevelopment Plan provides the development regulations and other standards to guide the redevelopment of the 885 Bloomfield Avenue Redevelopment Area (“Redevelopment Area”).



885 Bloomfield Avenue Non-Condemnation Redevelopment Plan
Township of Verona

Figure 1: 885 Bloomfield Avenue Redevelopment Area Map





1.2 PURPOSE/VISION

The 885 Bloomfield Avenue Redevelopment Plan sets forth standards for development and site improvements in the declared area in need of redevelopment. The Redevelopment Plan is intended to revitalize the area by introducing townhouse development that will help diversify the housing types in the Township and address a portion of the Township's Fourth Round Affordable Housing Obligation. This round of affordable housing regulations encourages the conversion of underutilized or vacant properties into affordable housing opportunities in municipalities where land is limited. Verona Township is nearly fully built out in that there are very few parcels containing vacant and developable land. As such, this redevelopment area is an appropriate location for a townhouse development that will address a portion of the Township's affordable housing obligation.

The Redevelopment Area is proximate to an assortment of retail, commercial, public buildings, office uses, and existing residential uses. These uses include multi-family residential to the northeast and to the west, single-family residential to the south, and office buildings to the east, along Bloomfield Avenue. The site is also near the NJ Transit 29, and 105 bus route stops along Bloomfield Avenue. The proximity to major bus routes connecting to nearby towns and attractions encourages the use of public transportation and reduces dependency on automobiles, which in turn helps to create a more walkable and attractive downtown.

1.3 NOTE ON PLAN TERMINOLOGY

Throughout the Redevelopment Plan, a conscious distinction is made in the regulations between "shall" and "should." "Shall" means that a developer is required to comply with the specific regulation, without any deviations. "Should" means that a developer is encouraged to comply but is not required to do so.

1.4 REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN

The Local Redevelopment and Housing Law (LRHL) pursuant to N.J.S.A 40A:12A-7 requires that a redevelopment plan includes an outline for the planning, development, redevelopment, or rehabilitation of the redevelopment plan area sufficient to indicate the following:

1. Its relationship to definite local objectives as to appropriate land use, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to:
6. The master plans of contiguous municipalities.
7. The master plan of the county in which the municipality is located.
8. The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.L. 1985, c.398 (C.52:18A-196 et al.).



885 Bloomfield Avenue Non-Condemnation Redevelopment Plan
Township of Verona

9. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low- and moderate-income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
10. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.
11. Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
12. The redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," N.J.S.A. 52:27D-301 et seq. and the housing element of the municipal master plan.
13. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c. 291 (C.40:55D-1 et seq.).
14. The redevelopment plan must state whether it shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area.
15. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.



2.0 EXISTING CONDITIONS

2.1 2019 AREA IN NEED OF REDEVELOPMENT SUMMARY

On January 7, 2019, the Township Council directed the Planning Board to conduct an Area in Need of Redevelopment Investigation for Block 2205, Lot 6. The Planning Board conducted the investigation and had a public hearing on February 5, 2019. After completion of its investigation and public hearing, the Planning Board concluded that the area satisfied the criteria as set forth within the LRHL and recommended designation to the Township Council. The Township Council accepted the recommendation and designated the said property as an area in need of redevelopment on February 11, 2019. Please see Appendix A for the resolutions.

2.2 SURROUNDING AREA CONTEXT

The Redevelopment Area is located on the western side of Verona, along Bloomfield Avenue. Bloomfield Avenue, a roadway under Essex County's purview, traverses from Fairfield to Newark. This roadway cuts through the heart of Verona and serves as the Township's traditional downtown. The Redevelopment Area is serviced by the NJ Transit 29 bus route, which runs from Essex Mall in West Caldwell to Newark Penn Station, and the NJ Transit 105 bus route, which runs from Kirkpatrick Lane at Bloomingdale Avenue to the Port Authority Bus Terminal in New York City as shown in **Figure 2**. The optimal walking distance between a transit station or stop and a place of employment/residential use is between $\frac{1}{4}$ mile (1,320 feet) and $\frac{1}{2}$ mile (2,640 feet), which places the redevelopment area within walking distance of a good bus service.



885 Bloomfield Avenue Non-Condemnation Redevelopment Plan
Township of Verona

Figure 2: 885 Bloomfield Avenue Redevelopment Area Existing Public Transportation Map





The redevelopment area is bounded by Bloomfield Avenue to the north and Fells Road to the south. The Redevelopment Area, as shown in **Figure 3**, is located within one (1) zoning district, the Township's Residential Townhouse ("A-3") Zone District. A list of permitted uses allowed in the zone district is provided below. The complete zoning standards can be found in Chapter 150 of the Township Code. As mentioned earlier and shown in **Figure 4**, the surrounding uses include multi-family residential to the south and to the east, single-family residential to the west, and commercial uses to the north and west, along Bloomfield Avenue.

A-3 – Residential Townhouse Zone District

Section 150-17.10 Permitted uses.

Permitted uses

In A-3 Zone District, only the following use is permitted:

- 1. Single-family dwellings

Permitted Accessory Uses

In A-3 Zone District, the following accessory uses are permitted:

- 1. Detached garage.
- 2. Family day-care center.
- 3. Swimming pool, hot tub and related facilities.
- 4. Basketball court, unlit.
- 5. Tennis court, unlit.
- 6. Deck, either attached or unattached.
- 7. Greenhouse.
- 8. A single shed up to 150 square feet in floor area.

Conditional Uses

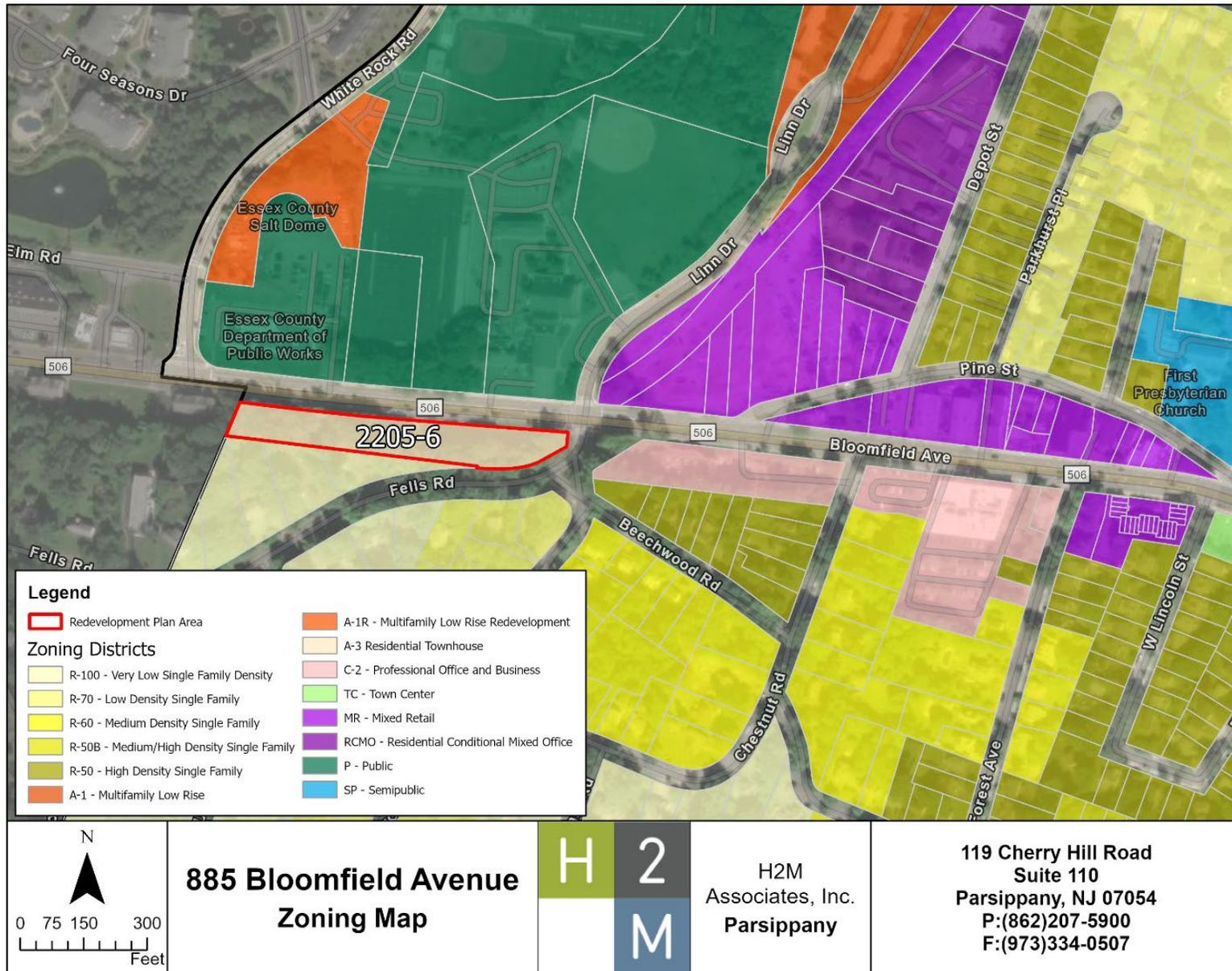
In A-3 Zone District, the following uses are conditionally permitted:

- 1. A satellite or dish antenna, as an accessory use, installed in the side or rear yard, subject to the conditions set forth in Section 150-7.11.
- 2. Townhouses subject to the following density and bulk regulations:
 - a) Over eight acres in size: eight dwelling units per acre.
 - b) Between 6.0 and 7.99 acres in lot size: nine dwelling units per acre.
 - c) Between 4.1 and 5.99 acres in lot size: 11 dwelling units per acre.
 - d) Under four acres in lot size: 12 dwelling units per acre.
 - e) Minimum acreage (combined): 1.5 acres
 - f) Minimum front yard setback: 50 feet
 - g) Minimum side yard setback: 25 feet.
 - h) Minimum rear yard setback: 50 feet.
 - i) Minimum rear yard setback, Bloomfield frontage: 30 feet.
 - j) Minimum front yard setback, Bloomfield frontage: 25 feet.
 - k) Minimum buffer between townhouses and off-site residential uses: 25 feet.
 - l) Maximum height (stories/feet): 2.5 stories; 35 feet.
 - m) Maximum lot coverage: 40%.
 - n) Maximum improved lot coverage: 55%.



885 Bloomfield Avenue Non-Condensation Redevelopment Plan Township of Verona

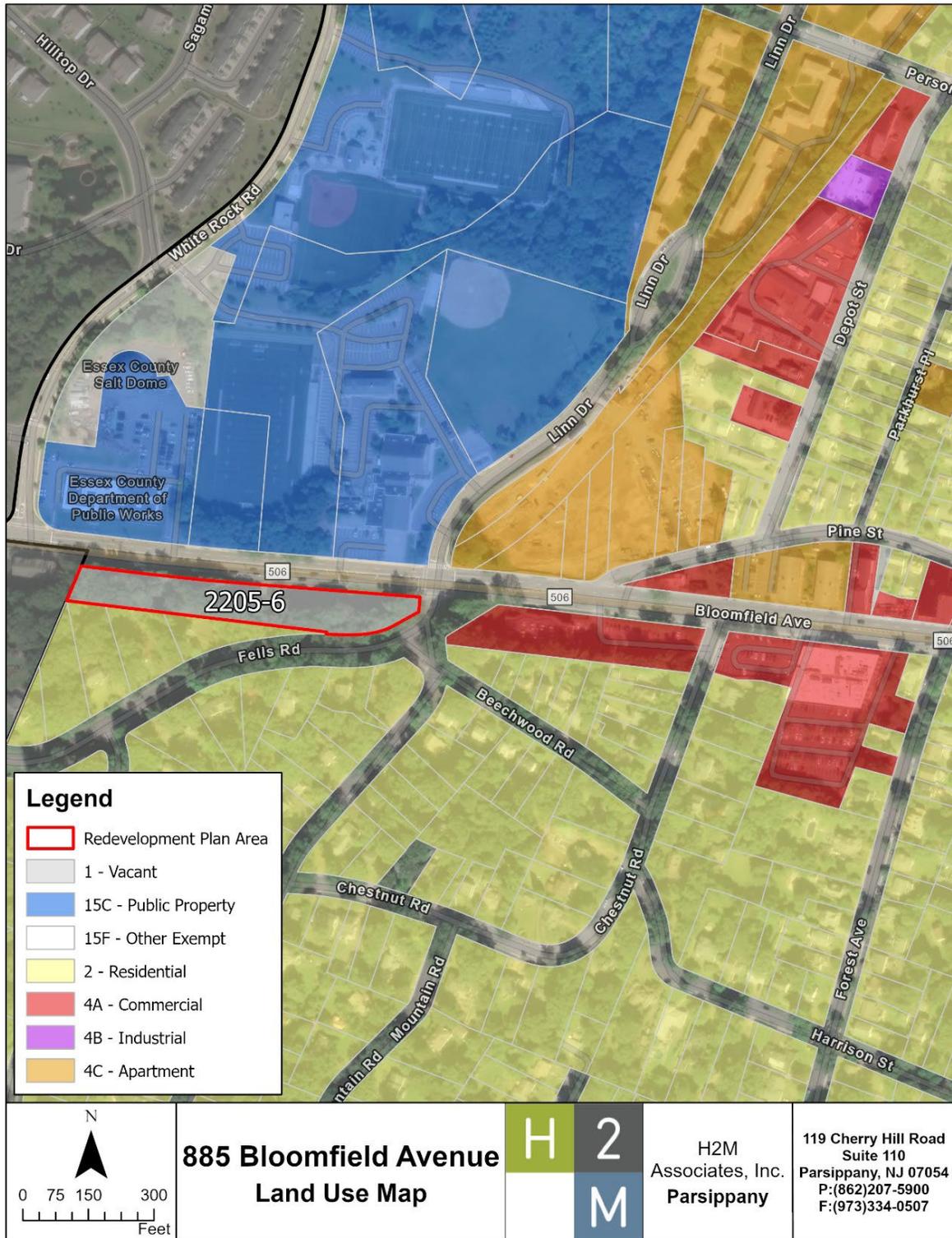
Figure 3: 885 Bloomfield Avenue Redevelopment Area Zoning Map





885 Bloomfield Avenue Non-Condensation Redevelopment Plan
 Township of Verona

Figure 4: 885 Bloomfield Avenue Redevelopment Area Land Use Map





2.3 RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES

The Township’s latest Master Plan was adopted in September 2022. The Master Plan sets forth the goals and objectives for land uses within the Township. The following information from the plans relates to the redevelopment area:

2022 Master Plan.

The Master Plan addresses several planning issues and priorities pertaining to revitalizing Verona’s downtown and commercial corridor along Bloomfield Avenue. The Master Plan acknowledges that Verona is a nearly fully built-out community and, thus, future major development would likely be through redevelopment initiatives. The Land Use Element provides guidelines for future development and redevelopment that address planning issues but aims to maintain the character of the Township’s residential neighborhoods. The Economic Development Element addresses these planning issues by encouraging strategic use of infill development and redevelopment to continue to ensure the Bloomfield Avenue corridor is vibrant and attractive to visitors and residents. The 2022 Master Plan’s goals and objectives relevant to the Redevelopment Plan are listed below:

The 2022 Master Plan’s goals and objectives address the topic of redevelopment and are listed below:

- Land Use Goal #5:* “Promote growth in appropriate areas that meet current and future land use trends.”

- Land Use Objective #5b:* “Consider greater diversity of housing options, where appropriate, while maintaining the existing character of the Township’s residential neighborhoods.”

- Land Use Objective #5f:* “Guide the future development and/or redevelopment of land within the Township so as to incorporate new construction without undue disruption to the established character of the Township.”

- Land Use Goal #7:* “Ensure zoning districts regulations and land uses align with the Township’s development goals.”

- Land Use Objective #7a:* “Incentivize improvements along the Bloomfield Avenue corridor.”

- Land Use Goal #9:* “Continue to meet the municipal obligation to provide the Township of Verona its fair share of affordable housing for low- and moderate income households.”



2.4 REDEVELOPMENT PLAN OBJECTIVES

The Township seeks to promote the redevelopment of the area located at 885 Bloomfield Avenue (Block 2205, Lot 6) into an area that is attractive to passersby and improves an underutilized property. The goal of this redevelopment plan is to transform this area to provide diversity of housing types, while maintaining the existing character of the surrounding residential and commercial areas. The Redevelopment Plan helps to achieve the Township's goals by providing affordable housing that is proximate to public transportation and existing commercial and retail businesses.

The objectives for this Redevelopment Plan are to:

1. Enhance and maintain the character of the Township by incorporating contemporary planning and design principles that instill a sense of place and provide an attractive livable environment.
2. Provide a range of market rate and affordable housing options that meet the current and future needs of Township residents.
3. Provide alternative living arrangements or permanent supportive housing for adults with special needs as those terms are defined in NJ Rev Stat § 34:1B-21.24 (2024).
4. Revitalize an obsolete and underutilized area of the Township with high-quality development.

2.5 RELATIONSHIP TO ZONING ORDINANCE

This Redevelopment Plan shall supersede the provisions set forth within the Zoning Ordinance of the Township of Verona (the "Zoning Ordinance"). In all situations where zoning issues are not specifically addressed herein, the Zoning Ordinance shall remain in effect. The Township's Zoning Map shall be amended upon the adoption of this Plan in accordance with N.J.S.A. 40A:12A-7.c to reflect this new classification.



3.0 USE AND BULK REGULATIONS

This redevelopment plan is being created to implement a settlement between the Township of Verona and A & R Skyline Properties, LLC, an objector to the Township’s Fourth Round Affordable Housing and Fair Share Plan. The following land uses and development standards provide a framework for the physical development of the redevelopment area to provide a variety of housing options while maintaining the character of the neighborhood.

3.1 LAND USES

The Redevelopment Area uses, and bulk regulations will supersede the use bulk regulations of the underlying A-3 Zone District, shown in **Figure 3**.

1. Permitted Uses:
 - a. Townhouses with 20% inclusionary affordable housing.
2. Accessory Uses and Structures:
 - a. Off-street parking such as a one-car or two-car garage attached to an individual townhouse unit and surface parking.
 - b. Refuse and recycling enclosures.
 - c. All other uses that are customarily incidental to the principal permitted uses set forth within this Redevelopment Plan.

3.2 AREA, YARD, BULK REGULATIONS

Development in the Redevelopment Area is subject to the requirements in the table below.

Bulk Standards	Requirements
Min. Lot Area	1.5 acres
Max. Number of Units	28 townhouse units
Total Affordable Units	Six Credits; Three (3) Affordable Housing Family Units; and One (1) 3-bed Special Needs housing
Max. Building Height	40 ft
Maximum Stories	3 stories
Min. Front Yard Setback	6 ft
Min. Rear Yard Setback	20 ft.
Min. Side Yard Setback (one)	8 ft.
Min. Side Yard Setback (both)	18 ft.
Max. Building Coverage	35%
Max. Improved Lot coverage (%)	65%
Minimum Distance between the townhouse structures	10 feet



3.3 BUILDING AND UNIT DESIGN

1. Structures: No townhouse dwelling structure shall be permitted to have more than seven townhouse dwelling units.
2. Dwelling unit size.
 - a. Pursuant to the UHAC regulations, NJAC 5:80-26.5(b)(2)(viii), restricted units, in developments comprising of market rate and restricted rental units, must be of at least the same size as the most common market-rate unit(s) of the same type and bedroom count within the same development, but under no circumstances shall any restricted unit or bedroom be less than 90 percent of the minimum size prescribed by the applicable municipal code or Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4, whichever prescribes the greater minimum size.
 - b. The number of bedrooms shall comply with NJAC 5:80-26.4.
 - c. Restricted units shall comply with pertinent UHAC regulations pursuant to NJAC 5:80-1 et. seq.
 - d. Affordable Housing unit is required as per the adopted Housing Element and Fair Share Plan and the pertinent municipal ordinances. The developer shall provide a maximum number of 28 units with 20% affordable housing, which is rounded to six (6) affordable housing within the project, consistent with the projections contained in the approved Housing Element and Fair Share Plan contained in the Master Plan. Affordable housing can be satisfied through three (3) family units and one 3-bedroom special housing, which will result in a total of six credits.
3. Buildings with residential dwelling units shall provide laundry facilities and central air conditioning for each dwelling unit either in the unit or in common areas accessible only to residents. Window air conditioning units are not permitted. Television connections should be provided for each unit.
4. Design Standards:
 - a. Townhouse units shall have individual entrance, with entrance vestibules or porches to give identity to each unit and provide weather protection.
 - b. The development shall provide varied elevations, design, and structural appearance within the context of the overall theme. The front facade of each townhouse building shall have varied elevations for each adjacent townhouse. Each adjacent townhome must vary in at least two (2) of the following criteria from the neighboring townhome:
 - i. The number, size, shape, or location of windows and doors.
 - ii. The profile of cornice treatment on the front façade.
 - iii. Mix of materials (brick, stone base, or siding).
 - iv. Location of porches, bay windows, and porticoes.
 - v. Color or brick, siding, or stone.
 - c. Within the development there shall be not less than two different residential unit floor plans together with not less than two different front elevations for the townhome units.
 - d. Attached townhouses shall appear as a unified building mass, maintaining a common architectural language across the entire length of units. This mass shall be varied by changes in unit orientation, color/material variations, shifts in roof profile, and variation at corner units.



- e. A 3-story blank wall, even if at the narrow end of a building, does not reflect acceptable design quality. Architectural relief and fine detailing to break up monotonous surfaces, especially given the visibility from Bloomfield Avenue.
- f. Avoid applied ornamentation which is not related to building structures or architectural design. This includes arbitrary, inconsistent forms and decoration; uninterrupted floating horizontal elements; and large blank surfaces.
- g. Windows, bays, balconies, and other articulation could also be used to express the individuality of the units.
- h. The roofline along the building's length should be varied to reflect the individual units. This can be achieved by using separate roof forms; a combination of roof types such as shed, gabled and hipped roof(s), and gables and dormers.
- i. Where flat roofs are used, they should be detailed with cornices as noted within Section 3.8 of the Redevelopment Plan.
- j. Building and roof modulation and articulation should be used to reduce the appearance of large building masses.
 - i. Modulate the building façade with features such as porches, balconies, building wall relief, and bay windows.
 - ii. Provide roof elements such as gables, eyebrow roof forms or dormers.
 - iii. Incorporate prominent cornice, soffit or fascia details that emphasize the top of the building.
 - iv. Provide prominent roof overhangs.
 - v. Articulate the roof with rafter tails and brackets.
- k. Materials. This shall be provided as per Section 3.7 of the Redevelopment Plan.

The images below are an example of townhouse development for reference.



An example of potential viewshed from Bloomfield Avenue corridor



An example of potential viewshed with garages to the rear

3.4 DRIVEWAYS & CURBS

1. Driveways shall not be located closer than five (5) feet from a property line, nor closer than ten (10) feet from an existing driveway on an adjacent property.
2. A maximum of two (2) driveways shall be permitted from Bloomfield Avenue.
3. Two-way driveways shall be a minimum of 24 feet wide. Depressed curb may be provided to enable circulation of emergency vehicles.



- 4. Curbs along public rights-of-way shall be poured-in-place concrete or other masonry material such as Belgian block.

3.5 PARKING AND LOADING

- 1. Parking is prohibited in any required front yard setback along Bloomfield Avenue.
- 2. On-street parking is prohibited along Bloomfield Avenue.
- 3. Adequate fire and emergency access must be provided subject to the Township of Verona Fire Department.
- 4. All parking spaces shall be at least nine feet by eighteen feet, except that two and one-half feet of the length may be included in any overhang.
- 5. On-site parking shall not be used for any purpose other than parking.
- 6. Adequate parking facilities for accessibility to people with mobility impairments shall be provided as required by the Americans with Disabilities Act (ADA).
- 7. All required parking must be provided within the redevelopment area.
- 8. Parking in the redevelopment area shall be required based on the following table:

Permitted Uses	Minimum Parking Requirements
Residential Townhouses	2.0 parking spaces per unit
Special Needs Housing	0.25 parking spaces per unit

- 9. All off-street parking must comply with regulations for Make-Ready EV parking spaces set forth by P.L. 2021, c.171 of the Municipal Land Use Law. Each Make-Ready EV space shall count as two parking spaces for the purpose of complying with the minimum parking space requirements but shall not result in a reduction of more than 10% of the required off-street parking.

3.6 ARCHITECTURE AND RESIDENTIAL STANDARDS

- 1. **Dwelling Unit Privacy.** Adjacent dwelling units shall be adjoined in such a manner as to provide code required STC values for soundproofing and privacy between such units.
- 2. **Entrance Lighting.** A minimum of one (1) low-wattage incandescent or LED light fixture shall be provided outside the exterior entrance to the residential portion of the building.
- 3. **Fire Escapes.** Buildings containing dwelling units located above the second story and requiring a second means of egress pursuant to the Uniform Construction Code shall not utilize an attached external fire escape as one of the required means of egress.
- 4. **Type of Lighting Source.** Low-wattage lamps shall be used along all sidewalks, walkways, courtyards and plazas and on any building or unit. Parking lot lighting shall be incandescent or another light source compatible with the same. Both shall comply with the Township's lighting standards.
- 5. **Cable Television Utility.** All dwelling units shall be provided with such facilities for potential linkage to cable service.
- 6. **Common Entrances.** Common entrances, lobbies, elevators and/or stairwells shall be designed to promote safety and security of residents and visitors using such areas.



3.7 BUILDING MATERIALS

1. Building materials. Stone, masonry, brick, wood, fiber-cement, precast, metal panels, cast iron, steel, aluminum and other types of metal, and wood or aluminum framed glass, are acceptable primary materials. Within the primary materials, variations in colors, textures, and patterns may be employed to further break up the building bulk. Exterior insulated finishing systems (EIFS) and vinyl siding shall not be permitted.
2. Natural materials are encouraged.
3. Nonnatural materials intended to imitate natural materials shall not be permitted.
4. There shall be no blank facades and buildings shall adhere to the standards listed above and in this document.

3.8 ROOFS

1. The shape, pitch, and color of a roof should be architecturally compatible with the style, materials, and colors of such building.
2. Pitched roofs are encouraged to have dormers, chimneys, cupolas, and other similar elements to provide architectural interest. These elements shall be compatible with the style, materials, colors, and details of the building.
3. If the building has a flat roof, a parapet shall project vertically to hide any roof-mounted mechanical equipment. Additionally, a cornice shall project out horizontally from the façade and shall be ornamented with moldings, brackets, or other detailing.
4. Roofline offsets shall be provided along any roof measuring more than 50 feet in length in order to provide architectural interest and articulation to a building.

3.9 MECHANICAL EQUIPMENT SCREENING

1. Screening of rooftop mechanical equipment is required.
2. All rooftop mechanical equipment (HVAC, exhaust systems, etc.) shall be screened from view from all adjacent public streets in all directions and elevations to minimize the negative impact.
3. Screening materials shall be consistent with the architectural detail, color and materials of the building. Wire mesh screening is not permitted.
4. All roof and HVAC systems must meet the building code requirements and be set back a minimum of 15 feet from any street or public open space and screened to not be visible from any adjacent public street or public property within the Redevelopment Area.
5. Any parapet wall to screen mechanicals shall not be counted towards the building height calculation.

3.10 TRASH/TRASH ENCLOSURES/RECYCLING

1. All trash enclosures shall follow all regulations set forth by Section 446-9 of the municipal code.
2. All outdoor refuse enclosures shall be visually screened within a durable, noncombustible enclosure, so as not to be visible from adjacent lots or sites, neighboring properties or streets. Chain-link fencing or wire-mesh screening is not permitted.



3. Collection areas shall be effectively designed to contain all material generated on site and deposited between collections. Deposited materials should not be visible from outside the enclosure.
4. Collection enclosures shall be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.
5. Collection areas shall be located upon the site so as to provide clear and convenient access to collection vehicles. Refuse collection and recycling areas shall not be located within required landscaped yards and buffers.
6. Trash and recycling collection shall be through a private service to be paid by residents and not by the general revenue or tax collections of the Township of Verona. A recycling and trash pickup plan shall be submitted. The owner shall be responsible for removing or making arrangements for the removal of garbage and recyclable items, with such removal to be made at regularly scheduled intervals, not less than once a week. The owner shall be provided with credit in accordance with the law.
7. All bulk containers used by dwelling units shall at all times be kept in good repair, be structurally sound and leak-proof and constructed to stand firmly upright and shall be equipped with a cover, which is secured to the unit or able to be secured. No bulk container shall be filled in excess of its stated capacity, causing overflow and unsanitary conditions. All users of bulk containers shall ensure that such containers are emptied promptly, not less than once a week. All bulk containers shall be maintained to prevent any foul odors or spillage and to prevent any condition which may pose a hazard to life, health and safety.

3.11 UTILITIES

All new utility distribution lines and utility service connections from such lines to any buildings in the Redevelopment Area shall be located underground, except as otherwise required by the utility provider. To the extent possible, existing utility lines should also be relocated underground. Remote readers for all utilities, in lieu of external location of the actual metering devices, are preferred.

3.12 LIGHTING

1. Adequate lighting shall be provided for all parking areas and pedestrian walkways. All outdoor lighting, including streetlamps and accent lighting, should comply with “dark sky” standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only the intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies. Lighting for a building must be contained on the property on which the building is located. LED lighting shall be permitted in addition to all of the conditions of the Township ordinance standards for lighting.
2. All lighting shall be serviced by underground wiring.
3. Spotlight-type fixtures attached to buildings are prohibited.
4. Light fixtures attached to the exterior of a building are encouraged and should be architecturally compatible with the style, material, and colors of the building. Exterior light fixtures attached to the building shall not project more than 24 inches from the building line.
5. Where lights along lot lines will be visible from the interior of adjacent buildings, the lights shall be properly shielded and/or mounting heights reduced.
6. All lighting designs and installations are subject to Township review and approval.



7. All lighting plans shall be accompanied by a point-by-point plan indicating numerical illumination levels. The plan shall indicate the average, minimum, maximum and minimum to maximum illumination levels for maintained foot-candles.

3.13 STORMWATER MANAGEMENT

All developments in the Redevelopment Area shall also comply with all pertinent provisions of the Zoning Code.

3.14 SUSTAINABILITY

The following sustainable development standards and practices are required in the redevelopment area:

1. Landscaping
 - a. Use native species and species that are recommended in Chapter 150, Attachment 3, that do not need excessive watering for all landscaping trees and plantings.
 - b. Retain existing trees and shrubs and replant more trees than removed.
 - c. Provide landscaping in the required eight (8) foot front yard setback and in the required buffer areas.
2. Waste Management and Recycling
 - a. Facilitate recycling in common areas within buildings and in outdoor open spaces by providing easily accessible recycling bins.
 - b. Facilitate recycling in dwelling units by adding recycling bins and ensuring that the recycling drop-off location is clear and accessible.
 - c. Ensure that each trash room includes recycling containers or a mechanism to separate trash from recyclable materials.
 - d. Provide sufficient recycling collection capacity through meeting a minimum required 0.0625 cubic yards per resident.

The following sustainable development standards and practices are not mandatory but are strongly encouraged in the redevelopment area:

1. Energy Efficiency
 - a. Ensure refrigerators, washers, dryers, and dishwashers in all dwelling units are ENERGY STAR rated.
 - b. Specify windows with a low-E coating and follow ENERGY STAR guidelines.
 - c. Ensure windows are operable in dwelling units to allow residents to naturally vent or cool space.
 - d. Include digital, programmable and user-friendly thermostats in the dwelling units.
2. Indoor Air Quality
 - a. Incorporate ENERGY STAR rated fans that automatically vent in bathrooms in dwelling units.
 - b. Protect ducts and HVAC from dust during construction to ensure they are clean before occupancy.
3. Water Efficiency
 - a. Use WaterSense rated fixtures in dwelling unit bathrooms.



4. Fences
 - a. Fences may be no more than six (6') feet in height and shall be board on board. Any 6-foot fence must be in the side and rear yards.
5. A Deed Restriction, as per the Settlement Agreement, for the northern portion of the rehabilitation area (between the northernmost property line and the retaining wall) which shall prohibit any development of structures other than fencing or landscaping improvements within that portion of the property barring the construction of future structures, following the restoration and reforestation of that portion of the Property at the close of construction.

3.15 EXEMPTIONS

The Project shall be exempt from any and all changes in the Township's ordinances that happen from the date of the Settlement Agreement is executed up to twelve (12) months after the date of the Redevelopment Plan is adopted, that may negatively affect, impact or interfere with the financial feasibility for the development of the Project, other than general legislation applied uniformly throughout the Township. After the 12-month period, all Township ordinances shall be applicable and enforceable as though the Settlement Agreement did not exist.



4.0 PLAN CONSISTENCY

The Redevelopment Plan carefully considers the needs, issues and opportunities of multiple jurisdictions in an effort to further the goals of existing plans.

4.1 RELATIONSHIP TO MASTER PLANS

Verona Master Plan.

This Plan acknowledges and serves to address many of the goals and objectives noted in the 2022 Master Plan associated with redevelopment including:

Goal #5 of the **Land Use Element of the 2022 Master Plan** is to “Promote growth in appropriate areas that meet current and future land use trends.” Furthermore, **Objective #5b** aims to “consider greater diversity of housing options, where appropriate, while maintaining the existing character of the Township’s residential neighborhoods” applies to Township’s efforts to utilize redevelopment to diversify housing stock within the Township. This is in addition to **Objective #5f** which aims to “guide the future development and/or redevelopment of land within the Township so as to incorporate new construction without undue disruption to the established character of the Township.”

Objective #7a of the **Land Use Element** of the **2022 Master Plan**, which aims to “incentivize improvements along the Bloomfield Avenue corridor.” The Redevelopment Plan inherently aligns this objective as it aims to create attractive, multi-family housing that will meet a portion of the Township’s affordable housing obligation.

Goal #9 of the **Land Use Element** of the **2022 Master Plan**, “continue to meet the municipal obligation to provide the Township of Verona its fair share of affordable housing for low- and moderate income households” is a guiding goal for the Redevelopment Plan which will provide credits to address the Township’s Fourth Round Affordable Housing obligation.

Adjacent Municipalities

The Redevelopment Area is not close to the boundaries of any of the neighboring towns, except Essex Fells. Nevertheless, in reviewing the master plans for the adjacent municipalities of Essex Fells, North Caldwell, West Orange, Montclair, and Cedar Grove, there are no inconsistencies with the goals and recommendations of this plan. In fact, there is a townhouse development immediately to the west of the redevelopment area.

2025 State Development and Redevelopment Plan (SDRP)

The SDRP was adopted on December 17, 2025. This Plan has identified 10 aspirational goals to achieve the 2050 vision for a stronger and fairer New Jersey. The entire Redevelopment Area is within the PA-1 Metropolitan Planning Area. Two of the SDRP’s intents for the PA-1 area is to provide for much of the state’s future growth in compact development and redevelopment, and promote growth that occurs in Centers, other appropriate areas that are pedestrian friendly, and in compact transit-oriented forms. The SDRP encourages new development in existing developed areas and encourage preservation in areas not suited for development.



5.0 IMPLEMENTATION

5.1 DESIGNATION OF REDEVELOPMENT ENTITY & ITS POWERS

1. The Verona Township Council shall be the designated Redevelopment Entity as permitted under the LRHL (N.J.S.A. 40A: 12A-1 et seq.) and shall for the purposes of this Plan be identified as the Verona Redevelopment Agency (“VRA”).
2. The VRA may designate an entity to implement redevelopment plans and carry out redevelopment projects in the area designated by this Plan, if necessary.
3. When necessary for the implementation of this Plan, VRA, as authorized shall designate and enter into a contract with a redeveloper for any construction or other work forming a part of this Redevelopment Plan (N.J.S.A. 40A: 12A-4(c)).

5.2 GENERAL PROVISIONS

The developer(s) of the Redevelopment Area shall submit a storm water management plan as part of the design submission for review by the Planning Board, which is intended to minimize the quantity of storm water entering the municipal sewer system or flowing directly into any adjacent streams.

5.3 SITE PLAN AND SUBDIVISION REVIEW

1. Pursuant to N.J.S.A. 40A:12A-13, all applications for development governed by this Redevelopment Plan shall be submitted to the Township Planning Board for review and approval.
2. Any subdivision of lots or parcels of land within the Redevelopment Area shall be in compliance with this Redevelopment Plan and reviewed by the Planning Board pursuant to the LRHL and N.J.S.A. 40:55D-1 et seq.
3. All applications for development within the Redevelopment Area shall be processed by the Township of Verona Planning Board in accordance with N.J.S.A. 40:55D-1 et seq.

5.4 ACQUISITION AND RELOCATION

The Redevelopment Plan does not authorize the acquisition of privately-owned property within the Redevelopment Area by the Township of Verona.

5.5 AFFORDABLE HOUSING REQUIREMENTS

The Redevelopment Area contains no existing housing units affordable to **low- and moderate-income** households, as defined pursuant to section 4 of P.L. 1985, c.222 (C.52:27D-304). Any proposed residential development of five (5) or more units within the Plan Area shall provide the required percentage of affordable housing as per the Township’s Adopted Housing Element and Fair Share Plan. Such residential developments will comply with accepted UHAC standards and be otherwise subject to all laws and regulations governing affordable housing in the Township of Verona and the State of New Jersey.

5.6 REQUESTS FOR DEVIATIONS AND DESIGN EXCEPTIONS

The Planning Board shall have the power to grant deviations from the requirements contained within this Redevelopment Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to N.J.S.A. 40:55D-70c and the power to grant waivers from the standards of the Plan to the same extent as the Board may grant relief from site plan regulations pursuant to N.J.S.A. 40:55D-51.



Any deviation from the Redevelopment Plan standards which would typically result in a “d” variance, shall be addressed as an amendment to the Redevelopment Plan. Neither the Planning Board nor the Board of Adjustment shall have authority to allow deviations, which would result in a “d” variance pursuant to N.J.S.A. 40:55D-70d.

5.7 ADVERSE INFLUENCES

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

5.8 PROCEDURES FOR AMENDING THE PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee of \$5,000 shall be paid by the party requesting such amendment, unless the request is issued from the Township of Verona. The municipal governing body, at their sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study shall be prepared by a professional planner licensed in the State of New Jersey.

5.9 DURATION OF THE PLAN

Provisions of this Redevelopment Plan specifying redevelopment of the Redevelopment Area and requirements and restrictions with respect to thereto shall be in effect for a period of 30 years from the date of adoption of this Plan by the Township of Verona or the date of the last amendment thereof.

5.10 COMPLETION OF REDEVELOPMENT

Upon the inspection and verification and approval by the VRA that the redevelopment within the Redevelopment Area has been completed, certificates of completion shall be issued to the developer, in recordable form, and such area shall no longer be deemed an area in need of redevelopment. At such time, the development may request that the zoning for the Redevelopment Area as provided in this Redevelopment Plan be incorporated into the Zoning Ordinance to ensure that the standards remain applicable.

5.11 SEVERABILITY

If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.



6.0 APPENDICES

APPENDIX A

**RESOLUTION 2024-075 DECLARING BLOOMFIELD AVENUE
AS AN AREA IN NEED OF REHABILITATION**

**RESOLUTION 2019-56 DESIGNATING CERTAIN PROPERTY
KNOWN AS 885 BLOOMFIELD AVENUE (BLOCK 2205, LOT 6)
AS AN AREA IN NEED OF REDEVELOPMENT**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2019-56

A motion was made by Mayor Ryan; seconded by Deputy Mayor Nochimson that the following resolution be adopted:

**DETERMINING THAT THE PROPERTY IDENTIFIED AS
BLOCK 2205 LOT 6 BE DESIGNATED AS A NON-CONDEMNATION
REDEVELOPMENT AREA IN ACCORDANCE WITH THE
LOCAL REDEVELOPMENT AND HOUSING LAW,
N.J.S.A. 40A:12A-1 ET SEQ.**

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

WHEREAS, on January 7, 2019, the municipal council (the "Township Council") of the Township of Verona (the "Township") adopted Resolution No. 2019-31 authorizing and directing the Planning Board of the Township (the "Board") to conduct a preliminary investigation to determine whether a certain property, identified as Block 2205, Lot 6 on the Township's Tax Maps (the "Study Area"), meets the criteria set forth in the Redevelopment Law and should be designated as a Non-Condemnation Redevelopment Area, as that term is defined by the Redevelopment Law; and

WHEREAS, the Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Non-Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6*; and

WHEREAS, as part of its preliminary investigation, the Board caused Mr. Jason L. Kasler, AICP, P.P., the Township Planner, to prepare an Area In Need of Redevelopment Investigation Study for the Board for its consideration in determining whether the Study Area should be designated a Non-Condemnation Redevelopment Area; and

WHEREAS, in addition to the foregoing, the Board prepared a map showing the boundaries of the proposed redevelopment area and locations of the parcels of property included therein, along with a statement setting forth the basis for its investigation in accordance with *N.J.S.A. 40A:12A-6(b)(1)*, which map and statement are on file with the Planning Board Clerk; and

WHEREAS, a public hearing was conducted by the Board on February 5, 2019, with notice having been properly given pursuant to *N.J.S.A. 40A:12A-6(b)(3)*; and

WHEREAS, at the public hearing, the Board reviewed the Area In Need of Redevelopment Investigation Study, the map and associated documents, and heard testimony from Mr. Kasler; and

WHEREAS, at the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Board concerning the potential designation of the Study Area as a Non-Condemnation Redevelopment Area; and

WHEREAS, after completing its investigation and public hearing on this matter, the Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at *N.J.S.A. 40A:12A-5 et seq.*, for designating the Study Area as a Non-Condemnation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as memorialized by Memorandum, dated February 6, 2019, from Mrs. Ashley Neale, the Planning Board Secretary, the Board recommended to the Township Council that Block 2205, Lot 6 be designated as a Non-Condemnation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby accepts the recommendation from the Planning Board of the Township of Verona and finds that Block 2205, Lot 6 as shown on the official tax map of the Township of Verona be and is hereby deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

BE IT FURTHER RESOLVED, that the designation of Block 2205, Lot 6 as a Non-Condensation Redevelopment Area shall not authorize the Township to exercise the power of eminent domain to acquire any property in the Study Area.

BE IT FURTHER RESOLVED, that the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law.

BE IT FURTHER RESOLVED, that the Township Manager, the Township Clerk and any other Township officials as may be appropriate and necessary are hereby authorized to take all actions and to execute any and all documents necessary to effectuate this Resolution, in consultation with counsel.

BE IT FURTHER RESOLVED, that the Township Clerk shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review.

BE IT FURTHER RESOLVED, that within ten (10) days of the Township Council's adoption of the within Resolution, the Township Clerk shall serve notice of the Township Council's determination and the within Resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs.

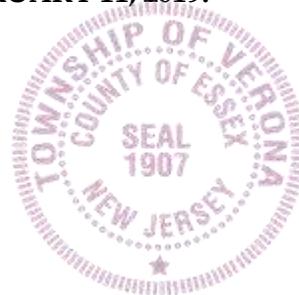
ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON FEBRUARY 11, 2019.


JENNIFER KIERNAN
MUNICIPAL CLERK



**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2024-075

A motion was made by Deputy Mayor McEvoy; seconded by Mayor Tamburro that the following resolution be adopted:

**DECLARING BLOOMFIELD AVENUE AS AN AREA IN NEED OF
REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "Redevelopment Law") provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential, and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Township of Verona ("Township"), by and through its Township Council (the "Governing Body"), to delineate an area within the Township as an area in need of rehabilitation if the area qualifies under one of the criteria enumerated under *N.J.S.A. 40A:12A-14*; and

WHEREAS, Township Manager directed the Township's planning firm, H2M Associates, Inc. ("H2M"), to conduct a preliminary investigation to determine if the Bloomfield Avenue corridor ("Study Area"), as described in the attached boundary map, and which is generally bounded by Sunset Avenue to the east, White Rock Road to the west and an irregular boundary along properties fronting on Bloomfield Avenue, qualifies as an area in need of rehabilitation pursuant to *N.J.S.A. 40A-12A-14*; and

WHEREAS, H2M's findings, presented in a revised report entitled "*Area in Need of Rehabilitation Study Bloomfield Avenue Corridor*" dated March 15, 2024, attached herewith as **Exhibit A** ("H2M Report"); and

WHEREAS, the H2M report concludes that because (a) more than half of the housing stock were built before 1974 and, therefore, are at least 50 years old and (b) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance, the Study Area qualifies as an area in need of rehabilitation under the Redevelopment Law; and

WHEREAS, on February 26, 2024, the Governing Body referred the Study Report and this Resolution in draft form to the Planning Board for review and comment; and

WHEREAS, on April 16, 2024, the Planning Board returned this resolution and H2M Report with a recommendation that the Study Area be delineated as an area in need of rehabilitation; and

WHEREAS, the Township Council finds it to be in the best interest of the property owners and business owners within the Study Area to delineate the Study Area as an area in need of rehabilitation, and that based upon the H2M report and the Planning Board's recommendation, finds that the Study Area meets the criteria of *N.J.S.A. 40A:12A-14* of an area in need of rehabilitation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, and State of New Jersey, as follows:

1. Based upon the facts reported in the H2M report and the recommendation of the Planning Board, the Township Council find that the Study Area, consisting of the Bloomfield Avenue Corridor, meets the eligibility criteria of *N.J.S.A. 40A:12A-14* for designation as an area in need of rehabilitation in that (a) a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance and (b) more than half of the housing stock in the Study Area is at least 50 years old. The Township Council further find that the designation of the Study Area as an area in need of rehabilitation is expected to prevent further deterioration and promote the overall

development of the Township of Verona in accordance with the requirements of *N.J.S.A. 40A:12A-14*.

2. The Township Council hereby delineates the Study Area and all of the properties therein as an area in need of rehabilitation (hereinafter, the Study Area shall be the "Rehabilitation Area"), which delineation allows the Township Council to, among other things, adopt redevelopment plans for all or part of the Rehabilitation Area, enter into redevelopment agreements with redevelopers within the Rehabilitation Area, and adopt an ordinance pursuant to *N.J.S.A. 40A:12A-21, et seq.*, authorizing short-term tax exemptions and/or abatements to properties located within the Rehabilitation Area. Furthermore, the Township Council may further direct the Planning Board to conduct investigations to determine whether specific properties within the rehabilitation area meet the redevelopment criteria, pursuant to *N.J.S.A. 40A:12A-5*.
3. The Township Council hereby directs the Municipal Clerk to transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs in accordance with the Redevelopment Law.
4. All Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.
5. This Resolution shall take effect immediately.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

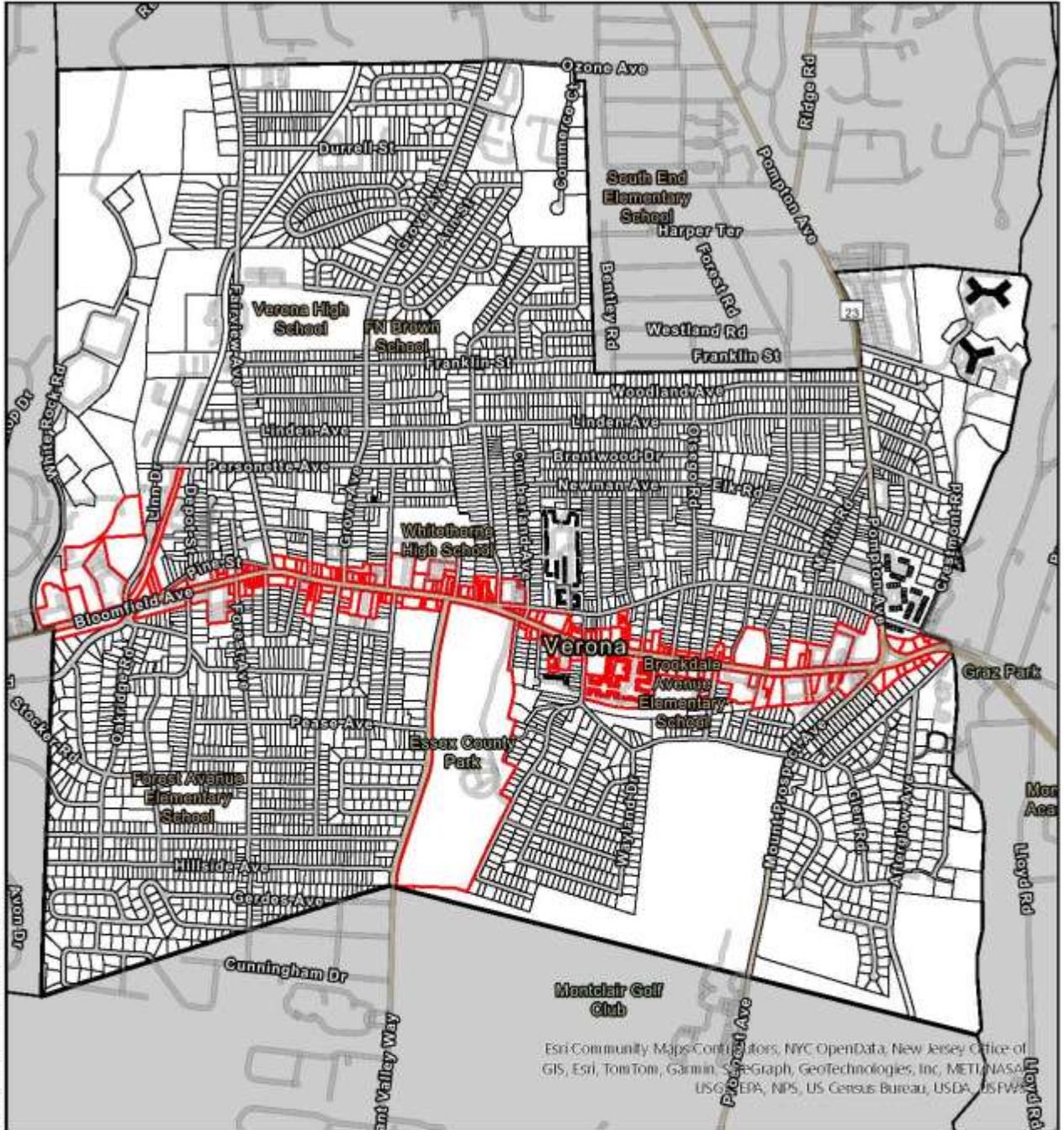
NAYS:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON MAY 6, 2024.


JENNIFER KIERNAN
MUNICIPAL CLERK



EXHIBIT A

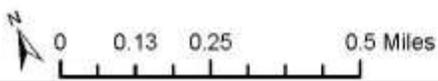


Esri-Community Maps Contributors, NYC OpenData, New Jersey Office of GIS, Esri, TomTom, Garmin, GeoGraph, Geotechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Document Path: X:\PROJ\Township of Verona\PROJ2101 - Master Plan and Community Outreach\ES2001-1302_VR017.VA.XMX

Legend

- Parcels fronting along Bloomfield Avenue
- Parcels



Township of Verona

Rehabilitation Area Map

H	2	architects	119 Cherry Hill Rd #110 Parsippany, 07054 631-756-8000 www.h2m.com
+			
M	E	engineers	

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-

**AMENDING AND SUPPLEMENTING THE STANDARDS OF THE TOWN
CENTER MIXED-USE ("TCMU") ZONE DISTRICT IN CHAPTER 150
"ZONING" OF THE CODE OF THE TOWNSHIP VERONA**

WHEREAS, the Township of Verona has the authority to regulate land uses within its municipal boundaries under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et. seq.;

WHEREAS, in June 2025, the Township of Verona adopted a Housing Element and Fair Share Plan, including a Master Plan Housing Element and Fair Share Plan to address the Township's Third Round Affordable Housing Obligations; and

WHEREAS, in June 2025, the Township filed a declaratory judgment action, captioned *In re Application of Township of Verona*, No. ESX-L-594-25, seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter "Fair Share Plan"), satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the Mount Laurel doctrine; and

WHEREAS, challenges to the Township's Fourth Round HEFSP were timely filed by interested parties: Fair Share Housing Center, DMH2 LLC, A&R Skyline Properties LLC, and JMF Properties LLC; and

WHEREAS, the Fair Share Housing Center ("FSHC") and the parties listed above agreed to settle on certain positions regarding the Fair Share Plan such that each party agreed the Fair Share plan satisfies Verona's "fair share" of the regional need for low- and moderate-income housing subject to certain amendments to the Fair Share Plan and;

WHEREAS, Verona had previously enacted the zoning for the TCMU district, which it is now desires to amend to further the purposes of the Fair Share Plan and as per the Settlement Agreement; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Verona, in the State of New Jersey, that the code of the Township of Verona be and is hereby amended and supplemented to read as follows:

(Added text is **emboldened**, and text being eliminated is shown in ~~*strikethrough italics*~~.)

SECTION 1.

Chapter 150, "Zoning," Article XVII, "Schedule of District Regulations," Section 150-17.14A, "TC MU (Town Center-Mixed Use) Zone," of the General Legislation of the Township of Verona is hereby amended by supplementing and deleting the following definitions.

The following are the specifications applicable to the TC MU Zone.

A. Principal permitted uses.

No building or premises shall be erected, altered or used except for uses designated for each property within the TC MU district as follows:

- (1) Retail stores and retail service establishments, including stores or shops or retail business.
- (2) Cafeterias, full-service restaurants, snack and nonalcoholic beverage bars, confectionery and nut stores, retail bakeries.
- (3) Banks and other financial institutions, but not including drive-in uses.
- (4) Theatrical and motion picture theaters.
- (5) Family day-care centers.
- (6) Personal service establishments.
- (7) Residences. Residential housing units, including a required set-aside for affordable housing units.

B. Permitted accessory uses.

Any of the following accessory uses are permitted in conjunction with a permitted principal use:

- (1) Accessory uses customarily incidental to the principal or conditional use.
- (2) Outdoor restaurant seating in accordance with § 150-7.23, provided also that a minimum of six feet is maintained on the sidewalk for pedestrian movement between the edge of any approved outdoor dining area and the curb face.
- (3) Sidewalk cafes in accordance with § 150-7.22, provided also that a minimum of six feet is maintained on the sidewalk for pedestrian movement between the edge of any approved sidewalk cafe and the curb face.
- (4) Parking lots, including structured parking garages.
- (5) Amenity space(s) serving residences such as a fitness area, lobby, mailroom, meeting space for residences (not open to the general public), coffee service area, and the like as may be approved by the Verona Planning Board.
- (6) Internal roadways, parking areas, loading/unloading zones, courtyards and sidewalks.

C. Development standards.

- (1) Any property having any portion of a building bounded by Bloomfield Avenue shall be considered to front on Bloomfield Avenue.
- (2) All nonresidential uses shall be conducted entirely within the confines of the first floor of a building having frontage along Bloomfield Avenue with a maximum building footprint depth of 100 feet as measured from the building along Bloomfield Avenue to the rear (or back), including any setback from the street, of the retail or other nonresidential establishment including those identified as permitted uses.
- (3) Residential buildings and parking areas may be built on any area exceeding the 100-foot limitation as well as on any area of a property fronting Bloomfield Avenue where there is a permitted nonresidential use having a building depth of 50 feet as measured from the building along Bloomfield Avenue to the rear (or back), including any set back from the street.
- (4) Cafeterias, full-service restaurants, snack and nonalcoholic beverage bars, confectionery and nut stores and retail bakeries shall have a maximum seating capacity of 100 patrons and shall only be permitted on lots having frontage on Bloomfield Avenue.
- (5) Residential units, including the required affordable units, shall be situated on the second and third stories of the properties fronting Bloomfield Avenue which shall have nonresidential uses on the first 50 feet of the ground floor as measured from the building along Bloomfield Avenue to the rear (or back), including any setback from the street, subject to the limitations in Subsection C(6) hereof.
- (6) Residences, including the affordable units, shall be a principal permitted use on the ground floor (or first floor) as well as the second and third stories of the properties fronting on the side streets of Montrose Avenue and South Prospect Street. Notwithstanding the foregoing provisions, including the requirements of Subsection C(7) hereof, when a building fronting on Bloomfield Avenue has a depth of a minimum of 50 feet and contains nonresidential uses, then the residences may be built on the ground floor 50 feet or further upon the property to the south of Bloomfield Avenue.
- (7) Four pedestrian entrances to all of the residences in the TC MU Zone, of not greater than 12 feet in width, as measured from the inside of the door frame of each side of the door, may be provided along Bloomfield Avenue. All other pedestrian entrances shall be provided from the rear (or side) of any property located in the TC MU Zone or from an entrance from Montrose Avenue or South Prospect Street. The provisions of Subsection F, Affordable housing multifamily residential specifications, of this section shall also be complied with.
- (8) Parking lots, including structured parking garages, shall not exceed 28 feet in height, excluding a parapet wall not greater than six feet in height. Any parking structure shall contain a twenty-two-foot-wide cartway, inclusive of ground floor visitor parking areas, unless the Township Engineer approves deviation. No parking lot or structure shall front on Bloomfield Avenue.
- (9) The internal drives shall contain a twenty-two-foot-wide cartway, unless the Township Engineer approves a deviation.
- (10) There shall be a minimum of 100 feet between any two driveway curb openings on Bloomfield Avenue.

- (11) Primary materials for the exterior of buildings shall be brick, wood, HardiePlank[®] panels or similar fiber cement siding, stone, precast and cast stone and manufactured stone, and glass.
- (12) All entrances to any building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
- (13) An appropriate roof pitch and roofline architectural treatment is required. If a flat roof is designed (or proposed), then the architectural treatment must be aesthetically pleasing so the building does not look like a monolithic structure.
- (14) The affordable residential units are required to be integrated with the market rate units.
- (15) Section 150-21.3 pertaining to residential fees shall not be applicable to the TC MU Zone.

D. Area, yard, bulk and parking regulations.

Note: All setbacks shall be measured from a structural (also known as a dominant) building wall(s). The appropriate dimension for building setbacks between structural building walls (defined as full or complete walls and excluding knee or hip walls and architectural walls or elements designed to add a wall feature and not be a load-bearing wall) and part of any building or property boundary shall be determined by the applicant's planner or architect at the time of site plan review based on the geometry of the site.

1.	Minimum lot size (square feet)	5,000
2.	Minimum lot width (feet)	50
3.	Minimum front yard setback (feet)	2
4.	Maximum front yard setback (feet)	30
5.	Minimum side yard setback-one (feet)	0
6.	Minimum side yard setbacks-both (feet)	0
7.	Minimum side yard setbacks-both (percentage of lot width)	N/A
8.	Minimum rear yard setback (feet) (this shall exclusively mean and is defined as the boundary with the houses of worship located at Block 1807, Lots 1 and 13)	18
9.	Maximum height for principal building (stories/feet)	3/50
10.	Maximum height for accessory structures other than parking structures (feet)	15
11.	Maximum building coverage, first floor building area as a percent of land area (percent)	80
12.	Maximum improved and landscaped lot coverage, defined as first floor building area plus impervious coverage, plus landscaped buffer area as a percent of land area (percent)	95
13.	Minimum landscaped buffer along a residential zone (feet) boundary, or along the boundary with any house of worship	15
14.	<p>Parking provisions:</p> <ol style="list-style-type: none"> i. Notwithstanding § 150-12.6B, pertaining to RSIS parking standards, which shall not apply to the TC MU Zone, any residential development(s) in the TC MU Zone shall provide a minimum of 1.5 vehicle parking spaces per residential unit. ii. A minimum of 90% of such parking spaces shall be provided on-site, and the remaining 10% of required parking spaces may be provided through a long-term lease (or parking lot rental agreement), with a minimum term of 10 years, of off-street parking spaces no further than 1,000 feet from the development. <ul style="list-style-type: none"> • All required or designated resident parking shall be provided within the boundaries of the TC MU Overlay Zone. 	N/A

	<p>Off-site parking satisfied outside of the TC MU Zone shall be limited to required or dedicated spaces for ground-floor commercial uses and shall be reserved for employees or customers of those commercial uses.</p> <ul style="list-style-type: none"> • Off-site parking spaces shall only qualify for off-site parking agreements/ leases if located in public or commercial parking lots/ facilities or private parking lots/facilities which are accessory to existing nonresidential uses where the number of parking spaces exceeds the required amount for those existing nonresidential uses. • Such parking agreement or lease shall be in writing at the time a site plan application is submitted to the Verona Planning Board. • No private parking lot/ facility serving an existing use shall receive off-site parking spaces from the TCMU Zone if such an arrangement would cause or exacerbate a shortfall in the required number of parking spaces for that existing use. <p>iii. A minimum of 5% of all on-site parking spaces shall be exclusively reserved and identified for electrically charged vehicles. The parking space(s) shall be equipped with electric charging devices (or apparatus). In addition, if the State of New Jersey should require that a greater number of electrically charged vehicle spaces be required than is required herein, then that requirement shall be applicable to any site plan application to be filed under the provisions of this chapter.</p>	
--	---	--

E. Conditional uses.

The following conditional uses which are permitted within the Town Center Zone as identified in the conditional use regulations of the Township's zoning ordinance shall not apply to the TC MU Zone, except where specified in Subsection B hereof.

- (1) Mixed retail and residential uses.
- (2) Mixed retail and commercial (nonmedical) with residential uses.
- (3) Mixed retail and professional office (nonmedical) with residential uses.

F. Affordable housing multifamily residential specifications.

The TC MU Zone shall supersede the preexisting TC Zone applicable to the properties at Block 1807, Lots 2 through 12 and Lot 14 when an application for site plan approval is filed for any multifamily residential development having greater than two residential units.

- (1) Any residential development shall set aside **20%** ~~15%~~ **of the total number of proposed rental or for sale units, when the units are rented, for affordable housing and 20% of the units for affordable housing when the residential units are for sale.**
- (2) The intent of the TC MU Zone is to permit the development of an inclusionary multifamily residential development in which a certain proportion of the dwelling units are set aside for occupancy by low- and moderate-income households satisfying the FHA and Uniform Housing Affordability Controls ("UHAC," N.J.A.C. 5:80-26.1 et seq.).
- (3) The residential multifamily residences situated in the TC MU Zone shall satisfy the following conditions:
- (4) There shall be no more than two bedrooms per residential unit, except three-bedroom units shall be provided as required under UHAC.
- (5) No three-bedroom unit shall have an area less than 900 square feet.
- (6) No more than 70 residential units, or 22 residential units per acre, may be located

in the TC MU.

- (7) The maximum living space, meaning finished floor area in any unit, shall not exceed 1,200 square feet unless UHAC, or other affordable housing rule or regulation, requires a larger unit size, which said applicable larger unit size shall only be applicable to the affordable units.

SECTION 1. Repealer

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

SECTION 2. Severability

If any section, subsection, or provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions.

SECTION 3. Effective Date

This Ordinance shall take effect upon final adoption and publication as provided by law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

**JENNIFER KIERNAN, CMC
MUNICIPAL CLERK**

INTRODUCTION:
PUBLIC HEARING:
EFFECTIVE DATE:

referred to the Planning Board for consistency review

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY**

ORDINANCE No. 2026-___

**REPEALING ARTICLE XIX AND XXI OF CHAPTER 150 OF THE CODE
OF THE TOWNSHIP IN ITS ENTIRETY AND REPLACING WITH A NEW
ARTICLE XIX-AFFORDABLE HOUSING AND
ARTICLE XXI-DEVELOPMENT FEES**

WHEREAS, the State of New Jersey has adopted an Amended Fair Housing Act at P.L. 2024, c. 2 (A4) which provides new Fourth Round affordable housing fair share requirements for each municipality; and

WHEREAS, the State has adopted new Fourth Round substantive affordable housing regulations at N.J.A.C. 5:99; and

WHEREAS, The New Jersey Department of Community Affairs (DCA) and the Housing and Mortgage Finance Agency (NJHMFA) have adopted new Uniform Housing and Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq; and

WHEREAS, in order to maintain compliance with said state regulations regarding affordable housing, the Township of Verona (the "Township") must amend certain sections of the Township Code; and

WHEREAS, Articles XIX and XXI of Chapter 150 of the Township Code contain requirements for affordable housing provisions based on previous COAH regulations and regulations regarding affordable housing development fees.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Verona, County of Essex, State of New Jersey, that Articles XIX and XXI of Chapter 150, of the Township Code are hereby repealed and replaced as follows:

SECTION ONE:

Chapter XIX, AFFORDABLE HOUSING

§150-19.1. Purpose.

- A. This section of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in the Township of Verona, consistent with the provisions outlined in P.L 2024, Chapter 2, including the amended Fair Housing Act ("FHA") at N.J.S.A. 52:27D-301 et seq., as well as the Department of Community Affairs, Division of Local Planning Services ("LPS") at N.J.A.C. 5:99 et seq., statutorily upheld existing regulations of the now-defunct Council on Affordable Housing ("COAH") at N.J.A.C. 5:93 and 5:97 (provided they do not conflict with N.J.A.C. 5:99), the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq., and as reflected in the adopted municipal Fourth Round Housing Element and Fair Share Plan ("HEFSP").
- B. This Ordinance is intended to ensure that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy these units pursuant to statutory requirements. This Ordinance shall apply to all inclusionary developments, individual affordable units, and 100% affordable housing developments except where inconsistent with applicable law. Low-Income Housing Tax Credit financed developments shall adhere to affirmative marketing and random selection procedures set forth in UHAC.
- C. The Verona Township Planning Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the municipality shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.
- D. This Ordinance implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L 2024, Chapter 2, the FHA, and N.J.A.C. 5:99, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97 (provided they do not

conflict with N.J.A.C. 5:99), and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.

E. Applicability

1. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that are proposed to be created pursuant to the municipality's most recently adopted HEFSP.
2. This Ordinance shall apply to all developments that contain very-low-, low- and moderate-income housing units included in the Municipal HEFSP, including any unanticipated future developments that will provide very-low-, low- and moderate-income housing units.
3. Projects receiving federal Low Income Housing Tax Credit financing and proposed for credit in the municipality's most recently adopted HEFSP shall comply with the affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus a 15-year extended-use period, for a total of not less than 45 years.

F. Monitoring and Reporting Requirements

1. The municipality shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its court-approved Housing Element and Fair Share Plan:
 - (a) The municipality shall provide electronic monitoring data with the Department pursuant to P.L. 2024, Chapter 2 and N.J.A.C. 5:99 through the Affordable Housing Monitoring System (AHMS). All monitoring information required to be made public by the FHA shall be available to the public on the Department's website at <https://www.nj.gov/dca/dlps/hss/MuniStatusReporting.shtml>.
 - (b) On or before February 15 of each year, the municipality shall provide annual reporting of its municipal Affordable Housing Trust Fund activity to the Department on the AHMS portal. The reporting shall include an accounting of all municipal Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended, for the previous year from January 1st to December 31st.
 - (c) On or before February 15 of each year, the annual reporting of the status of all affordable housing activity shall be provided to the Department on the AHMS portal, for the previous year from January 1st to December 31st.

§150-19.2. Definitions.

As used herein the following terms shall have the following meanings:

ACT

The Fair Housing Act of 1985, P.L. 1985, c. 222 (*N.J.S.A. 52:27D-301 et seq.*), as amended by P.L. 2024, c.2.

ADAPTABLE

Constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

ADMINISTRATIVE AGENT

The entity responsible for the administration of affordable units in accordance with this chapter, as well as N.J.A.C. 5:99-7 and N.J.A.C. 5:80-26.15

AFFIRMATIVE MARKETING

A regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.16.

AFFORDABILITY AVERAGE

The average percentage of regional median income at which deed-restricted units in an affordable housing development are affordable to low- and moderate-income households.

AFFORDABLE

A sales price or rent within the economic means of a low- or moderate-income household, as defined in the UHAC as, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.7 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.13.

AFFORDABLE HOUSING DELIVERY MECHANISMS

Any of the methods of creating or preserving actual housing units available to low- and moderate-income households or creating a realistic opportunity for the construction of such units, as permitted by the Act.

AFFORDABLE HOUSING DEVELOPMENT

A housing development incorporated in the Housing Element and Fair Share Plan, and including, but not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

AFFORDABLE HOUSING PROGRAM(S)

Any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

AFFORDABLE HOUSING DISPUTE RESOLUTION PROGRAM

The dispute resolution program established pursuant to N.J.S.A. 52:27D-313.2.

AFFORDABLE UNIT

A housing unit proposed or created pursuant to the Act, including units created with municipal affordable housing trust funds.

AGE-RESTRICTED UNIT

A housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years old or older; or 2) at least 80% of the units are occupied by one person that is 55 years old or older (except that persons younger than 19 may not be permanent residents); or 3) the development has been designated by the Secretary of the United States Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607(b)(2).

AGENCY

The New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 *et seq.*).

ALTERNATIVE LIVING ARRANGEMENT

A structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless, Class A, B, C, D, and E boarding homes as regulated by the New Jersey Department of Community Affairs; residential health-care facilities as regulated by the New Jersey Department of Health and Senior Services; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

ASSISTED LIVING RESIDENCE

A facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining for four or more adult persons unrelated to the proprietor and to assure that assisted living services are available when needed and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

CERTIFIED HOUSEHOLD

A household that has been certified by an administrative agent as a low-income household or moderate-income household.

COMMISSIONER

The Commissioner of the Department of Community Affairs.

COMPLIANCE CERTIFICATION

The certification issued to a municipality by the Program pursuant to section 3 at P.L. 2024, c. 2, that provides a municipality immunity from exclusionary zoning litigation during the current round of present and prospective need and through July 1 of the year the next round

of affordable housing obligations begins, also known as a “judgment of compliance” resulting in an “order for repose.” Compliance certification includes a judgment of repose granted in an action filed pursuant to section 13 at P.L. 1985, c. 222 (N.J.S.A. 52:27D-313).

COMPLIANT MUNICIPALITY

A municipality that is in the process of seeking compliance certification pursuant to the directives issued by the Administrative Office of the Courts, has obtained compliance certification, or has filed for, or has obtained, a Judgment of Compliance, Order for Repose, or other court approval pursuant to the Act.

CONSTRUCTION

New construction and additions, but does not include alterations, reconstruction, renovations, conversion, relocation, or repairs, as those terms are defined in the State Uniform Construction Code promulgated pursuant to the State Uniform Construction Code Act, P.L. 1975, c. 217 (N.J.S.A. 52:27D-119 et seq.).

COUNTY-LEVEL HOUSING JUDGE

A judge appointed pursuant to section 5 at P.L. 2024, c. 2, to resolve disputes over the compliance of municipal fair share affordable housing obligations and municipal fair share plans and housing elements with the Act.

DCA or DEPARTMENT

The State of New Jersey Department of Community Affairs.

DEFICIENT HOUSING UNIT

A housing unit with health and safety code violations that require the repair or replacement of at least one major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load-bearing structural systems.

DEVELOPER

Any person, partnership, association, company or corporation that is the legal or beneficial owner of a lot or any land, improved or unimproved, which is proposed to be included in a proposed development, including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT

The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure; and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

DEVELOPMENT APPLICATION

The application form and all accompanying documents required by ordinance for approval of a subdivision plat, a site plan, planned development, conditional use, zoning variance, or direction of the issuance of a permit pursuant to N.J.S.A. 40:55D-34 or 40:55D-36.

DEVELOPMENT FEE

Money paid by a developer for the improvement of residential and non-residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and 40:55D-8.1 through 40:55D-8.7 and N.J.A.C. 5:99-3

DIVISION

Division of Local Planning Services within the Department of Community Affairs.

EMERGENT OPPORTUNITY

A circumstance that has arisen whereby affordable housing can be created through a delivery mechanism not originally anticipated by or included in a fair share plan that has received compliance certification.

EQUALIZED ASSESSED VALUE

The assessed value of a property divided by the current average ratio of assessed to true

value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c. 123 (*N.J.S.A. 54:1-35a through 54:1-35c*). Estimates at the time of building permit may be obtained by the tax assessor using construction cost estimates. Final EAV shall be determined at project completion by the municipal assessor.

EXCESS RCA FUNDS

Unspent money transferred prior to July 17, 2008, pursuant to a regional contribution agreement whose terms have been fulfilled.

EXCLUSIONARY ZONING LITIGATION

Litigation challenging the fair share plan, housing element, ordinances, or resolutions that implement the fair share plan or housing element of a municipality based on alleged noncompliance with the Act or the Mount Laurel doctrine, which litigation shall include, but shall not be limited to, litigation seeking a builder's remedy.

EXTENSION OF EXPIRING CONTROLS

Extending the deed restriction period on units where the controls will expire in the current round of a housing obligation, so that the total years of a deed restriction is at least 60 years.

FAIR SHARE OBLIGATION

The total of the present need and prospective need as determined by the Affordable Housing Dispute Resolution Program, or a court of competent jurisdiction.

FAIR SHARE PLAN

The plan or proposal, which may readily be adopted with accompanying ordinances and resolutions, pursuant to subsection f. of section 3 at P.L. 2024, c. 2 (*N.J.S.A. 52:27D-304.1*) by which a municipality proposes to satisfy its obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

FHA

The New Jersey Fair Housing Act, *N.J.S.A. 52:27D-301 et seq.*

GREEN BUILDING STRATEGIES

Strategies that minimize the impact of development on the environment and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

HMFA OR THE AGENCY

The New Jersey Housing and Mortgage Finance Agency established pursuant to P.L. 1983, c. 530 (*N.J.S.A. 55:14K-1 et seq.*).

HOUSING ELEMENT

The portion of the municipality's Master Plan, required by the Municipal Land Use Law ("MLUL"), *N.J.S.A. 40:55D-28b(3)* and the Act consisting of reports, statements, proposals, maps, diagrams, and text designed to meet the municipality's fair share of its region's present and prospective housing needs, particularly with regard to low- and moderate-income housing, which shall include the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. at *N.J.S.A. 52:27D-304.1*.

HOUSING PROJECT

A project, or distinct portion of a project, which is designed and intended to provide decent, safe, and sanitary dwellings, apartments, or other living accommodations for persons of low- and moderate-income; such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient, or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare, or other purposes. The term "housing project" may also be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the

construction, reconstruction, alteration, and repair of the improvements, and all other work in connection therewith.

HOUSING REGION

A geographic area established pursuant to N.J.S.A. 52:27D-304.2 for each round of low- and moderate-income housing obligations pursuant to the Act.

INCLUSIONARY DEVELOPMENT

A development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a nonresidential structure to residential use and the creation of new affordable units through the reconstruction of a vacant residential structure.

JUDGMENT OF COMPLIANCE or JUDGMENT FOR REPOSE

A determination issued by the Superior Court approving a municipality's fair share plan to satisfy its affordable housing obligation for a particular 10-year round.

LOW-INCOME HOUSEHOLD

A household with a total gross annual household income equal to 50% or less of the regional median household income.

LOW-INCOME HOUSING

Housing unit that is affordable according to the Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 50 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

MAJOR SYSTEM

The primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a residential building, which includes, but is not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load-bearing structural systems.

MARKET-RATE UNITS

Housing not restricted to low- and moderate-income households that may sell or rent at any price.

MEDIAN INCOME

The median income by household size for the applicable COAH housing region, as approved by the New Jersey Superior Court.

MIXED USE DEVELOPMENT

Any development that includes both a non-residential development component and a residential development component. This includes developments where there is a common developer for both components – multiple persons or entities may be considered a common developer if they have a contractual relationship obligating each entity to develop at least a portion of the residential or non-residential component, or to contribute resources to the development. The residential and non-residential developments must be located on the same lot or adjoining lots, which may include lots separated by a street, river, or other geographical feature.

MODERATE-INCOME HOUSEHOLD

A household with a total gross annual household income in excess of 50% but less than 80% of the regional median household income.

MODERATE-INCOME HOUSING

Housing affordable according to the Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to more than 50 percent but less than 80 percent of the median gross household income for households of the same size within the housing region in which the housing is located.

MODERATE-INCOME HOUSEHOLD

A household with a total gross annual household income greater than 50% but less than 80% of the regional median household income for the applicable COAH housing region.

MODERATE-INCOME HOUSING UNIT

Housing that is affordable according to standards set by the Federal Department of Housing and Urban Development or other recognized authorities for home ownership and rental costs, and is occupied or reserved for occupancy by households with a gross household income more than 50% but less than 80% of the median gross household income for households of the same size within the relevant housing region. It is a restricted unit affordable to a moderate-income household.

MONI

The no-longer-active Market Oriented Neighborhood Investment Program, as it was authorized by the Agency.

MUNICIPAL AFFORDABLE HOUSING TRUST FUND

A separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing, barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds from completed RCA projects, application fees, and other funds collected by the municipality for its affordable housing programs. These funds must be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and relevant chapters. "Municipal affordable housing trust fund" also means "municipal development trust fund" and "municipal development fee trust fund."

MUNICIPAL DEVELOPMENT FEE ORDINANCE

An ordinance adopted by a municipality's governing body that authorizes the collection of development fees.

MUNICIPAL HOUSING LIAISON (MHL)

An appointed municipal employee responsible for overseeing and/or administering the affordable housing units created within the municipality, and overseeing the authorization of individuals provided access to the AHMS.

NEW CONSTRUCTION

The creation of a new housing unit regulated by a code enforcement official, regardless of the means of creation. Newly constructed units are demonstrated by the issuance of a certificate of occupancy, and may include new residences created through additions, alterations, adaptive reuse, subdivision, conversion of existing space, or relocating a structure.

NEW JERSEY AFFORDABLE HOUSING TRUST FUND

An account established pursuant to N.J.S.A. 52:27D-320.

NEW JERSEY HOUSING RESOURCE CENTER OR HOUSING RESOURCE CENTER

The online affordable housing listing portal, or its successor, overseen by the Agency pursuant to N.J.S.A. 52:27D-321.3 et seq.

95/5 RESTRICTION

A deed restriction governing a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, as it was in effect at the time of the receipt of substantive certification, before October 1, 2001, or any other deed restriction governing a restricted ownership unit with a seller repayment option requiring 95 percent of the price differential to be paid to the municipality or an instrument of the municipality at the closing of a sale at market price.

NON-EXEMPT SALE

Any sale or transfer of ownership other than the transfer of ownership between spouses; the transfer of ownership between former spouses ordered as a result of a judicial decree of

divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a Class A beneficiary and the transfer of ownership by court order.

NON-RESIDENTIAL DEVELOPMENT

1. Any building or structure, or portion thereof, including, but not limited to, any appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code, N.J.A.C. 5:23, promulgated to effectuate the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., including any subsequent amendments or revisions thereto;
2. Hotels, motels, vacation timeshares, and child-care facilities; and
3. The entirety of all continuing care facilities within a continuing care retirement community which is subject to the Continuing Care Retirement Community Regulation and Financial Disclosure Act, N.J.S.A. 52:27D-330 et seq.

NON-RESIDENTIAL DEVELOPMENT FEE

The fee authorized to be imposed pursuant to N.J.S.A. 40:55D-8.1 through 40:55D-8.7.

ORDER FOR REPOSE

The protection a municipality has from a builder's remedy lawsuit for a period of time following the entry of a judgment of compliance by the Superior Court; a judgment of compliance often results in an order for repose.

PAYMENT IN LIEU OF CONSTRUCTING AFFORDABLE UNITS

The payment of funds to the municipality by a developer when affordable units are not produced on a site zoned for an inclusionary development.

PERSON WITH A DISABILITY

A person with a physical disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, aging, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, the inability to speak or a speech impairment, or physical reliance on a service animal, wheelchair, or other remedial appliance or device.

PRICE DIFFERENTIAL

The difference between the controlled sale price of a restricted unit and the contract price at the exit sale of the unit, determined as of the date of a proposed contract of sale for the unit. If there is no proposed contract of sale, the price differential is the difference between the controlled sale price of a restricted unit and the appraised value of the unit as if it were not subject to UHAC, determined as of the date of the appraisal. If the controlled sale price exceeds the contract price or, in the absence of a contract price, the appraised value, the price differential is zero dollars.

PRIOR ROUND UNIT

A housing unit that addresses a municipality's fair share obligation from a round prior to the fourth round of affordable housing obligations, including any unit that: (1) received substantive certification from COAH; (2) is part of a third-round settlement agreement or judgment of compliance approved by a court of competent jurisdiction, inclusive of units created pursuant to a zoning designation adopted as part of the settlement agreement or judgment of compliance to create a realistic opportunity for development; (3) is subject to a grant agreement or other contract with either the State or a political subdivision thereof entered into prior to July 1, 2025, pursuant to either item (1) or (2) above; or (4) otherwise addresses a municipality's fair share obligation from a round prior to the fourth round of affordable housing obligations. A unit created after the enactment of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1) on March 20, 2024, is not a prior round unit unless: (1) it is created pursuant to a prior round development plan or zoning designation that received COAH or court approval on or before the cutoff date of June 30, 2025, or the date that the municipality adopts the implementing ordinances and resolutions for the fourth round of affordable housing obligations, whichever occurs sooner; and (2) its siting and creation are consistent with the form of the prior round development plan or zoning designation in effect as of the cutoff date, without any amendment or variance.

PROSPECTIVE NEED

A projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c. 2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations.

QUALIFIED URBAN AID MUNICIPALITY

A municipality that meets the criteria established pursuant to N.J.S.A. 52:27D-304.3.c(1).

RANDOM SELECTION PROCESS

A process (e.g., by lottery) by which income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit.

RCA ADMINISTRATOR

An appointed municipal employee responsible for the oversight and/or administration of affordable units and associated revenues and expenditures within the municipality that were funded through regional contribution agreements.

RCA PROJECT PLAN

A past application, submitted by a receiving municipality in a regional contribution agreement (RCA), detailing how the receiving municipality intended to create or rehabilitate low- and moderate-income housing.

RECEIVING MUNICIPALITY

For the purposes of a regional contribution agreement (RCA), a municipality that contractually agreed to assume a portion of another municipality's fair share affordable housing obligation.

RECONSTRUCTION

Any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress, and a new certificate of occupancy is required before the work area can be reoccupied, pursuant to the Rehabilitation Subcode of the Uniform Construction Code, N.J.A.C. 5:23-6. Projects consisting solely of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings are not included. Asbestos hazard abatement and lead hazard abatement projects are not considered reconstruction solely because occupancy of the work area is not permitted.

RECREATIONAL FACILITIES AND COMMUNITY CENTERS

Any indoor or outdoor buildings, spaces, structures, or improvements intended for active or passive recreation, including but not limited to ball fields, meeting halls, and classrooms, accommodating either organized or informal activity.

REGIONAL CONTRIBUTION AGREEMENT (RCA)

A contractual agreement, pursuant to the Act, into which two municipalities voluntarily entered into prior to July 18, 2008, to transfer a portion of a municipality's affordable housing obligation to another municipality within its housing region.

REHABILITATION

The repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

RENT

The gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

RESIDENTIAL DEVELOPMENT FEE

Money paid by a developer for the improvement of residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and N.J.A.C. 5:99-3.2.

RESTRICTED UNIT

A dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1 et seq., as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

SENIOR CENTER

Any recreational facility or community center that offers activities and services specifically oriented toward serving senior citizens.

SPENDING PLAN

A method for allocating funds contained within an affordable housing trust fund account— including, but not limited to, development fees collected and to be collected under an approved municipal development fee ordinance, or pursuant to N.J.S.A. 52:27D-329.1 et seq.—for the purpose of meeting the housing needs of low- and moderate-income individuals.

SUPPORTIVE HOUSING HOUSEHOLD

A very low-, low- or moderate-income household certified as income eligible by an administrative agent in accordance with N.J.A.C. 5:80-26.14, in which at least one member is an individual who requires supportive services to maintain housing stability and independent living and who is part of a population identified by federal or state statute, regulation, or program guidance as eligible for supportive or special needs housing. Such populations include, but are not limited to: persons with intellectual or developmental disabilities, persons with serious mental illness, person with head injuries (as defined in Section 2 of P.L. 1977), persons with physical disabilities or chronic health conditions, persons who are homeless as defined by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 578, survivors of domestic violence, youth aging out of foster care, and other special needs populations recognized under programs administered by the U.S. Department of Housing and Urban Development, the Low-Income Housing Tax Credit Program, the McKinney-Vento Act, or the New Jersey Department of Human Services. A supportive housing household may include family members, unrelated individuals, or live-in aides, provided that the household meets the income eligibility requirements of this subchapter, except that in the case of unrelated individuals not operating as a family unit, income eligibility shall be tested on an individual basis rather than in the aggregate; the unit is leased or sold subject to the affordability controls established herein; and the supportive services available to the household are designed to promote housing stability, independent living, and community integration. The determination of whether unrelated individuals are operating as a family unit shall be made based on the applicant's self-identification of household members on the affordable housing application.

SUPPORTIVE HOUSING SPONSORING PROGRAM

Grant or loan program which provided financial assistance to the development of the unit.

SUPPORTIVE HOUSING UNIT

A restricted rental unit that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. A supportive housing unit is intended to provide long-term, community-based housing for individuals with intellectual or developmental disabilities, as defined at N.J.S.A. 30:6D-25(b). Such units must be leased subject to the affordability controls established herein; remain subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) and the project's Affirmative Marketing Program. A supportive housing unit may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services. Supportive housing units are also referred to as permanent supportive housing units.

TREASURER

The Treasurer of the State of New Jersey.

SPECIAL MASTER

An expert appointed by a Superior Court Judge to assist the Court, the municipality and any intervenors or other interested parties in applying the Mount Laurel Doctrine, including a determination of municipal fair share and an evaluation of the effectiveness of the municipality's Fair Share Plan.

UHAC

The Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

UHORP

The Agency's Urban Homeownership Recovery Program, as it was authorized by the Agency Board.

VERY-LOW-INCOME-HOUSEHOLD

A housing affordable according to the Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 30 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

VERY-LOW-INCOME HOUSING

Housing affordable according to the Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 30 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

VERY-LOW-INCOME UNIT

A restricted unit that is affordable to a very-low-income household. Very-low-income units are a subset of low-income units.

VETERAN

A veteran as defined at N.J.S.A. 54:4-8.10.

VETERANS' PREFERENCE

The agreement between a municipality and a developer or residential development owner that allows for low- to moderate-income veterans to be given preference for up to 50 percent of rental units in relevant projects, as provided for at N.J.S.A. 52:27D-311.j.

WEATHERIZATION

Building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation crediting purposes.

§150-19.3. New Construction.

- A. New Construction (per N.J.A.C. 5:93 as may be updated per various sections in N.J.A.C. 5:97 and N.J.S.A. 52:27D-301 et seq.).
1. The following requirements shall apply to all new or planned developments that contain very low-, low- and moderate-income housing units. To the extent possible, details related to the adherence to the requirements below shall be outlined in the resolution granting municipal subdivision or site plan approval of the project to assist municipal representatives, developers and Administrative Agents.
 2. Completion Schedule (previously known as phasing). Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the

following completion schedule for very low-, low- and moderate-income units whether developed in a single-phase development, or in a multi-phase development:

Maximum Percentage of Market-Rate Units Issued a Temporary or Final Certificate of Occupancy	Minimum Percentage of Affordable Units Issued a Temporary or Final Certificate of Occupancy
25+1	10
50	50
75	75
90	100

3. Design. The following design requirements apply to affordable housing developments, excluding prior round units.
- (a) Design of 100 percent affordable developments:
- (1) Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - (2) Each bedroom in each restricted unit must have at least one window.
 - (3) Restricted units must include adequate air conditioning and heating.
- (b) Design of developments comprising market-rate rental units and restricted rental units. The following does not apply to prior round units, unless stated otherwise.
- (1) Restricted units must use the same building materials and architectural design elements (for example, plumbing, insulation, or siding) as market-rate units of the same unit type (for example, flat or townhome) within the same development, except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - (2) Restricted units and market-rate units within the same affordable development must be sited such that restricted units are not concentrated in less desirable locations.
 - (3) Restricted units may not be physically clustered so as to segregate restricted and market-rate units within the same development or within the same building, but must be interspersed throughout the development, except that age-restricted and supportive housing units may be physically clustered if the clustering facilitates the provision of on-site medical services or on-site social services. Prior round affordable units shall be integrated with market rate units to the extent feasible.
 - (4) Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
 - (5) Restricted units must include adequate air conditioning and heating and must use the same type of cooling and heating sources as market-rate units of the same unit type. This shall apply to prior round units.
 - (6) Each bedroom in each restricted unit must have at least one window.
 - (7) Restricted units must be of the same unit type as market-rate units within the same building.
 - (8) Restricted units and bedrooms must be no less than 90 percent of the minimum size prescribed by the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
- (c) Design of developments containing for-sale units, including those with a mix of rental and for-sale units. Restricted rental units shall meet the requirements of section b above. Restricted sale units shall comply with the below:
- (1) Restricted units must use the same building standards as market-rate units of the same unit type (for example, flat, townhome, or single-family home), except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - (2) Restricted units may be clustered, provided that the buildings or housing product types containing the restricted units are integrated throughout the de-

velopment and are not concentrated in an undesirable location or in undesirable locations. Prior round affordable units shall be integrated with market rate units to the extent feasible.

- (3) Restricted units may be of different unit housing product types than market-rate units, provided that there is a restricted option available for each market rate housing type. Developments containing market-rate duplexes, townhomes, and/or single-family homes shall offer restricted housing options that also include duplexes, townhomes, and/or single-family homes. Penthouses and higher priced end townhouses may be exempt from this requirement. The proper ratio for restricted to market-rate unit type shall be subject to municipal ordinance or, if not specified, shall be determined at the time of site plan approval.
 - (4) Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - (5) Penthouse and end units may be reserved for market-rate sale, provided that the overall number, value, and distribution of affordable units across the development is not negatively impacted by such reservation(s).
 - (6) Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
 - (7) Each bedroom in each restricted unit must have at least one window; and
 - (8) Restricted units must include adequate air conditioning and heating.
4. Utilities.
- (a) Affordable units shall utilize the same type of cooling and heating source as market-rate units within the affordable housing development.
 - (b) Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance in accordance with N.J.AC 5:80-26.13(e).
- A. Low/moderate split and bedroom distribution of affordable housing units:
1. At least 50% of all affordable units in any development (rounded to the nearest whole number) shall be restricted for very low- and low-income households. Very low-income units shall represent at least 13% of the affordable unit mix.
 2. In each affordable development, at least 50% of the restricted units within each bedroom distribution (rounded to the nearest whole number) shall be low-income units, including at least 13% very-low income.
 3. Unless otherwise approved by the Division of Local Planning Services in the DCA, affordable developments that are not age-restricted or supportive / special needs housing shall be structured such that:
 - (a) At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
 - (b) Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
 - (c) No more than 20 percent of all restricted units, rounded up or down to the nearest whole number in either direction, are efficiency or one-bedroom units;
 - (d) At least 30 percent of all restricted units, rounded up or down to the nearest whole number in either direction, are two-bedroom units;
 - (e) At least 20 percent of all restricted units, rounded up or down to the nearest whole number in either direction, are three-bedroom units; and
 - (f) The remainder of the restricted units, if any, are allocated at the discretion of the developer in accordance with the Township's housing element and fair share plan.
 4. Unless otherwise approved by the Division, in each affordable development, restricted units that are age-restricted or supportive housing must be structured such that, at a minimum, the number of bedrooms within the restricted units equals the number of restricted units. For example, the standard may be met by creating a two-bedroom unit for each efficiency unit. In affordable developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom and three-bedroom units must compose at least five percent of those restricted units..

B. Accessibility requirements:

1. Any new construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.
2. Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multi-floor dwelling units that are attached to at least one other dwelling unit shall be subject to the technical design standards of the barrier free subcode and shall include the following features:
 - (a) An adaptable toilet and bathing facility on the first floor;
 - (b) An adaptable kitchen on the first floor;
 - (c) An interior accessible route of travel however an interior accessible route of travel shall not be required between stories;
 - (d) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - (e) If not all of the foregoing requirements above. can be satisfied, then an interior accessible route of travel shall be provided between stories within an individual unit; and
 - (f) An accessible entranceway as set forth at P.L. 2005, c. 350 (*N.J.S.A. 52:27D-311a et seq.*), and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the Township has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible.
 - (1) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - (2) To this end, the builder of restricted units shall deposit funds within the Township of Verona's affordable housing trust fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
 - (3) The funds deposited shall be used by the Township for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - (4) The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the construction official of the Township of Verona.
 - (5) Once the construction official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township of Verona's affordable housing trust fund in care of the Municipal Treasurer, who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked for the intended purpose.
 - (g) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site-impracticable" to meet the requirements. If full compliance with this section would be site impracticable, compliance with this section for any portion of the dwelling shall be required to the extent that it is not site impracticable. Determinations of site impracticability shall comply with the Barrier Free Subcode at N.J.A.C. 5:23-7.

C. Affordable Housing Programs

1. Pursuant to amended UHAC regulations at N.J.A.C. 5:80-26.1 et seq. and, in addition, pursuant to P.L. 2024, c.2 and specifically to the amended FHA at N.J.S.A. 52:27D-311.m, "All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L. 2024, c.2, or binding court decisions." The following are many of the main provisions of the COAH regulations at either N.J.A.C. 5:93 or 5:97 that have been upheld by the NJ Supreme Court. Municipalities should consult the cited full COAH regulations

- when preparing the HEFSP for required documentation, etc. Additional compliance details may also be included in the specific municipal program manual.
2. Assisted Living Residence (per N.J.A.C. 5:97-6.11).
 - (a) An assisted living residence is a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to assure that assisted living services are available. All or a designated number of apartments in the facility shall be restricted to low- and moderate-income households.
 - (b) The unit of credit shall be the apartment. However, a two-bedroom apartment shall be eligible for two units of credit if it is restricted to two unrelated individuals.
 - (c) A recipient of a Medicaid waiver shall automatically qualify as a low- or moderate-income household.
 - (d) Assisted living units are considered age-restricted housing in a HEFSP and shall be included with the maximum number of units that may be age-restricted.
 - (e) Low- and moderate-income residents cannot be charged any upfront fees.
 - (f) The units shall comply with UHAC with the following exceptions:
 - (1) Affirmative marketing (N.J.A.C. 5:80-26.16); provided that the units are restricted to recipients of Medicaid waivers;
 - (2) The deed restriction may be on the facility, rather than individual apartments or rooms;
 - (3) Low/moderate income split and affordability average (N.J.A.C. 5:80-26.4); only if all of the affordable units are affordable to households at a maximum of 60 percent of median income; and
 - (g) Tenant income eligibility (N.J.A.C. 5:80-26.14); up to 80 percent of an applicant's gross income may be used for rent, food and services based on occupancy type and the affordable unit must receive the same basic services as required by the Agency's underwriting guidelines and financing policies. The cost of non-housing related services shall not exceed one and two-thirds times the rent established for each unit.
 3. Supportive Housing and Group Homes (per N.J.A.C. 5:97-6.10).
 - (a) The following provisions shall apply to group homes, residential health care facilities, and supportive shared living housing:
 - (1) Units are subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968).
 - (2) Units may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services.
 - (3) The unit of credit shall be the bedroom. However, the unit of credit shall be the unit if occupied by a single person or household.
 - (4) Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.
 - (5) Occupancy shall not be restricted to youth under 18 years of age.
 - (6) In affordable developments with 20 or more restricted units that are supportive housing, two-bedroom units must compose at least five percent of those restricted units.
 - (7) The bedrooms and/or units shall comply with UHAC with the following exceptions:
 - (i) Affirmative marketing; however, group homes, residential health care facilities, permanent supportive housing, and supportive shared living housing shall be affirmatively marketed to broadest possible population of qualified individuals with special needs in accordance with a plan approved by the sponsoring program;
 - (ii) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).
 - (8) With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Devel-

opmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with the Act. In the event that a supportive housing provider is unable to record or execute a long-term deed restriction, the units shall be subject to annual recertification by the Municipal Housing Liaison to confirm continued occupancy and compliance with this Section.

- (9) Objective standards shall be applied in the selection of tenants for supportive housing units and shall be designed to ensure that individuals are not excluded in an arbitrary or capricious manner.
- (10) The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
 - (i) An Affirmative Marketing Plan in accordance with D1 above; and
 - (ii) If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.
- (11) The sponsor/owner shall complete annual monitoring as directed by the MHL.

D. Regional Income Limits.

1. Administrative agents shall use the current regional income limits for the purpose of pricing affordable units and determining income eligibility of households.
2. Regional income limits are based on regional median income, which is established by a regional weighted average of the "median family incomes" published by HUD. The procedure for computing the regional median income is detailed in N.J.A.C. 5:80-26.3.
3. Updated regional income limits are effective as of the effective date of the regional Section 8 income limits for the year, as published by HUD, or 45 days after HUD publishes the regional Section 8 income limits for the year, whichever comes later. The new income limits may not be less than those of the previous year.

E. Maximum rents and sales prices.

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC N.J.A.C. 5:80-26.4.
2. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.
3. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60 percent of regional median income. The maximum rent may be increased to no more than 70 percent of regional median income for moderate-income units within affordable developments where very-low-income units compose at least 13 percent of the restricted units; however, the number of units with rent affordable to households earning 70 percent of regional median income may not exceed the number of very-low-income units in excess of 13 percent (rounded up) of the restricted units.)
4. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units. Very low-income units, if required, should be distributed between each bedroom count as proportionally as possible to the total number of restricted units within each bedroom count, and shall be part of the low-income requirement.
5. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70 percent of median income, and each affordable housing development must achieve an affordability average that does not exceed 55 percent for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.
6. The master deeds and declarations of covenants and restrictions for affordable developments may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments to be paid by low- and moderate-income purchasers and those to be paid

- by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
7. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be met:
 - (a) A studio or efficiency unit shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a 1 1/2 person household;
 - (c) A two-bedroom unit shall be affordable to a three-person household;
 - (d) A three-bedroom unit shall be affordable to a 4 1/2 person household; and
 - (e) A four-bedroom unit shall be affordable to a six-person household.
 8. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be met:
 - (a) A studio or efficiency unit shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a 1 1/2 person household; and
 - (c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
 9. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95% of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 30% of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.7, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
 10. The initial rent for a restricted rental unit shall be calculated so that the total monthly housing expense, including an allowance for tenant-paid utilities, does not exceed 30 percent of the gross monthly income of a household of the appropriate size whose income is targeted to the applicable percentage of median income for the unit, as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented. The rent shall also comply with the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
 11. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following a minimum 90-day notice provided to the occupant household, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." The maximum allowable rent increase for the year will be effective as of the same date as the regional median income limits determined pursuant to N.J.A.C. 5:80-26.3 and published by the Agency. This rent increase may not exceed five percent in any one year and notice thereof must be filed with the administrative agent. If the landlord has charged a tenant less than the initial maximum allowable rent for a restricted unit, the landlord may, with the approval of the administrative agent, use the maximum allowable rent instead of the current rent in performing this multiplication to establish the rent for the next tenant under a new lease. LIHTC units are not governed by the provisions of this section, but rather by the provisions of the State's Qualified Allocation Plan, N.J.A.C. 5:80-33.1 through 33.40.

§150-19.4. Affordability Controls and Requirements

A. Purpose.

1. The requirements of this section apply to all developments that contain affordable housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

B. Affirmative marketing.

1. The Township shall adopt by resolution an affirmative marketing plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.16, as may be amended and supplemented.

2. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, English-speaking ability, marital or familial status, gender, affectional or sexual orientation, disability, age (except for "housing for older persons" as defined at N.J.S.A. 10:5-1 et seq., and age-restricted units as permitted pursuant to 42 U.S.C. §§ 3601 et seq.), number of children, source of lawful income, or any other characteristic described in the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 through 50, to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 2 and is required to be followed throughout the period of deed restriction.
3. The Affirmative Marketing Plan provides the following preferences, provided that units that remain unoccupied after these preferences are exhausted may be offered to households without regard to these preferences
 - (a) The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 2, composed of Essex, Morris, Union, and Warren Counties.
 - (b) Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
 - (c) With respect to existing restricted units undergoing approved rehabilitation for the purpose of preservation or to restricted units newly created to replace existing restricted units undergoing demolition, a preference for the very-low-, low-, and moderate-income households that are displaced by the rehabilitation or demolition and replacement.
 - (d) Where the Township has entered into an agreement with a developer or residential development owner to provide a preference for very-low-, low-, and moderate-income veterans who served in time of war or other emergency, pursuant to N.J.S.A. 52:27D-311.j, there shall be a preference for veterans for up to 50 percent of the restricted rental units in a particular project.
4. The municipality has the ultimate responsibility for adopting the affirmative marketing plan and for the proper administration of the affirmative marketing program, including initial sales and rentals and resales and re-rentals. The administrative agent designated by the Township of Verona shall implement the affirmative marketing plan to assure the affirmative marketing of all affordable units.
5. The administrative agent designated by the Township shall assure the affirmative marketing of all affordable units is consistent with the affirmative marketing plan for the municipality.
6. In implementing the affirmative marketing plan, the administrative agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
7. The affirmative marketing plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the affirmative marketing plan, the administrative agent shall consider the use of language translations where appropriate.
8. The affirmative marketing process for available affordable units shall begin at least four months (or 120 days) prior to the expected date of occupancy and may begin before construction commences. For owner-occupied units, affirmative marketing advertising and outreach activities must continue until all of the marketed units have been sold, except that paid advertising may cease when the number of applications received is at least three times the number of units to be sold. For rental units, affirmative marketing advertising and outreach activities must continue, as long as applications are being accepted, except that paid advertising may cease when the number of applications received is at least three times the number of units to be filled.
9. Applications must be accepted for no less than 45 days following the initial advertisement on the New Jersey Housing Resource Center, except for the resale of owner-occupied units, in which case, applications must be accepted for no less than 30 days.

10. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.
 11. In addition to other Affirmative Marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units on the New Jersey Housing Resource Center website. Any other entities, including developers or persons or companies retained to implement the Affirmative Marketing Process, shall comply with this paragraph
 12. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Township of Verona.
- C. Occupancy standards.
1. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the administrative agent shall strive to:
 - (a) Ensure each bedroom is occupied by at least one person, except for age-restricted and supportive and special needs housing units;
 - (b) Provide a bedroom for every two adult occupants;
 - (c) With regard to occupants under the age of 18, accommodate the household's requested arrangement, except that such arrangement may not result in more than two occupants under the age of 18 occupying any bedroom; and
 - (d) Avoid placing a one-person household into a unit with more than one bedroom.
 2. Additional provisions related to occupancy standards (if any) shall be provided in the municipal operating manual.
- D. Selection of occupants of affordable housing units.
1. The administrative agent shall use a random selection process to select occupants of low- and moderate-income housing.
 2. A waiting list of all eligible candidates will be maintained in accordance with the provisions of N.J.A.C. 5:80-26. 16.
- E. Control periods for restricted ownership units and enforcement mechanisms.
1. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80- 26.6, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years subject to the requirements of N.J.A.C. 5:80-26.6, as may be amended and supplemented.
 2. Rehabilitated housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years (crediting towards present need only).
 3. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit. The date of commencement shall be identified in the deed restriction.
 4. If existing affordability controls are being extended, the extended control period for a restricted ownership unit commences on the effective date of the extension, which is the end of the original control period.
 5. After the end of any control period, the restricted ownership unit remains subject to the affordability controls set forth in this subchapter until the owner gives notice of their intent to make an exit sale, at which point:
 - (a) If the municipality exercises the right to extend the affordability controls on the unit, no exit sale occurs and a new control period commences; or
 - (b) If the municipality does not exercise the right to extend the affordability controls on the unit, the affordability controls terminate following the exit sale.
 6. Prior to the issuance of any building permit for the construction/rehabilitation of restricted ownership units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
 7. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.

8. At the time of the initial sale of the unit and upon each successive price-restricted sale, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obliging the purchaser, as well as the purchaser's heirs, successors, and assigns, to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
 9. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to price-restricted ownership units.
- F. Price restrictions for restricted ownership units, homeowners' association fees and resale prices.
1. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7, as may be amended and supplemented, including:
 - (a) The initial purchase price and affordability percentage for a restricted ownership unit shall be set by the Administrative Agent.
 - (b) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the standards set forth in N.J.A.C. 5:80-26.7.
 - (1) If the resale occurs prior to the one-year anniversary of the date on which title to the unit was transferred to a certified household, the maximum resale price for a is the most recent non-exempt purchase price.
 - (2) If the resale occurs on or after such anniversary date, the maximum resale price is the most recent non-exempt purchase price increased to reflect the cumulative annual percentage increases to the regional median income, effective as of the same date as the regional median income calculated pursuant to N.J.A.C. 5:80-26.3
 - (c) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be:
 - (1) Those that render the unit suitable for a larger household or the addition of a bathroom.
 - (2) The maximum resale price may be further increased by an amount up to the cumulative dollar value of approved capital improvements made after the last non-exempt sale for improvements and/or upgrades to the unit, excluding capital improvements paid for by the entity favored on the recapture note and recapture lien described at N.J.A.C. 5:80-26.6(d);
 - (d) No increase for capital improvements is permitted if the maximum resale price prior to adjusting for capital improvements already exceeds whatever initial purchase price the unit would have if it were being offered for purchase for the first time at the initial affordability percentage. All adjustments for capital improvements are subject to 10-year, straight-line depreciation.
 2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase but shall be separate and apart from any contract of sale for the underlying real estate. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The seller and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.
 - (a) .
- G. Buyer income eligibility.
1. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.17, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less

- than or equal to 50% of median income, and moderate-income ownership units shall be reserved for households with a gross household income less than 80% of median income.
2. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the municipality, and subject to the Division's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. In such instances, the purchased unit must be maintained as a very-low-income unit and sold at a very-low-income price point such that on the next resale the unit will still be affordable to very-low-income households and able to be purchased by a very-low-income household. A very-low-income unit that is seeking bonus credit pursuant to N.J.S.A. 52:27D-311.k(9) must first be advertised exclusively as a very-low-income unit according to the Affirmative Marketing requirements at N.J.A.C. 5:80-26.16, then advertised as a very-low-income or low-income unit for at least 30 additional days prior to referring any low-income household to the unit.
 3. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the administrative agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
 4. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 35 percent of the household's eligible monthly income; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - (a) The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for housing expenses, and the proposed housing expenses will reduce its housing costs;
 - (b) The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for housing expenses in the past and has proven its ability to pay; or
 - (c) The household is currently in substandard or overcrowded living conditions;
 - (d) The household documents the existence of assets, within the asset limitation otherwise applicable, with which the household proposes to supplement the rent payments
- H. Limitations on indebtedness secured by ownership unit; subordination.
1. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
 2. With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with N.J.A.C. 5:80-26.7(c)..
- I. Control periods for restricted rental units.
1. Control periods for units that meet the definition of prior round units shall be pursuant to the 2001 UHAC rules originally adopted October 1, 2001, 33 N.J.R. 3432, and shall remain subject to the requirements of this ordinance for a period of at least 30 years as applicable unless otherwise indicated.
 2. Other than for prior round units, control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.12, as may be amended and supplemented, and each

- restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 40 years. Restricted rental units created as part of developments receiving 9% Low-Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period for a total of 45 years.
- (a)
3. The affordability control period for a restricted rental unit shall commence on the first date that a unit is issued a certificate of occupancy following the execution of the deed restriction or, if affordability controls are being extended, on the effective date of the extension, which is the end of the original control period.
 4. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of 10 years.
 5. Prior to the issuance of any building permit for the construction/rehabilitation of restricted rental units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
 6. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Essex. A copy of the filed document shall be provided to the administrative agent within 30 days of the receipt of a certificate of occupancy.
 7. A restricted rental unit shall remain subject to the affordability controls of this chapter, despite the occurrence of any of the following events:
 - (a) Sublease or assignment of the lease of the unit;
 - (b) Sale or other voluntary transfer of the ownership of the unit
 - (c) The entry and enforcement of any judgment of foreclosure on the property containing the unit; or
 - (d) The end of the control period, until the occupant household vacates the unit, or is certified as over-income and the controls are released in accordance with UHAC.
- J. Price restrictions for rental units; leases and fees.
1. The initial rent for a restricted rental unit shall be set by the Administrative Agent.
 2. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be retained on file by the Administrative Agent.
 3. No additional fees, operating costs, or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
 - (a) Operating costs, for the purposes of this section, include certificate of occupancy fees, move-in fees, move-out fees, mandatory internet fees, mandatory cable fees, mandatory utility submetering fees, and for developments with more than one and a half off-street parking spaces per unit, parking fees for one parking space per household.
 4. Any fee structure that would remove or limit affordable unit occupant access to any amenities or services that are required or included for market-rate unit occupants is prohibited. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
 5. Fees for unit-specific, non-communal items that are charged to market-rate unit tenants on an optional basis, such as pet fees for tenants with pets, storage spaces, bicycle-share programs, or one-time rentals of party or media rooms, may also be charged to affordable unit tenants, if applicable.
 6. Pet fees may not exceed \$30.00 per month and associated one-time payments for optional fees pertaining to pets, such as a pet cleaning fee, are prohibited.
 7. Fees charged to affordable unit tenants for other optional, unit-specific, non-communal items shall not exceed the amounts charged to market-rate tenants.
 8. For any prior round rental unit leased before December 20, 2024, elements of the existing fee structure that are consistent with prior rules, but inconsistent with 5:80-26.13(c)1, may continue until the occupant household's current lease term expires or that occupant household vacates the unit, whichever occurs later.
- K. Tenant income eligibility.
1. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.14, as may be amended and supplemented, and shall be determined as follows:

- (a) Very-low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of median income.
 - (b) Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of median income.
 - (c) Moderate-income rental units shall be reserved for households with a gross household income less than 80% of median income.
2. The administrative agent shall certify a household as eligible for a restricted rental unit when the household is a very-low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exist:
 - (a) The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - (b) The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - (c) The household is currently in substandard or overcrowded living conditions;
 - (d) The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - (e) The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the administrative agent and the owner of the unit.
 3. The applicant shall file documentation sufficient to establish the existence of the circumstances in Subsection K.2(a) through (e) above with the administrative agent, who shall counsel the household on budgeting.

L. Conversions.

1. Each affordable housing unit created through the conversion of a nonresidential structure shall be considered a new housing unit and shall be subject to the affordability controls for a new housing unit.

§150-19.5. Administration

- A. Establishment of Municipal Housing Liaison position and compensation; powers and duties.
 1. Establishment of position of Municipal Housing Liaison. There is hereby established the position of the Municipal Housing Liaison for Verona.
 2. The Municipal Housing Liaison shall be approved by the Division, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in N.J.A.C. 5:99-1 et seq.
 3. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Verona, including the following responsibilities which may not be contracted out:
 - (a) Serving as Verona's primary point of contact for all inquiries from the Affordable Housing Dispute Resolution Program, the State, affordable housing providers, administrative agents, and interested households;
 - (b) The oversight of affirmative marketing plans and affordability controls;
 - (c) When applicable, overseeing and monitoring any contracting Administrative Agent.
 - (d) Monitoring the status of all restricted units in Verona's fair share plan;
 - (e) Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
 - (f) Coordinating meetings with affordable housing providers and administrative agents, as applicable;
 - (g) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
 - (h) Overseeing the recording of a preliminary instrument in the form set forth at N.J.A.C. 5:80-26.1 for each affordable housing development.
 - (i) Coordinating with the Administrative Agent, municipal attorney and municipal Construction Code Official to ensure that permits are not issued unless the document required in C.8. above has been duly recorded.

- (j) Listing on the municipal website contact information for the MHL and Administrative Agents.
 - 4. Compensation. Compensation shall be fixed by the governing body at the time of the appointment of the Municipal Housing Liaison.
- B. Administrative Agent
1. All municipalities that have created or will create affordable housing programs and/or affordable units shall designate or approve, for each project within its HEFSP, an administrative agent to administer the affordable housing program and/or affordable housing units in accordance with the requirements of the FHA, NJAC 5:99-1 et seq. and UHAC.
 2. The fees for administrative agents shall be paid as follows:
 - (a) Administrative agent fees related to rental units shall be paid by the developer/owner.
 - (b) Administrative agent fees related to initial sale of units shall be paid by the developer.
 - (c) Administrative agent fees related to resales shall be paid by the seller of the affordable home.
 - (d) Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
 3. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s). The Operating Manual(s) shall be available for public inspection in the Office of the Clerk and in the office(s) of the Administrative Agent(s). Operating manuals shall be adopted by resolution of the Governing Body.
 4. Subject to the role of the Administrative Agent(s), the duties and responsibilities as are set forth in N.J.A.C. 5:99-7 and which are described in full detail in the Operating Manual, including those set forth in UHAC, include:
 - (a) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
 - (b) Affirmative marketing:
 - (1) Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the municipality and the provisions of N.J.A.C. 5:80-26.16.
 - (2) Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and landlord/tenant law.
 - (c) Household certification.
 - (1) Soliciting, scheduling, conducting and following up on interviews with interested households.
 - (2) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (3) Providing written notification to each applicant as to the determination of eligibility or non-eligibility within 5 days of the determination thereof.
 - (4) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of N.J.A.C. 5:80-26.1 et seq.
 - (5) Creating and maintaining a referral list of eligible applicant households living in the housing region, and eligible applicant households with members working in the housing region, where the units are located.
 - (6) Employing a random selection process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.
 - (d) Affordability controls.
 - (1) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each restricted unit.
 - (2) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit in accordance with UHAC.
 - (3) Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
 - (4) Ensuring the issuance of Continuing Certificates of Occupancy or certifications

pursuant to N.J.A.C. 5:80-26.11.

- (e) Records retention.
 - (1) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage, and note, as appropriate.
 - (2) Records received, retained, retrieved, or transmitted in furtherance of crediting affordable units of a municipality constitute public records of the municipality as defined by N.J.S.A. 47:3-16, and are legal property of the municipality.
 - (f) Resales and re-rentals.
 - (1) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental.
 - (2) Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or re-rental.
 - (g) Processing requests from unit owners.
 - (1) Reviewing and approving requests from owners of restricted units who wish to refinance or take out home equity loans during the term of their ownership to determine that the amount of indebtedness to be incurred will not violate the terms of this ordinance.
 - (2) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems.
 - (3) Notifying the municipality of an owner's intent to sell a restricted unit.
 - (4) Making determinations on requests by owners of restricted units for hardship waivers.
 - (h) Enforcement.
 - (1) Securing annually from the municipality a list of all affordable ownership units for which property tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - (2) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - (3) Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4;
 - (4) Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and
 - (5) Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent setting forth procedures for administering the affordability controls.
 - (i) The Administrative Agent(s) shall, as delegated by the municipality, have the authority to take all actions necessary and appropriate to carry out its/their responsibilities, herein.
- C. Responsibilities of The Owner of a development containing affordable units.
1. The owner of all developments containing affordable units subject to this subchapter or the assigned management company thereof shall provide to the administrative agent:
 - (a) Site plan, architectural plan, or other plan that identifies the location of each affordable unit, if subject to the site plan approval, settlement agreement, or other applicable document regulating the location of affordable units. The administrative agent shall determine the location of affordable units if not set forth in the site plan approval, settlement agreement, or other applicable document.
 - (b) The total number of units in the project and the number of affordable units.
 - (c) The breakdown of the affordable units by or identification of affordable unit locations by bedroom count and income level, including street addresses / unit numbers, if subject to the site plan approval, settlement agreement, or other applicable document regulating the breakdown of affordable units. The administrative agent shall determine the bedroom and income distribution if not set forth in the site plan approval, settlement agreement, or other applicable document.

- (d) Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.
 - (e) A projected construction schedule.
 - (f) The location of any common areas and elevators.
 - (g) The name of the person who will be responsible for official contact with the administrative agent for the duration of the project, which must be updated if the contact changes.
2. In addition to 1 above, the owner of rental developments containing affordable rental units subject to this subchapter or the assigned management company thereof shall:
 - (a) Send to all current tenants in all restricted rental units an annual mailing containing a notice as to the maximum permitted rent and a reminder of the requirement that the unit must remain their principal place of residence, which is defined as residing in the unit at least 260 days out of each calendar year, together with the telephone number, mailing address, and email address of the administrative agent to whom complaints of excess rent can be issued.
 - (b) Provide to the administrative agent a description of any applicable fees.
 - (c) Provide to the administrative agent a description of the types of utilities and which utilities will be included in the rent.
 - (d) Agree and ensure that the utility configuration established at the start of the rent-up process not be altered at any time throughout the restricted period.
 - (e) Provide to the administrative agent a proposed form of lease for any rental units.
 - (f) Ensure that the tenant selection criteria for the applicants for affordable units not be more restrictive than the tenant selection criteria for applicants for non-restricted units.
 - (g) Strive to maintain the continued occupancy of the affordable units during the entire restricted period.
 3. In addition to 1, above, the owner of affordable for-sale developments containing affordable for-sale units subject to this subchapter or the assigned management company thereof shall provide the administrative agent:
 - (a) Proposed pricing for all units, including any purchaser options and add-on items.
 - (b) Condominium or homeowner association fees and any other applicable fees.
 - (c) Estimated real property taxes.
 - (d) Sewer, water, trash disposal, and any other utility assessments.
 - (e) Flood insurance requirement, if applicable.
 - (f) The State-approved planned real estate development public offering statement and/or master deed, where applicable, as well as the full build-out budget.

§150-19.4. Enforcement of Affordable Housing Regulations

- A. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an owner, developer or tenant of an affordable unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - (a) A fine of not more than \$500 or imprisonment for a period not to exceed 90 days, or both, unless otherwise specified below, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - (b) In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Affordable Housing Trust Fund of the gross amount of rent illegally collected;

- (c) In the case of an owner who has rented his or her affordable unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
- C. The municipality shall have the authority to levy fines against the owner of the development for instances of noncompliance with NJHRC advertising requirements (N.J.S.A. 52:27D-321.6.e.(2)), following written notice to the owner. The fine for the first offense of noncompliance shall be \$5,000, the fine for the second offense of noncompliance shall be \$10,000, and the fine for each subsequent offense of noncompliance shall be \$15,000.
- D. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low- or moderate-income unit.
1. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the affordable unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
 2. The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the low- or moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.
 3. Foreclosure due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as they apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
 4. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the affordable unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the affordable unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess that would have been realized from an actual sale as previously described.
 5. Failure of the low- or moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser that may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- or moderate-income unit as permitted by the regulations governing affordable housing units.
 6. The affordable unit owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.
- E. It is the responsibility of the municipal housing liaison and the administrative agent(s) to ensure that affordable housing units are administered properly. All affordable units must

be occupied within a reasonable amount of time and be re-leased within a reasonable amount of time upon the vacating of the unit by a tenant. If an administrative agent or municipal housing liaison becomes aware of or suspects that a developer, landlord, or property manager has not complied with these regulations, it shall report this activity to the Division. The Division must notify the developer, landlord, or property manager, in writing, of any violation of these regulations and provide a 30-day cure period. If, after the 30-day cure period, the developer, landlord, or property manager remains in violation of any terms of this subchapter, including by keeping a unit vacant, the developer, landlord, or property manager may be fined up to the amount required to construct a comparable affordable unit of the same size and the deed-restricted control period will be extended for the length of the time the unit was out of compliance, in addition to the remedies provided for in this section. For the purposes of this subsection, a reasonable amount of time shall presumptively be 60 days, unless a longer period of time is required due to demonstrable market conditions and/or failure of the municipal housing liaison or the administrative agent to refer a certified tenant.

- F. Banks and other lending institutions are prohibited from issuing any loan secured by owner occupied real property subject to the affordability controls set forth in this subchapter if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located. Any loan issued in violation of this subsection is void as against public policy.
- G. The Agency and the Department hereby reserve, for themselves and for each administrative agent appointed pursuant to this subchapter, all of the rights and remedies available at law and in equity for the enforcement of this subchapter, including, but not limited to, fines, evictions, and foreclosures as approved by a county-level housing judge.
- H. Appeals
 - 1. Appeals from all decisions of an administrative agent appointed pursuant to this subchapter must be filed, in writing, with the municipal housing liaison. A decision by the municipal housing liaison may be appealed to the Division. A written decision of the Division Director upholding, modifying, or reversing an administrative agent's decision is a final administrative action.

§150-19.6. Affordable housing set-aside.

- A. Any site plan or subdivision application that creates five (5) or more new dwelling units shall set-aside 20% of the new units for low- and moderate-income households consistent with the requirements of this Article.
- B. Any affordable units generated through such mandatory set-aside shall be subject to all other provisions of this ordinance.
- C. All such affordable units shall be governed by this ordinance with respect to the controls on affordability, including bedroom distribution, and affirmatively marketed to the housing region in conformance with UHAC at N.J.A.C. 5:80-26.1 et seq., any successor regulation, and all other applicable laws.
- D. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. Developers cannot, for example, subdivide a project into two lots and then make each of them a number of units just below the threshold.
- E. The mandatory set-aside requirements of this section do not give any developer the right to any rezoning, variance or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance or other relief.
- F. This municipality-wide mandatory set-aside requirement does not apply to any sites or specific zones otherwise identified in the HEFSP, for which density and set-aside requirements shall be governed by the specific standards as set forth therein.
- G. In the event that the inclusionary set-aside of 20% of the total number of residential units does not result in a full integer, the developer shall round to the nearest whole number of units, except as may be agreed to between the Township and a developer/redeveloper and which is approved by the Division, the Program, or a court of competent jurisdiction.

Article XXI

Development Fee

§ 150-21.1 Purpose.

- A. This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

B.

§ 150-21.2 Basic requirements.

- C. The Township of Verona shall maintain an affordable housing trust fund to deposit all residential and non-residential development fees, payment in lieu of constructing affordable units, barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the Township in connection with its affordable housing programs.
- D. The Township of Verona shall not spend, or commit to spend, any affordable housing trust funds, including Statewide non-residential fees collected and deposited into the municipal affordable housing trust fund, without first obtaining the approval of the expenditure as part of its compliance certification or by the Division pursuant to N.J.S.A. 52:27D-329.2.a(4). The Township shall not spend affordable housing trust funds unless the Program has approved a plan for spending such funds in accordance with N.J.S.A. 52:27D-329.2.a(4) or the Division has approved spending plan expenditures for emergent opportunities to create affordable housing after the Township has obtained compliance certification in conformance with N.J.A.C. 5:99-4.

§ 150-21.3 Residential development fees.

- A. Within all of the Township of Verona Zoning Districts, residential developers shall pay a fee of 1% of the equalized assessed value for residential development, provided no increased density is permitted.
- B. When an increase in residential density pursuant to *N.J.S.A. 40:55D-70d(5)* (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 6% of the equalized assessed value for each additional unit that may be realized.

Example: If an approval allows for four units to be constructed on a site that was zoned for two units, the fees could equal 1% of the equalized assessed value on the first two units, and 6% of the equalized assessed value for the additional two units. However, if the zoning on the site has changed during the two-year period preceding the filing of such a variance application, the density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

§ 150-21.4 Residential development fees - Eligible exactions; ineligible exactions and exemptions.

- A. Affordable housing developments, developments where a developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made an eligible payment in lieu of on-site construction of affordable units, if permitted by ordinance, or by agreement with the municipality shall be exempt from development fees. All other forms of new construction shall be subject to development fees unless exempted below.
- B. Developments that have received preliminary or final approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.
- C. Development fees shall be imposed and collected when an existing structure is expanded or undergoes a change to a more intense use. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- D. Developers of tax-exempt or not-for-profit projects shall be subject to a reduced development fee of 1%.
- E. No development fee shall be collected for the demolition and replacement of a residential building resulting from a fire or natural disaster.
- F. Developers of existing single family residential dwellings shall be exempt from development fees, including additions, renovations, rebuilding or replacement of an existing single-family dwelling and the construction of accessory buildings or other structures on the same lot as the principal dwelling, provided no increase in density is permitted.

§ 150-21.5 Nonresidential development fees.

- A. Within all zoning districts, non-residential developers, except for developers of the types of

development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

- B. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- C. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

§ 150-21.6 Nonresidential development fees - Eligible exactions; ineligible exactions and exemptions.

- A. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
- B. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
- C. Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (*N.J.S.A. 40:55D-8.1 through 8.7*), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
- D. A developer of a nonresidential development exempted from the nonresidential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy for the nonresidential development, whichever is later.
- E. If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Township of Verona as a lien against the real property of the owner.

§ 150-21.7 Collection of fees.

- A. Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at the issuance of the certificate of occupancy. No certificate of occupancy shall be issued to the developer until all remaining developer fees have been paid in full.
- B. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority or entity shall notify or direct its staff to notify the construction official responsible for the issuance of a building permit.
- C. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- D. The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- E. Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- F. The construction official responsible for the issuance of a final certificate of occupancy

shall notify the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

- G. Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- H. Should the Township of Verona fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c. 46 (*N.J.S.A. 40:55D-8.6*).

§ 150-21.8 Contested fees.

- A. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation.
 - (1) Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by Verona Township. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
- B. A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by Verona Township. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§ 150-21.9 Affordable housing trust fund.

- A. There is hereby created a separate, interest-bearing housing trust fund in Investors Bank for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls. All development fees paid by developers pursuant to this article shall be deposited into this fund. The following additional funds shall be deposited in the affordable housing trust fund and shall at all times be identifiable by source and amount:
 - (1) Payments in lieu of on-site construction of affordable units;
 - (2) Developer-contributed funds to make 10% of the adaptable entrances in a townhouse or other multistory attached development accessible;
 - (3) Rental income from municipally operated units;
 - (4) Repayments from affordable housing program loans;
 - (5) Recapture funds;
 - (6) Proceeds from the sale of affordable units; and
 - (7) Any other funds collected in connection with Verona's affordable housing program.
- B. The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
- C. With the approval of the Department's Division of Local Government Services, the municipality may invest its affordable housing trust fund in the State of New Jersey cash management fund, provided that the amount of money in the cash management fund that comprises the funds and income attributable to such funds shall at all times be identifiable.
- D. All interest accrued in the affordable housing trust fund shall only be used on eligible affordable housing activities included in an approved spending plan or an emergent opportunity authorized by the Division.

§ 150-21.10 Use of funds.

- A. Funds deposited in the housing trust fund may be used for any activity approved by the Program or a court of competent jurisdiction, or as approved by the Division as an emergent opportunity to create affordable housing, including but not limited to:
 - 1. A rehabilitation program whose purpose is to renovate deficient housing units that are

- occupied by low- and moderate-income households, in accordance with the New Jersey State Housing Code, N.J.A.C. 5:28, or the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6, as applicable, and costs related to the rehabilitation of the unit. Any recaptured funds from a rehabilitation program shall be deposited into a municipality's affordable housing trust fund and subject to the provisions thereof;
2. New construction of affordable housing units and related development costs; in the case of inclusionary developments, eligible costs shall be prorated based on the proportion of affordable housing units included in the development;
 3. Creation of a market to affordable program to pay down the cost of unrestricted units and offer them in sound condition, for sale or rent, at affordable prices to low- and moderate-income households to address all or a portion of the affordable housing obligation;
 4. Extensions or improvements of roads and infrastructure directly serving affordable housing development sites; in the case of inclusionary developments, costs shall be prorated based on the proportion of affordable housing units included in the development;
 5. RCAs, approved prior to July 17, 2008;
 6. Acquisition and/or improvement of land to be used for affordable housing;
 7. Accessory dwelling units;
 8. The extension of expiring controls;
 9. The construction of group homes and supportive and special needs housing;
 10. Maintenance and repair of affordable housing units;
 11. To defray the costs of structured parking; in the case of inclusionary developments, eligible costs shall be prorated based on the proportion of affordable housing units included in the development;
 12. Affordability assistance in accordance with N.J.A.C. 5:99-2.5;
 13. Repayment of municipal bonds issued to finance low- and moderate-income housing activity;
 14. Any other activity as specified in the approved spending plan or as approved by the Division as an emergent affordable housing opportunity; or
 15. Any other activity approved by the Division.
- B. Funds shall not be expended:
1. To reimburse the Township for activities that occurred prior to the authorization to collect development fees;
 2. On attorney fees or court costs to obtain a judgment of compliance or order of repose, including any associated administration costs;
 3. On any costs in connection with a challenge to a determination of the municipality's fair share obligation; or
 4. On any costs in connection with a challenge to the municipality's obligation, housing element, or fair share plan.
- C. The Township shall set aside a portion of development fees collected and interest earned from the affordable housing trust fund for the purpose of providing affordability assistance to very low-, low-, and moderate-income households in affordable units included in the municipal fair share plan.
- (1) Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, and rental assistance.
 - (2) Affordability assistance for very-low-income households may include offering a subsidy to developers of inclusionary or 100 percent affordable housing developments or buying down the cost of low- or moderate-income units in a municipal fair share plan to make them affordable to very low-income households, including special needs and supportive housing opportunities.
 - (3) Township of Verona may contract with a private or public entity to administer any part of its housing element and fair share plan, including the requirement for affordability assistance, or any program or activity for which the Township expends development fee proceeds.
- D. No more than 20 percent of all affordable housing trust funds, exclusive of those collected prior to July 17, 2008, to fund an RCA, shall be expended on administration, in accordance with N.J.A.C. 5:99-2.4 and the following:
- (1) Administrative expenses may include costs reasonably related to the determination of the fair share obligation and the development of a municipal housing element and fair share plan and may include fees necessary to develop or implement affordable housing programs, an affirmative marketing program, and/or expenses that are reasonably necessary for compliance with the processes of the Program, including, but not

limited to, the costs to the Township of resolving a challenge pursuant to the Program.

(2) Administrative expenses may also include costs associated with functions carried out in compliance with UHAC, including activities related to the marketing program and waitlist management, administering the placement of occupants in housing units, income qualification of households, monitoring the turnover of sale and rental units, preserving existing affordable housing, and compliance with the Division's monitoring requirements.

(3) The proportion of a Township employee's salary related to the MHL or RCA administrator functions and fees for required educational programs, may be paid as an administrative expense from the Township affordable housing trust fund.

E. Development fees collected by the Township shall be expended or committed for expenditure within four years of the date of collection.

- (1) The funds have been spent on a housing activity in accordance with N.J.A.C. 5:99-2.3;
- (2) The Division has been provided with an executed contract or legally enforceable agreement funding the implementation of an allowable housing activity in accordance with N.J.A.C. 5:99-2.3, and the following, as applicable: a municipal resolution or ordinance creating the affordable housing program, a policy and procedures manual, and completion of affordable housing trust fund and unit monitoring, indicating units completed or rehabilitated, or the municipality has otherwise demonstrated a firm and binding obligation to spend such funds in a manner consistent with addressing its respective affordable housing obligation;
- (3) For affordability assistance expenses, the Division has been provided with the following: demonstration of a firm and binding obligation to spend such funds in a manner consistent with addressing the affordability assistance obligation required by the Act or a municipal resolution or ordinance and an executed contract or agreement for expenses related to providing affordability assistance to existing low- and moderate-income households, a policies and procedures manual for any affordability assistance program executed by the municipality, and a contract with an administrative agent to carry out the program if applicable; or
- (4) For administrative expenses, the Division has been provided with the following: a municipal resolution or ordinance and an executed contract or agreement for expenses related to administering affordable housing.

§ 150-21.11 Barrier Free Escrow.

- B. The Township may collect fees to adapt affordable unit entrances to be accessible in accordance with the Act and the Barrier Free Subcode, N.J.A.C. 5:23-7. Funds collected for this purpose shall at all times be identifiable from other funds, and shall be identified in the monitoring reports submitted to the State pursuant to N.J.A.C. 5:99-5.

§ 150-21.12 Payments in lieu of constructing affordable units on-site

- A. Payments in lieu of constructing affordable units shall not be imposed on any non-residential development.
- B. Payments in lieu of constructing affordable units shall be identified on its monitoring report pursuant to N.J.A.C. 5:99-5.2.
- C. Pursuant to N.J.A.C. 5:99-2.7, the Township shall specify in its Spending Plan the intended use of any payments in lieu of constructing affordable units on site.
- D. Residential development fees shall not be charged in connection with any development that makes a payment in accordance with this section.

§ 150-21.13 Other funds

The affordable housing trust fund may also contain recaptured funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines and application fees, and any other funds collected by the Township in connection with its affordable housing programs. The Township shall identify any such funds on its monitoring report pursuant to N.J.A.C. 5:99-5 and include a plan for the use of the funds in its spending plan.

§ 150-21.11 Monitoring.

On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the AHMS Reporting System. This reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended.

Such reporting shall include an accounting of development fees collected from residential and non-residential developers, previously eligible payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the municipality prior to the March 20, 2024 statutory elimination per P.L. 2024, c.4), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from municipally-owned affordable housing units, repayments from affordable housing program loans, interest and any other funds collected in connection with municipal housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

§ 150-21.12 Ongoing collection of fees.

The ability for the Township of Verona to impose, collect and expend development is subject to maintaining its status as a compliant municipality,. If the Township of Verona fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance and Repose or compliance certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to Section 20 of P.L. 1985, c. 222 (*N.J.S.A. 52:27D-320*). Should the Township's compliant status lapse, it shall submit an updated spending plan in accordance with the time frames set forth at N.J.S.A. 52:27D-304.1 for municipal submission of a housing element and fair share plans in order to renew control over the collection and spending of its trust funds.

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION FIVE: CODIFICATION

This ordinance shall be a part of the Code of the Township of Verona as though codified and fully set forth therein. The Municipal Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

JENNIFER KIERNAN, CMC
MUNICIPAL CLERK

INTRODUCTION: - referred to the Planning Board for consistency review
PUBLIC HEARING:
EFFECTIVE DATE:

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2026-

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**AUTHORIZE BUDGET TRANSFERS BETWEEN APPROPRIATION
ACCOUNTS PURSUANT TO NJSA 40A:4-59**

WHEREAS, certain transfers of funds for various 2025 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40a:4-59 provides for transfer of appropriations with an excess over and above the amount deemed necessary to fulfil their purposes to those appropriations deemed to be insufficient; and

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by N.J.S.A. 40a:4-59 for transfer purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriations accounts of the 2025 Municipal Budget as follows:

	TO:	FROM:
Legal- Other Expenses	\$22,000.00	
Administration - Salary and Wages		\$5,000.00
Clerk - Salary and Wages		\$5,000.00
Assessor - Salary and Wages		\$6,000.00
Planning Board - Salary and Wages		\$5,000.00
Engineer - Other Expenses		\$1,000.00
TOTAL:	\$22,000.00	\$22,000.00

ROLL CALL:
AYES:
NAYS:
ABSENT:
ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

**JENNIFER KIERNAN, CMC
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2026-

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF
GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF VERONA, IN
THE COUNTY OF ESSEX, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS
AGGREGATING NOT TO EXCEED \$5,000,000 IN PRINCIPAL AMOUNT
FOR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE
STATE OF NEW JERSEY**

BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey, as follows:

SECTION 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the general improvement bonds (the "Bonds") of the Township of Verona, in the County of Essex, New Jersey (the "Borough"), authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Bonds in the aggregate principal amount of not to exceed \$5,000,000 for sale to the New Jersey Infrastructure Bank and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection, pursuant to the New Jersey Water Bank.

SECTION 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Bond Ordinance Number	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
\$4,000,000	2023-41	Improvements at the Linn Drive well, finally adopted October 20, 2023.	40 years
\$500,000	2023-32	Preliminary investigation, design and engineering services related to improvements at the Fairview Avenue and Linn Drive wells, finally adopted July 28, 2023.	15 years
\$500,000	2021-24	Preliminary investigation, design and engineering services related to improvements at the Fairview Avenue and Linn Drive wells, finally adopted September 7, 2021.	15 years

SECTION 3. The following matters are hereby determined with respect to the combined issue of Bonds:

- a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 35 years.
- b. The Bonds of the combined issue shall be designated "General Improvement Bonds" or any such other designation as may be required by the New Jersey Infrastructure Bank and shall mature within the average period of usefulness herein determined.
- c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of

bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

- a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the bond ordinances described in Section 2 hereof have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2 hereof.
- b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

SECTION 5. This resolution shall take effect immediately.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

**JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK**

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2026-

A motion was made by ; seconded by that the following resolution be adopted:

ACCEPTING A GRANT FUNDED STORM WATER MANAGEMENT
STUDY FROM NJIT AS LEAD AGENCY

WHEREAS, the Center for Natural Resources at the New Jersey Institute of Technology (NJIT) will study engineering and hydrology in the Township of Verona with the goal of designing a flood mitigation, stormwater drainage improvement and other recommendations which would benefit the Township of Verona; and

WHEREAS, the New Jersey State Office of Emergency Management has provided a grant for this program with NJIT as the lead agency; and

WHEREAS, engineers at NJIT will be assigned to this project along with engineering students studying for their PhD; and

WHEREAS, the City Engineer will be designated as the point of contact for this program; and

WHEREAS, the project is for approximately 24-month period; and

WHEREAS, NJIT wishes to begin the project on or about December 1st 2026; and

NOW, THEREFORE, BE IT RESOLVED that the Township of Verona thanks NJIT for pursuing the work funded by the State Office of Emergency Management that will directly benefit the Township of Verona.

BE IT FURTHER RESOLVED that personnel from Township of Verona will provide assistance to NJIT in forms of general and non-confidential information.

BE IT FURTHER RESOLVED that the Township Engineer shall be the designated the contact for the Township and the Township Manager is authorized to sign an agreement with NJIT in a form approved by the Township Attorney.

- ROLL CALL:
- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2026-

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**AUTHORIZING AN AGREEMENT WITH THE
COUGAR AQUATIC SWIM TEAM**

WHEREAS, the Township of Verona wishes to enter into an agreement with the Cougar Aquatic Swim Team to provide for use of the Verona Community Pool facilities to conduct their summer practices; and

WHEREAS, the Cougar Aquatic Swim Team shall have the right to enter upon and use the Pool for practice sessions during the term commencing Monday, June 23, 2025 and ceasing on Friday, July 25, 2025; and

WHEREAS, the Cougar Aquatic Swim Team may use the Pool facility Monday to Friday, 6:00 a.m. until 8:00 a.m.; and

WHEREAS, the Cougar Aquatic Swim Team agrees to keep and maintain a daily log of all personnel who appear on the grounds and/or around the Pool areas under the terms of this Agreement; and

WHEREAS, the Township of Verona shall be paid directly by the Cougars for the use of the Community Pool facilities and staff in the sum of \$13,000.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Township Manager and Municipal Clerk are authorized to execute an agreement with the Cougar Aquatic Swim Team for use of the pool facility, a copy of which is attached hereto and which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

**JENNIFER KIERNAN, CMC
MUNICIPAL CLERK**

TOWNSHIP OF VERONA

Contract and Hold Harmless Agreement

THIS AGREEMENT, made this 2 day of February 2026 BETWEEN: COUGAR AQUATIC SWIM TEAM (hereinafter referred to as "Applicant"); **AND THE TOWNSHIP OF VERONA**, a municipal corporation, with offices at 600 Bloomfield Avenue in the Township of Verona, County of Essex and State of New Jersey (hereinafter "Township")

WITNESSETH:

WHEREAS, the Township operates the Verona Community Pool (hereinafter "Pool");
and

WHEREAS, the Applicant desires to use the Pool for the purpose of conducting swim practice sessions; and

WHEREAS, the Township is desirous of granting the Applicant the right to use the Pool on certain dates and at specific times for the purpose of conducting of swim practice sessions.

NOW, THEREFORE, BE IT RESOLVED, that the Township and Applicant agree that the Applicant can use the Pool subject to the following conditions:

1. Applicant shall have the right to use the Pool for swim practice sessions commencing Monday, June 22, 2026, or the first Monday following the end for the Verona Public School year and ceasing on Thursday, July 30, 2026 or when the team departs for the championship event whichever occurs first.
2. The Applicant agrees to keep and maintain a daily log of all Personnel who appear on the grounds and/or around the Pool area under the terms of this Agreement.
3. The hours during which Cougar Swim Team may use the Pool facility are as follows:

Monday to Friday 6:00 a.m. 8:00 a.m.
4. As consideration for use of the Pool on the aforesaid dates and times, the Applicant shall pay the Township the nonrefundable sum of **\$15,500**. The Applicant agrees to make payment in full on or before June 12, 2026. In the event full consideration is not paid by the Applicant by 4:00pm on June 12, 2026, the Township shall have the right to terminate the Agreement.
5. In the event the Applicant is desirous of using the Pool on dates and/or times other than those specifically set forth herein, then written permission must be first obtained from the Township. The Applicant shall submit a request in writing to the Director of Community Services indicating the additional date(s) and hours requested at least five (5) business days prior to the requested date. The Director of Community Services shall respond within forty eight (48) hours. Permission for additional dates shall not be unreasonably denied.
6. The Applicant shall pay \$125 per hour (or any portion of an hour) for any additional Pool utilization permitted by the Township. The minimum charge shall be one (1) hour and all additional rental fees shall be in one (1) hour increments.
7. Applicant shall indemnify, defend and hold harmless the Township and its

contractors, professionals, directors, officers, employees, agents, appointed and elected officials and officers, successors and assigns, (hereinafter "Township of Verona Parties") from and against all claims of any kind, arising from the use of the Pool or being on the Pool property based upon access permitted under this Agreement and shall reimburse the Township of Verona Parties for: (i) any and all losses, costs, liabilities, claims, demands, suits, debts, judgments, penalties, enhanced, punitive and/or trebled damages recoverable under law, expenses of any and every kind and damages of any nature and to whatever extent incurred or suffered by any of the Township of Verona Parties relating to, based upon, resulting from, or arising out of (in whole or in part) from a claim arising from the use of the Pool or being on the Pool property based upon access being permitted under this Agreement. Applicant agrees that the Township of Verona Parties shall select their own defense counsel in any action filed against any of the Township of Verona Parties, at reasonable and customary rates for the region, in any such proceeding and upon demand Applicant shall thereafter be responsible for all costs incurred by the Township of Verona Parties as a result of the attorney's fees incurred. Specifically, any and all direct costs and expenses (including reasonable attorneys' fees) incurred by any of the Township of Verona Parties by reason of Applicant's indemnity obligations set forth above shall be paid by Applicant within ten (10) business days after written demand therefor by the Township of Verona Parties. The Township of Verona Parties shall also be entitled to payment by Applicant of all attorneys' fees incurred in any action to enforce this indemnity clause. Applicant shall defend, indemnify and hold harmless the Township of Verona Parties from and against any and all losses imposed on, incurred by or asserted against the Township of Verona Parties or for which the Township of Verona Parties may be liable or obligated arising from or relating in any way to the claimant's use of the Pool.

8. The Applicant further agrees as follows:
 - a. None of its swimmers, coaches or spectators shall use or permit the use of the Pool's office phone except for emergencies.
 - b. No pets will be allowed in the Pool area.
 - c. All swim team personnel must vacate the pool area promptly at 8:00 a.m., and under no circumstances shall any team members be in the water or on the deck area at or after 8:00 am.
 - d. All refreshments, food, etc. will be available only at the snack bar and as agreed by written contract between the concessionaire and the Applicant.
 - e. Trash will be placed in appropriate receptacles.
 - f. No smoking/vaping is permitted on Pool grounds.
 - g. Any movement of tables, benches, umbrellas, etc. must be replaced to their original position.
 - h. The Applicant shall not use lane lines or any other Verona Swim Team equipment without prior permission of the Verona Swim Team.
 - i. The Applicant assumes all insurance liability and safety responsibilities for

its members, guests, spectators and others while at the Pool.

- j. Applicant agrees to provide and continue to provide security and safety as recommended by the Verona Township Police Department while using and enjoying the premises.
- k. Applicant agrees to indemnify, release and hold harmless the TOWNSHIP OF VERONA from any claim of any kind or manner that results from injury or otherwise incurred at the Township venue. Applicant shall provide proof of general liability insurance to the Township in an amount of at least one million (\$1,000,000.00) dollars per occurrence, two million (\$2,000,000.00) dollars in aggregate, to be written on a primary and non-contributory basis and shall list the Township of Verona as additional insured under said policy.
- l. This Agreement shall not release the Applicant from obtaining any approvals, licenses and/or permits (if any) required by the Township for the project and/or activity.
- m. The Applicant shall reimburse the Township for any damage caused to Township property.

This Agreement binds the Applicant and Applicant's successors and assigns. Anyone who succeeds to the Applicant or in any way directly or indirectly assumes ownership and/or direction of the Applicant's business or operations is also bound. The indemnification and hold harmless provisions contained herein are made for the benefit of the Township of Verona.

[SIGNATURES NEXT]

COUGAR AQUATIC SWIM TEAM

TOWNSHIP OF VERONA

BY: *Ciri K. Harse*
Applicant – Cougars Aquatic Swim Team

BY: _____
Kevin O'Sullivan, Township Manager

DATED: 2/2/2026

DATED: _____

Witness:
Sarah Harse

ATTEST:

Jennifer Kiernan, Municipal Clerk
(Township Seal)

This agreement is being executed in two (2) original copies

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2026-

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

AUTHORIZING A CONTRACT WITH EDMUNDS & ASSOCIATES, INC.

WHEREAS, there exists a need to renew the software maintenance for the Edmunds System; and

WHEREAS, services such as support and/or maintenance of proprietary hardware and software may be awarded without competitive bidding pursuant to *N.J.S.A. 40A:11-5(dd)*; and

WHEREAS, the Administration has determined and certified in writing that the value of the service will exceed \$17,500; and

WHEREAS, this expenditure shall be charged in an amount not to exceed \$25,000 to Budget Accounts 6-01-20-145-122 and 6-05-55-502-368 or any other account that may be deemed appropriate by the Chief Financial Officer or her designee, and the availability of funds have been contingently certified by the Chief Financial Officer; and

WHEREAS, Edmunds & Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Edmunds & Associates has not made any reportable contributions to a political or candidate committee in the Township of Verona in the previous one year, and the contract will prohibit Edmunds & Associates from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Edmunds & Associates, Inc., 301A Tilton Road, Northfield, NJ 08225 is hereby awarded a contract for the software maintenance for the Edmunds software system not to exceed \$25,000.00.

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that the Township Manager and the Municipal Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

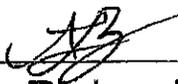
JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK

**PAY TO PLAY
POLITICAL CONTRIBUTION DISCLOSURE**
Edmunds GovTech Inc.

Company Name

<i>Required by Township of Verona</i>	<i>Item</i>	<i>Page</i>	<i>Initial each entry, and submit the required form if the box contains an <input checked="" type="checkbox"/></i>
<input checked="" type="checkbox"/>	Document Checklist - COMPLETE	2	re
<input checked="" type="checkbox"/>	Vendor Information Sheet - COMPLETE	2	re
<input checked="" type="checkbox"/>	Business Registration Certificate - READ AND SUBMIT	3	re
<input checked="" type="checkbox"/>	Business Entity Disclosure Certification - SIGN AND NOTARIZE	4-5	re
<input checked="" type="checkbox"/>	Political Contribution Disclosure Certification Form - SIGN	6-7	re
<input checked="" type="checkbox"/>	Ownership Disclosure Certification Form - SIGN AND NOTARIZE	8-11	re

Corporate Name: Edmunds GovTech Inc

Signature:  Date: 2/10/26

Print Name: Richard Evoy Title: Sr.VP

RETURN COMPLETED FORMS TO:

Agnes Brynczka, QPA
Township of Verona
600 Bloomfield Avenue
Verona, New Jersey 07044

ABrynczka@VeronaNJ.org

TOWNSHIP OF VERONA, COUNTY OF ESSEX, NEW JERSEY
VENDOR INFORMATION SHEET

COMPANY NAME: Edmunds GovTech Inc

ADDRESS: 301 Tilton Rd
Northfield, NJ 08225

PHONE NUMBER: 609-645-7333

FAX NUMBER: 609-645-3111

FEDERAL I.D. NUMBER: 22-2403081

NAME OF PERSON PREPARING BID: Richard Evoy

PHONE NUMBER: 609-645-7333 EXT. _____

CONTACT PERSON FOR CORRESPONDENCE REGARDING THE PROPOSAL

NAME: Richard Evoy

ADDRESS: 301 Tilton Rd
Northfield, NJ 08225

PHONE: 609-645-7333 FAX NUMBER: 609-645-3111

E-MAIL ADDRESS: AR@EdmundsGovTech.com

PROJECT COORDINATOR

COMPANY NAME: Same as Contact Person above

ADDRESS: _____

PHONE NUMBER: _____

CELL PHONE NUMBER: _____

FAX NUMBER: _____

PERSON TO CONTACT: _____

EMAIL ADDRESS: _____

TOWNSHIP OF VERONA, COUNTY OF ESSEX, NEW JERSEY
BUSINESS ENTITY DISCLOSURE CERTIFICATION
 FOR NON-FAIR AND OPEN CONTRACTS
 N.J.S.A. 19:44A-20.8

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that Edmunds GovTech Inc (company name) has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-20.26 that would bar the award of this contract in the one year period preceding Jan 1, 2025 to any of the following named any candidate committee of a candidate for, or holder of, an elective office for the following public entities pursuant to N.J.S.A. 19:44A-20.26.

Verona Township Council:
Mayor Dr. Christopher Tamburro
Deputy Mayor Jack McEvoy
Councilman Alex Roman
Councilwoman Christine McGrath
Councilwoman Cynthia Holland

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Edmunds GovTech Inc
 Signature of Affiant: [Signature] Title: Sr. VP
 Printed Name of Affiant: Richard Evoy Date: 2/10/26

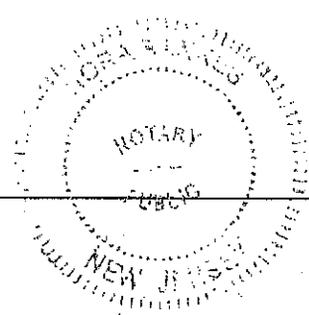
(Notary Stamp/Seal)

Subscribed and sworn before me this
10 day of February, 2026.

[Signature]
 Notary Public

Commission Expires: January 10, 2020

NORA G BANKES
 Notary Public, State of New Jersey
 My Commission Expires
 January 10, 2020



TOWNSHIP OF VERONA, COUNTY OF ESSEX, NEW JERSEY
C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM
 FOR NON-FAIR AND OPEN CONTRACTS
 N.J.S.A. 19:44A-20.26

*This form or its permitted facsimile must be submitted to the local unit
 No later than 10 days prior to the award of the contract.*

Part I - Vendor Information

Vendor Name:	Edmunds GovTech Inc		
Address:	301 Tilton Rd		
City:	Northfield	State: NJ	Zip: 08225

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

 _____ Signature	Richard Evoy _____ Printed Name	Sr.VP _____ Title
---	--	--------------------------------

Part II - Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$200 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$

Check here if the information is continued on subsequent page(s)

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

PART III

Any Direct or Indirect Parent Entity Which is Publicly Traded:

"To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

Subscribed and sworn before me this
10 day of February, 2026.

Nora Bankes

Notary Public

[Signature]

Affiant Signature

Richard Evoy SVP

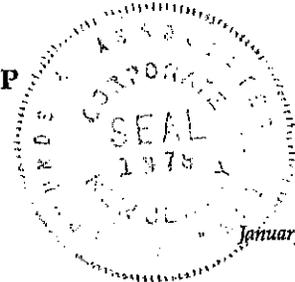
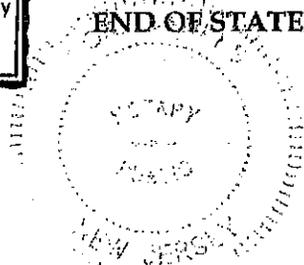
Affiant Name and Title

Commission Expires: _____
(Notary Stamp/Seal)

(Corporate Seal, if appropriate)

NORA G BANKES
Notary Public, State of New Jersey
My Commission Expires
January 19, 2029

END OF STATEMENT OF OWNERSHIP



**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2026-

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**AUTHORIZING A CONTRACT WITH
LYONS ENVIRONMENTAL SERVICES, LLC**

WHEREAS, the Township of Verona does not employ Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators at the required level and has a need to contract with an outside firm to provide Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators to meet the requirements of the system permits from the New Jersey Department of Environmental Protection; and

WHEREAS, the Township desires to acquire Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the Township has solicited the services of Lyons Environmental Services, LLC, 1105 Green Grove Road, Building #2, Neptune, New Jersey 07753 to provide these services for the Township; and

WHEREAS, Lyons Environmental Services, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Lyons Environmental Services, LLC has not made any reportable contributions to a political or candidate committee in the in the previous one year, and that the contract will prohibit Lyons Environmental Services, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, this expenditure shall be charged to account 6-05-55-502-028 and the availability of funds have been contingently certified by the Chief Financial Officer of the Township; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby authorizes contracts with Lyons Environmental Services, LLC, for an amount not to exceed \$65,000 in the calendar year without further authorization of the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Lyons Environmental Services, LLC shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that the Township Manager and the Municipal Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:
AYES:
NAYS:
ABSENT:
ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK

**PAY TO PLAY
POLITICAL CONTRIBUTION DISCLOSURE**

LYONS ENVIRONMENTAL SERVICES LLC
Company Name

Required by Township of Verona	Item	Page	Initial each entry, and submit the required form if the box contains an <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Document Checklist - COMPLETE	2	AL
<input checked="" type="checkbox"/>	Vendor Information Sheet - COMPLETE	2	AL
<input checked="" type="checkbox"/>	Business Registration Certificate - READ AND SUBMIT	3	AL
<input checked="" type="checkbox"/>	Business Entity Disclosure Certification - SIGN AND NOTARIZE	4-5	AL
<input checked="" type="checkbox"/>	Political Contribution Disclosure Certification Form - SIGN	6-7	AL
<input checked="" type="checkbox"/>	Ownership Disclosure Certification Form - SIGN AND NOTARIZE	8-11	AL

Corporate Name: LYONS ENVIRONMENTAL SERVICES LLC

Signature: Rosemarie Lyons Date: 2/11/26

Print Name: ROSEMARIE LYONS Title: CFO

RETURN COMPLETED FORMS TO:
 Agnes Brynczka, QPA
 Township of Verona
 600 Bloomfield Avenue
 Verona, New Jersey 07044

 ABrynczka@VeronaNJ.org

TOWNSHIP OF VERONA, COUNTY OF ESSEX, NEW JERSEY
BUSINESS ENTITY DISCLOSURE CERTIFICATION
 FOR NON-FAIR AND OPEN CONTRACTS
 N.J.S.A. 19:44A-20.8

Part I - Vendor Affirmation

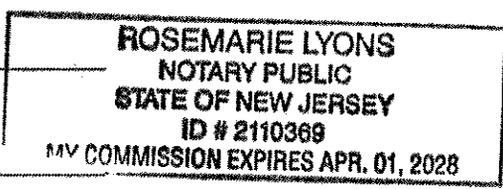
The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that LYONS ENVIRONMENTAL SVCS LLC (company name) has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-20.26 that would bar the award of this contract in the one year period preceding Jan 1, 2025 to any of the following named any candidate committee of a candidate for, or holder of, an elective office for the following public entities pursuant to N.J.S.A. 19:44A-20.26.

Verona Township Council:
Mayor Dr. Christopher Tamburro
Deputy Mayor Jack McEvoy
Councilman Alex Roman
Councilwoman Christine McGrath
Councilwoman Cynthia Holland

Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: LYONS ENVIRONMENTAL SVCS LLC
 Signature of Affiant: *Carrie-Anne Lyons* Title: VP
 Printed Name of Affiant: CARRIE-ANNE LYONS Date: 2/11/26

Subscribed and sworn before me this <u>11th</u> day of <u>February</u> , 2026. <u><i>Rosemarie Lyons</i></u> Notary Public Commission Expires: _____	(Notary Stamp/Seal) 
---	---

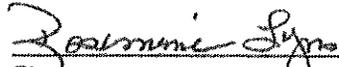
TOWNSHIP OF VERONA, COUNTY OF ESSEX, NEW JERSEY
C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM
 FOR NON-FAIR AND OPEN CONTRACTS
 N.J.S.A. 19:44A-20.26

*This form or its permitted facsimile must be submitted to the local unit
 No later than 10 days prior to the award of the contract.*

Part I - Vendor Information

Vendor Name:	LYDNE ENVIRONMENTAL SERVICES LLC		
Address:	1105 GREEN GROVE RD BLDG 2		
City:	NEPTUNE	State:	NY
		Zip:	07753

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

	ROSEMARIE LYONS	CTO
Signature	Printed Name	Title

Part II - Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$200 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
NO CONTRIBUTIONS MADE			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$

Check here if the information is continued on subsequent page(s)

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

Sign and notarize the form below, and, if necessary, complete the list below. (Please attach additional sheets if more space is needed):

Name: DOMNA LYONS
Home Address: 492 WEST PARK AVE
SPARHURST, NJ 07755

Name: _____
Home Address: _____

Name: CARRIE LYONS
Home Address: 492 WEST PARK AVE
SPARHURST, NJ 07755

Name: _____
Home Address: _____

Name: ROSAMARIE LYONS
Home Address: 612 BLANKMAN'S PIKE
W. ALLENHURST, NJ 07711

Name: _____
Home Address: _____

CONTINUED ON NEXT PAGE

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**
Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

PART III

Any Direct or Indirect Parent Entity Which is Publicly Traded:

“To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.”

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

N/A

Subscribed and sworn before me this
11 day of FEBRUARY, 2026.


Affiant Signature


Notary Public

ROSEMARIE LYONS
NOTARY PUBLIC
STATE OF NEW JERSEY
ID # 2110369

ROSEMARIE LYONS VP
Affiant Name and Title

Commission Expires: _____
(Notary Stamp/Seal)

(Corporate Seal, if appropriate)

END OF STATEMENT OF OWNERSHIP

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2026-

A motion was made by ; seconded by that the following resolution be adopted:

AUTHORIZING A CONTRACT WITH SC CLEANING SERVICES LLC

WHEREAS, the Police Department is in need of cleaning services; and

WHEREAS, the Township desires to acquire such services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the Township has solicited the services SC Cleaning Services LLC, 68 New Street, Belleville, NJ 07109 to provide these services for the Township; and

WHEREAS, this expenditure shall be charged in an amount not to exceed \$25,000 to Budget Account 6-01-25-240-244 or any other account that may be deemed appropriate by the Chief Financial Officer or her designee, and the availability of funds have been contingently certified by the Chief Financial Officer; and

WHEREAS, SC Cleaning Services LLC has completed and submitted a Business Entity Disclosure Certification which certifies that SC Cleaning Services LLC has not made any reportable contributions to a political or candidate committee in the Township of Verona in the previous one year, and the contract will prohibit SC Cleaning Services LLC from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that SC Cleaning Services LLC is hereby awarded a contract for cleaning services for the Police Department in an amount not to exceed \$25,000.00.

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that the Township Manager and the Municipal Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

**JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK**



**PAY TO PLAY
POLITICAL CONTRIBUTION DISCLOSURE**

SC Cleaning Service
Company Name

<i>Required by Township of Verona</i>	<i>Item</i>	<i>Page</i>	<i>Initial each entry, and submit the required form if the box contains an <input checked="" type="checkbox"/></i>
<input checked="" type="checkbox"/>	Document Checklist - COMPLETE	2	
<input checked="" type="checkbox"/>	Vendor Information Sheet - COMPLETE	2	
<input checked="" type="checkbox"/>	Business Registration Certificate - READ AND SUBMIT	3	
<input checked="" type="checkbox"/>	Business Entity Disclosure Certification - SIGN AND NOTARIZE	4-5	
<input checked="" type="checkbox"/>	Political Contribution Disclosure Certification Form - SIGN	6-7	
<input checked="" type="checkbox"/>	Ownership Disclosure Certification Form - SIGN AND NOTARIZE	8-11	

Corporate Name: SC Cleaning Service LLC

Signature: Date: 02/01/2026

Print Name: Nicholas Sacas Title: Vice President

RETURN COMPLETED FORMS TO:
Agnes Brynczka, QPA
Township of Verona
600 Bloomfield Avenue
Verona, New Jersey 07044

ABrynczka@VeronaNJ.org

TOWNSHIP OF VERONA, COUNTY OF ESSEX, NEW JERSEY
BUSINESS ENTITY DISCLOSURE CERTIFICATION
 FOR NON-FAIR AND OPEN CONTRACTS
 N.J.S.A. 19:44A-20.8

Part I - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that SC Cleaning Service LLC (company name) has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-20.26 that would bar the award of this contract in the one year period preceding Jan 1, 2025 to any of the following named any candidate committee of a candidate for, or holder of, an elective office for the following public entities pursuant to N.J.S.A. 19:44A-20.26.

Verona Township Council:
Mayor Dr. Christopher Tamburro
Deputy Mayor Jack McEvoy
Councilman Alex Roman
Councilwoman Christine McGrath
Councilwoman Cynthia Holland

Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: SC Cleaning Service LLC
 Signature of Affiant: [Signature] Title: Vice President
 Printed Name of Affiant: Nickolas Soares Date: 02/12/2026

(Notary Stamp/Seal)

Subscribed and sworn before me this 12 day of February 2026.

[Signature]
 Notary Public

Commission Expires: May 28 2029

ROSANGELA N PERESTRELLO
 Notary Public, State of New Jersey
 Comm. # 50105833
 My Commission Expires 05/28/2029

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

Sign and notarize the form below, and, if necessary, complete the list below. (Please attach additional sheets if more space is needed):

Name: Olival Soares Carrea

Name: _____

Home Address: 1490 Barberrry drive,
Kingred, FL 34744

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

CONTINUED ON NEXT PAGE

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

PART III

Any Direct or Indirect Parent Entity Which is Publicly Traded:

“To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.”

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

Subscribed and sworn before me this
12 day of February, 2026.

Notary Public

Commission Expires: 5/28/2029
(Notary Stamp/Seal)

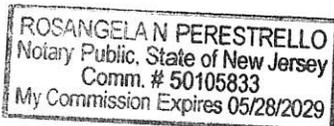
[Signature]

Affiant Signature

Nickolas Soares Vice President

Affiant Name and Title

(Corporate Seal, if appropriate)



END OF STATEMENT OF OWNERSHIP



Agnieszka Brynczka <abrynczka@veronanj.org>

SC Cleaning

1 message

Michael Kraus <mkraus@veronanj.org>

Tue, Feb 17, 2026 at 3:18 PM

To: Agnieszka Brynczka <abrynczka@veronanj.org>

Cc: Jennifer Kiernan <jkiernan@veronanj.org>, Kevin O'Sullivan <kosullivan@veronanj.org>

Hi Agnes,

I reached out to three vendors total for 2026 VPD Cleaning Services, SC Cleaning was the only firm that responded.

Allied Cleaning Services - Contacted on Monday November 24, 2025, never provided proposal

Aslan & Co - Contacted on Monday November 24, 2025, never provided proposal

Mike

Michael Kraus

Deputy Township Manager

Township of Verona

600 Bloomfield Ave

Verona, NJ 07044

Office: 973-239-4921

Town Hall: 973-239-3220

mkraus@veronanj.org

Visit us on the web at www.VeronaNJ.org

Register for Smart-911 Alerts [here](#)

Visit us on the web at www.VeronaNJ.org

Register for Smart-911 Alerts [here](#)

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2026-

A motion was made by ; seconded by that the following resolution be adopted:

RESOLUTION OF SUPPORT FROM THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF VERONA AUTHORIZING THE
SUBMISSION OF A SUSTAINABLE JERSEY GRANT APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Township of Verona strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Township of Verona is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

WHEREAS, the Township Manager has determined that the Township of Verona should apply for the aforementioned Grant.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Verona, in the County of Essex, State of New Jersey, do hereby authorize the submission of the aforementioned Sustainable Jersey Grant.

- ROLL CALL:
- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

JENNIFER KIERNAN, CMC
MUNICIPAL CLERK

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2026-

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

APPOINTMENT OF CLEAN COMMUNITIES COORDINATOR

WHEREAS, New Jersey Clean Communities is a statewide, comprehensive, litter-abatement program created by the passage of the Clean Communities Act in 1986; and

WHEREAS, the Act provides a funding source for the program by placing a tax on fifteen categories of businesses that may produce litter-generating products; and

WHEREAS, The Clean Communities Program Fund generates about \$20 million each year, 80% of which is disbursed to participating New Jersey municipalities; and

WHEREAS, the New Jersey Clean Communities Council, Inc. is a 501c3 nonprofit that works closely with the New Jersey Department of Environmental Protection and the New Jersey Department of Treasury to administer the Clean Communities program

WHEREAS, as part of the Township of Verona's participation in the Clean Communities Program, the Township is eligible to receive grants awarded by the Program; and

WHEREAS, in order to participate in the Clean Communities Program, the Township must designate a Clean Communities Coordinator for a one-year term; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona that Richard Williamson is hereby appointed as the Clean Communities Coordinator for Township of Verona's through December 31, 2026.

ROLL CALL:

- AYES:**
- NAYS:**
- ABSENT:**
- ABSTAIN:**

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

**JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2026-

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

PERMITTING ITEMS TO BE DISCUSSED IN EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, State of New Jersey, as follows:

The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.

1. Purchase, Lease or Acquisition of Real Property pursuant to *N.J.S.A. 10:4-12 (5)*
2. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON FEBRUARY 23, 2026.

**JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK**

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-

ESTABLISHING NEW CHAPTER 382 OF THE TOWNSHIP CODE
ENTITLED "PEST CONTROL UPON DEMOLITION OR MOVING OF
BUILDINGS

BE IT ORDAINED by the Township Council of the Township of Verona, County of Essex, New Jersey, as follows:

SECTION 1: Chapter 382 of the Township Code is created to read as follows:

§ 382 Pest Control Upon Demolition or Moving of Buildings

§ 382-1 Establishment; prohibited acts.

- A. It shall be unlawful to demolish, raze or move a building, dwelling or structure vacated or otherwise in the Township unless provisions are made for rodent and vermin eradication or proof that such infestation does not exist. Proof of such must be submitted to the Health Department 14 days prior to the commencement of demolition, razing, or moving and once every 30 days thereafter until the completion of such demolition, razing, or moving. The owner, agent, or individual(s) responsible for the demolition, razing, or moving of a building, dwelling, or structure shall ensure that the building, dwelling, or structure subject to demolition, razing or moving shall remain free of rats, rodents, or other vermin for the duration of the demolition, razing or moving process by hiring a commercial pesticide applicator licensed by the State of New Jersey Department of Environmental Protection.

§ 382-2 Violations and penalties.

- A. Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be subject to the penalties set forth in Chapter 1, Article II, General Penalty, of the Township Code.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

JENNIFER KIERNAN, CMC
MUNICIPAL CLERK

INTRODUCTION:
PUBLIC HEARING:
EFFECTIVE DATE:

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-

AMENDING CHAPTER 150 "ZONING", ARTICLE VII REGULATIONS
GOVRNING CERTAIN ACCESSORY USES,
SPECIFICALLY, SECTIONS 5 AND 13

BE IT ORDAINED by the Township Council of the Township of Verona, County of Essex, New Jersey, as follows:

SECTION 1: Chapter 150, Article VII of the Township Code is amended as follows: [Added text is **emboldened**, and text being eliminated is shown in *strikethrough italics*.]

§ 150-7.5 Permanent and portable swimming pools.

~~A. Permanent and portable swimming pools accessory to a residential use shall be erected on the same zone lot as the principal structure. Said pool may be erected in the rear yard of the zone lot. The wall of the swimming pool shall be located no closer than 10 feet to a side or rear yard line nor closer to a street than the principal building to which it is accessory, nor within 10 feet of the principal building. All such pools shall be suitably fenced in accordance with the Township of Verona requirements.~~

~~B. All filtration equipment and pumps shall be located not less than five feet from any property line.~~

~~C. These regulations shall not apply to portable swimming pools which are less than two feet in height and pool regulations set forth and adopted by the Uniform Construction Code.~~

A. Location

Permanent and portable swimming pools accessory to a residential use shall be erected on the same zone lot as the principal structure. Said pool may be erected only in the rear yard of the zone lot. The wall of the swimming pool shall be located no closer than 10 feet to a side or rear yard line nor closer to a street than the principal building to which it is accessory, nor within 10 feet of the principal building.

B. Applicability

Notwithstanding any provision of this chapter regulating mechanical equipment, swimming pool equipment shall be governed exclusively by this section and shall not be deemed "mechanical equipment" for purposes of yard encroachment or building-mounted equipment limitations.

C. Distance from Pool

Swimming pool equipment, consisting of filtration, pumps, heaters and other appurtenances shall be located no closer than five (5) feet from the inside wall of the swimming pool, or such greater distance as may be required by the Uniform Construction Code, electrical code, plumbing code, or any other applicable safety regulation.

D. Distance from Property Lines

Swimming pool equipment shall be located not less than five (5) feet from any property line.

E. Yard Location

Swimming pool equipment shall be permitted only in the rear yard and shall not be located within any front or side yard, except as expressly approved by variance.

F. Noise, Screening, and Safety

All swimming pool equipment shall be:

- (1) Installed in compliance with all applicable building, electrical, and safety codes;
- (2) Screened from view of adjacent properties by landscaping, fencing, or other approved methods
- (3) Operated so as not to create a noise nuisance or disturbance to adjoining properties.

§ 150-7.13 Mechanical equipment. (Building-Serving Equipment)

~~A. No mechanical equipment shall be located within a required minimum yard requirement and shall not extend more than five feet from the structure for which they serve.~~

~~B. No generator shall be permitted within a side yard.~~

A. Applicability

This section shall apply to mechanical equipment serving a principal or accessory structure, including HVAC units, condensers, and similar building-service equipment.

B. Exclusions

This section shall not apply to swimming pool equipment, which is regulated separately under § 150- 7.5.

C. Yard Restrictions

No mechanical equipment regulated by this section shall be located within a required minimum yard, nor shall such equipment extend more than five (5) feet from the structure it serves.

D. Generators

No generator shall be located within a side yard.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

**JENNIFER KIERNAN, CMC
MUNICIPAL CLERK**

INTRODUCTION:
PUBLIC HEARING:
EFFECTIVE DATE: