

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-16

AMENDING CHAPTER 55 "LAND USE PROCEDURES", ARTICLE I
"PLANNING BOARD", SECTION 1 "ESTABLISHMENT AND
COMPOSITION", PARAGRAPH D (2) AND ARTICLE II "ZONING BOARD
OF ADJUSTMENT", SECTION 12 "ESTABLISHMENT AND
COMPOSITION", PARAGRAPH D

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

SECTION 1: Chapter 55, Articles I and II of the Township Code is amended as follows: [Added text is **emboldened**, and text being eliminated is shown in *strikethrough italics*.]

ARTICLE I PLANNING BOARD

§ 55-1 Establishment and composition.

There is hereby established, pursuant to P.L. 1975, c. 291,¹ in the Township of Verona a Planning Board of nine members consisting of the following four classes:

A. Class I: the Mayor or Mayor's designee.

B. Class II: one of the officials of the municipality, other than a member of the governing body, to be appointed by the Township Manager, provided that if there is an Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 shall be deemed to be the Class II Planning Board member if there is both a member of the Zoning Board of Adjustment and a member of the Board of Education among the Class IV members.

C. Class III: a member of the governing body to be appointed by it.

D. Class IV:

(1) Six other citizens of the municipality to be appointed by the Council. The members of Class IV shall hold no other municipal office, position or employment, except that one member may be a member of the Zoning Board of Adjustment or Historic Preservation Commission and one may be a member of the Board of Education. If an Environmental Commission is established by the Council, then a member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 shall be a Class IV Planning Board member unless there be among the Class IV members of the Planning Board both a member of the Zoning Board of Adjustment or Historic Preservation Commission and a member of the Board of Education, in which case the member of the Environmental Commission shall be deemed to be the Class II member of the Planning Board. For the purpose of this section, membership on a municipal board or commission whose function is advisory in nature, and the establishment of which is discretionary and not required by statute, shall not be considered the holding of municipal office.

(2) In addition to the aforesaid members of Class IV, there shall be two alternate members in Class IV. They shall be designated by the Township Council as "Alternate No. 1" and "Alternate No. 2," ~~and they shall serve in rotation during the absence or disqualification of any regular member or members of Class IV.~~ **Alternate members may participate in all matters but may not vote. In the absence or disqualification of any regular member(s), alternate #1 shall vote, in the absence or disqualification of a 2nd regular member, alternate #2 shall vote, and so on, in accordance with N.J.S.A 40:55D-23.1.** Alternate members shall be appointed by the same appointing authority as regular members of that class and shall meet all of the same qualifications.

E. If the Planning Board lacks a quorum because any of its regular or alternate members is prohibited by N.J.S.A. 40:55D-23 or 40:55D-23.1 from acting on a matter due to the member's personal or financial interests therein, regular members of the Board of Adjustment shall be called upon to serve, for that matter only, as temporary members of the Planning Board in order of seniority of continuous service to the Board of Adjustment until there are the minimum number of members necessary to constitute a quorum to act upon the matter without any personal or financial interest therein, whether direct or indirect. If a choice has to be made between regular members of equal seniority, the Chair of the Board of Adjustment shall make the choice.

ARTICLE II ZONING BOARD OF ADJUSTMENT

§ 55-12 Establishment and composition.

A. A Zoning Board of Adjustment is hereby established pursuant to N.J.S.A. 40:55D-69 et seq. consisting of seven residents of the Township of Verona appointed by the governing body to serve for terms of four years from January 1 of the year of their appointment. The terms of the members first appointed shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first four years after their appointment, provided that the initial term of no member shall exceed four years. Thereafter, the term of each member shall be for four years. Nothing in this chapter shall, however, be construed to affect the term of any present member of the Zoning Board of Adjustment, all of whom shall continue in office until the completion of the term for which they were appointed.

B. No member of the Zoning Board of Adjustment may hold any elective office or position under the municipality.

C. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only.

D. In addition to the aforesaid membership, the governing body may appoint ~~two~~ **three** alternate members. They shall be designated as "Alternate No. 1" and "Alternate No. 2", **and so on**, by the governing body. ~~The term of each alternate member first appointed shall be until July 1, 1988, and July 1, 1989, respectively.~~ **The term of the alternate # 3 member first appointed shall end in January of the first twelve months of the appointment.** Thereafter, the term of alternate #3 shall be for a period of two years.

E. If the Board of Adjustment lacks a quorum because any of its regular or alternate members is prohibited by N.J.S.A. 40:55D-69 from acting on a matter due to the member's personal or financial interest therein, Class IV members of the Planning Board shall be called upon to serve, for that matter only, as temporary members of the Board of Adjustment. The Class IV members of the Planning Board shall be called upon to serve in order of seniority of continuous service to the Planning Board until there are the minimum number of members necessary to constitute a quorum to act upon the matter without any personal or financial interest therein, whether direct or indirect. If a choice has to be made between Class IV members of equal seniority, the Chair of the Planning Board shall make the choice.

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, RMC, CMC
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED ON THE LEGAL PUBLIC NOTICES PAGE OF THE TOWNSHIP WEBSITE (VERONANJ.ORG/LEGALPUBLICNOTICES) ON APRIL 22, 2026 AND XXXX.

JENNIFER KIERNAN, RMC, CMC
MUNICIPAL CLERK

INTRODUCTION: April 20, 2026
PUBLIC HEARING: May 4, 2026
EFFECTIVE DATE: