

**BOROUGH OF BERGENFIELD  
PUBLIC NOTICE**

**ORDINANCE 23-2620**

**AN ORDINANCE OF THE BOROUGH OF BERGENFIELD, COUNTY OF BERGEN,  
STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 126,  
LOTS 9-12, AND 14-16, AND BLOCK 127, LOTS 5, 5.01, AND 5.01 –  
WASHINGTON AVE. AND MAIN STREET**

was introduced at a Public Meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, on Tuesday, September 5, 2023 and will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held at the Bergenfield Public Library located at 50 W. Clinton Avenue in Bergenfield, in the Friends Meeting Room, on Tuesday, October 17, 2023 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement is to “adopt a redevelopment plan setting the standard for the construction of buildings and other improvements in the Area ‘D’ Redevelopment Area,” as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 North Washington Avenue, Bergenfield, New Jersey or downloaded from the borough website at [www.bergenfield.com](http://www.bergenfield.com).

Marie Quiñones-Wilson, RMC  
Borough Clerk

**BOROUGH OF BERGENFIELD  
COUNTY OF BERGEN, STATE OF NEW JERSEY**

**ORDINANCE 23-2620**

**AN ORDINANCE OF THE BOROUGH OF BERGENFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY  
ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 126, LOTS 9-12, AND 14-16, AND BLOCK 127, LOTS 5,  
5.01, AND 5.01 – WASHINGTON AVE. AND MAIN STREET.**

**WHEREAS**, by Resolution No. R-21-396 adopted on September 21, 2021 the Mayor and Council of the Borough of Bergenfield authorized the Bergenfield Planning Board to undertake a preliminary investigation to determine whether certain properties known as Block 126, Lots 9, 10, 11, 12, 14, 15 and 16, and Block 127, Lots 5, 5.01, and 5.02 (hereinafter "Area D Redevelopment Plan") on the Official Tax Map of the Borough of Bergenfield qualified as an Area in Need of Redevelopment without condemnation in accordance with the criteria set forth on the Local Redevelopment and Housing Law, N.J.S.A. 40a:12a-1 et seq. (hereinafter "Redevelopment Law"). For the reasons stated therein: and,

**WHEREAS**, by Resolution No. R-21-396 adopted on December 21, 2021 authorized the Neglia Group to investigate the area as an "Area in Need of Redevelopment" pursuant to N.J.S.A. 40a:12a-6a; and

**WHEREAS**, by Resolution No. R-22-2600 adopted on May 17, 2022, the Mayor and Council determined Block 126, Lots 9, 10, 11, 12, 14, 15 and 16, and Block 127, Lots 5, 5.01, and 5.02 qualified as "an area in need of redevelopment" without condemnation in accordance with the criteria specified in the New Jersey Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-5; and

**WHEREAS**, notice of the determination was served within 10 days after the determination upon all record owners of property located within the delineated areas whose names are listed on the tax assessor's records, and the Commissioner of the Department of Community Affairs; and,

**WHEREAS**, in August of 2023 a redevelopment plan entitled "Area 'D' Redevelopment Plan", containing certain parcels in the Area 'D' Redevelopment area was prepared by the Borough planning consultant, Neglia Group and presented to the Mayor and Council; and

**WHEREAS**, the redevelopment plan provides a broad overview for the planning, development, redevelopment, and rehabilitation of the Borough for purposes of revitalizing these portions of the Borough of Bergenfield; and

**NOW, THEREFORE BE IT ORDAINED, that**

**Article II (Definitions) §18-2 (Words and Terms Defined)** is hereby amended and supplemented to add the following new definitions:

**BUILDING HEIGHT:** Building height shall mean the vertical distance in the case of flat roofs to the level of the highest point of the roof, and in the case of pitched roofs, to the mean level between the eaves and the peak of the roof, measured from average finished grade. Parapets may extend up to five (5) feet above the permitted maximum height. Elevator and stairwell overruns and rooftop mechanical equipment may extend up to eighteen (18) feet above the permitted maximum height.

**TANDEM PARKING:** Tandem parking shall mean a parking space that is occupied by two vehicles, one space in front of the other.

**BE IT FURTHER ORDAINED, that**

Article VI Chapter 186 (Land Development) is hereby added as follows:

**168-51 Area 'D' Redevelopment Area**

**A. Purpose/Vision**

The Redevelopment Plan sets standards for construction of buildings and other improvements in the Redevelopment Area. The Redevelopment Plan is intended to stimulate re-utilization of the area in a manner more conducive to the needs of the municipality and its residents and address the Master Plan with sound planning practices. The Plan allows the municipality to have increased control over development patterns, enter a contractual agreement with a private developer to stimulate revitalization of the area, apply for grant funding specific to the area, and revise municipal ordinances and regulations to reflect the intent of the redevelopment plan.

**B. Permitted Uses**

1. Permitted Principal Uses.
  - Multi-family residential and mixed-use buildings, with apartments located on any level;
  - Retail businesses in the ground-floor(s) of a mixed-use building;
  - Restaurants, cafes, and other businesses serving food on the premises, in the ground floor(s) of a mixed-use building.
2. Permitted Accessory Uses.
  - Off-street parking facilities, including parking garages.
  - One residence per building for a maintenance or supervisory employee.
  - Other uses that are customarily accessory to the permitted principal use, provided that they are subordinate to the principal use, do not change the character of the principal use, and serve only the principal use, including but not limited to:
    - i. Amenity spaces such as fitness centers, recreation or community rooms, game rooms, business centers, swimming pools and hot tubs, and locker rooms.
    - ii. Indoor storage facilities and mail rooms.
    - iii. Bicycle parking facilities.
    - iv. Dog wash facilities.
    - v. Outdoor deck and terrace amenity spaces.
    - vi. Offices for leasing, marketing, and management of the building.
    - vii. Electric vehicle charging stations as required by the New Jersey Municipal Land Use Law.
    - viii. External utility infrastructure including electrical transformers and water meter vault/hot box assemblies.

**C. Bulk and Yard Requirements**

- A. TOTAL YIELD**  
*Maximum Yield*

Maximum permitted yield is 220 residential units and 7,500 square feet of retail.

*Affordable Units*

A total of 20 percent of units within the building are required to be set aside as affordable units, with the income and bedroom distribution to be in accordance with New Jersey Uniform Housing Affordability Controls.

**B. LOT STANDARDS**

*Maximum Coverage*

Maximum building coverage: 85 percent

Maximum impervious coverage: 95 percent (shall not include area to be reserved for Bergen County Route 39 widening)

*Setbacks*

Along South Washington Avenue (Bergen County Route 39) the minimum building setback, for all floors, is permitted to be zero (0) feet as long as a minimum of fifteen (15) feet can be provided from edge of travelway or on-street parallel parking for sidewalk and streetscape features along the entire frontage.

Along Portland Avenue, minimum setbacks along street frontages shall be five (5) feet at all floors.

Along the southern boundary of the site (adjoining Block 126, Lot 8) minimum interior lot line setbacks shall be zero (0) feet for the lowest two floors (those containing parking) and ten (10) feet for the upper residential floors, except within thirty (30) feet of South Washington Avenue, where a zero (0)-foot upper level setback is permitted.

Minimum interior lot line setbacks along the other lot lines (i.e., bordering Lot 13) shall be five (5) feet.

Walk-up stoops and/or external building access points (steps, etc.) may be permitted within the required setbacks.

**C. MAXIMUM BUILDING HEIGHT**

The measurement of building height in this Redevelopment Plan shall supersede that of the Borough of Bergenfield Zoning ordinance (**§186-3, Definitions**). Height shall be calculated separately for each street frontage and shall be measured from the point of average finished grade along the property line for each street. Height shall be measured to the deck level of a flat roof. Parapets may extend up to five (5) feet above the permitted maximum height. Elevator and stairwell overruns and rooftop mechanical equipment may extend up to eighteen (18) feet above the permitted maximum height.

Maximum building height is as follows:

- Along Portland Avenue: 6 stories and 75 feet
- Along West Main Street: 5 stories and 65 feet
- Along South Washington Avenue: 4 stories and 55 feet

The corner of the building at West Main Street and South Washington Avenue is permitted to have additional height for visual emphasis at this important intersection, as described below under **Massing and Articulation / Corner Emphasis**.

**D. VEHICULAR PARKING RATIOS**

The minimum number of parking spaces shall be 1.55 spaces per residential unit. Tandem parking is permitted to count towards the minimum required residential parking requirement if both spaces are assigned to the same residential unit.

Retail parking shall be provided off-street, at a minimum of 3 spaces per 1,000 square feet of gross floor area. Restaurant/Café parking shall be provided off-street, at a minimum of 4 spaces per 1,000 square feet of gross floor area. Newly created on-street parking spaces created through the widening of South Washington Avenue shall be counted towards the retail off street parking requirement.

If necessary, additional retail parking is permitted through shared parking arrangements with residential users within the building garage but it is not permitted to include tandem spaces. A parking management plan is required for review by the Planning Board.

In accordance with P.L. 2021, c. 171, all parking spaces with Electric Vehicle Supply/Service Equipment and Make-Ready equipment shall be included in the calculation of minimum required parking spaces and shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10% of the total required parking.

Standard parking sizes shall be 9 feet x 18 feet with 22 feet aisles. Up to 30% of the required parking spaces may be compact spaces measuring 8 feet x 16 feet. Required quantity and dimensional requirements of handicap spaces shall conform to Federal Regulations. Parallel parking spaces shall be 8 feet x 22 feet.

#### **E. BICYCLE PARKING**

Bicycle parking racks shall be provided within a secure, access-controlled room at a minimum ratio of one (1) indoor bicycle parking space for every 15 apartment units. Bicycle racks must be securely anchored and designed to allow the bicycle frame and one wheel to be secured.

Outdoor bicycle racks shall also be provided within 50 feet of a primary pedestrian entry, at a minimum ratio of one (1) outdoor bicycle parking space for every 1,000 square feet of retail. Bicycle racks must be securely anchored to the ground and designed to allow the bicycle frame and one wheel to be secured.

### **3. ACCESS**

#### **A. PARKING AND LOADING ACCESS**

All garage access and loading shall be from one entry / exit at Portland Avenue and one entry/exit at the vehicular drop-off loop with access to West Main Street. On-street loading is permitted for residential move-in operations along Portland Avenue and will be designed as such with striping and signage. No loading spaces are required for retail uses.

An exterior vehicular drop-off loop is permitted and shall have access from West Main Street. The drop-off loop may have access to the parking garage.

The cartway of each garage driveway and drop-off loop shall not exceed 25 feet in width. Curb cuts and depressed curbs may be wider as needed for safe vehicular access and egress. Where a driveway crosses a public sidewalk, textured paving shall be installed to warn drivers of pedestrians.

### **4. PEDESTRIAN ENTRIES**

#### **A. SHARED RESIDENTIAL ENTRIES**

Given the grade changes along the perimeter, the building shall provide two (2) primary shared pedestrian entries: one along Portland Avenue and one along West Main Street at the rear of a circular entry drive. Both entries shall be connected to the public sidewalk on the closest public street by a walkway.

Primary shared entries should be highlighted in the façade by means of logical location within a bay, shelter from a projecting canopy or a recessed entry, fully glazed doors or adjoining windows providing views into the building, or wall-mounted lighting.

## **5. BUILDING DESIGN**

### **A. STREET LEVEL ACTIVATION AND STOOPS**

Active uses required at grade along South Washington Avenue and West Main Street frontages and are recommended along the Portland Avenue frontage.

Active uses include retail spaces, entry lobbies, leasing offices, mail rooms, residential apartments with stoop entries, indoor amenity spaces such as gyms and meeting rooms, and outdoor terraces. Active uses do not include driveway access to parking and loading areas, nor mechanical and utility rooms and the like.

A minimum of sixty (60) percent of the South Washington Avenue frontage is required to have active uses on the ground floor. In order to provide a visual connection and increased activity along street frontages, where residential units are proposed on the ground floors, individual unit entries with stoops are encouraged.

Individual residential unit entries shall be highlighted within the façade by such means as sheltering overhangs, wall-mounted lighting, and glazing in the door and/or adjacent windows.

### **B. TRANSPARENCY**

Street-level facades of active uses shall have a high proportion of glazing, between 50 and 75 percent. Windows should occupy at least 25 percent of the facade area of each of the upper floors (i.e., floors that are above the street-level floor as defined for each street). Areas of blank, windowless wall shall not exceed 10 feet in width on all street-facing upper floors. Bay windows are permitted along South Washington Avenue.

### **C. PARKING GARAGE LOCATION AND SCREENING**

Structured parking shall only have access from Portland Avenue and West Main Street. Given the sloping terrain and requirements for active uses along ground-level street frontages, structured parking is expected to be largely hidden from building facades. Where all or a portion of a parking level is exposed above grade along a street frontage, an attractive, pedestrian friendly facade shall be maintained through visual screening and articulation by the following measures:

- Vehicular garage entries should be located within a bay that is dimensionally-distinct from adjoining bays via a change in plane, rather than being punched openings within a wider, flat facade. The garage entryway should be further highlighted within the facade such as by a projecting sheltering flat canopy, wall-mounted lighting, and attractive signage. Any rolldown grates over garage entries should be visually permeable rather than solid, and should be recessed relative to the garage facade, to de-emphasize the garage and create shadow lines.
- Where a garage extends to the façade along a right of way frontage, the facade shall be broken down into a series of vertical bays each not to exceed 60 feet wide. A dimensional change in plane of at least 12 inches deep shall distinguish each bay. Within each bay, the garage should have regularly-spaced punched openings that echo or relate to the placement and pattern of windows in the residential towers above. Garage openings may be fitted with glazing or with a high-quality metal mesh panel or decorative grille. Any grillwork or mesh

panels used should have a high level of visual permeability so as to permit visibility into the garage. Grillwork and mesh panels should be recessed relative to the surrounding facade.

- To soften garage facades, raised planter beds are encouraged. Raised planters should have a planting area at least three (3) feet deep (i.e., measured horizontally outwards from the facade) and one (1) to two (2) feet high (i.e., above grade). The outer edge of the planter bed should incorporate a wide, flat top that can serve as a seating wall.

## **6. MASSING AND ARTICULATION**

### **A. VERTICAL BAYS**

The residential floors (the top four of six floors) shall be divided into a series of vertical bays along all street-facing facades. Each bay shall not exceed approximately 50 feet in width and shall be defined by a physical change in plane of at least one (1) foot relative to adjacent bays. Differentiation based only on facade colors or materials is insufficient to define a bay; and similarly, a flat facade area distinguished only by projecting balconies is not sufficiently differentiated in plane to be considered a distinct bay. Each bay's expression should encompass all residential floors, or should extend to a horizontal break in plane, such as at a top floor setback.

### **B. BUILDING BASE**

The building base should be highlighted at the street level using architectural accents such as: large storefront-style windows, flat sheltering canopies over entryways and windows, wall mounted sconce lighting, and attractive signage. Where appropriate to the architectural style of the building, the base should be further emphasized with decorative trim or tilework, contrasting, visually-weightier materials, and/or a greater level of articulation.

### **C. BUILDING TOP**

Architectural differentiation of the upper floor or floors of the buildings is encouraged to help break up the building height and mass. Approaches such as a greater proportion or a different pattern of glazing, variation in façade colors or materials to create a feeling of lightness, and stepped-back façade areas with roof terraces are all encouraged. The height and shape of the roofline should relate to the bays below.

### **D. CORNER EMPHASIS**

The corner of the building at West Main Street and South Washington Avenue should be marked by a clock tower, parapet, or prominent cap to provide visual emphasis at this important intersection. Such massing element is permitted to exceed the permitted height in this location by up to fifteen (15) feet and for a width of up to 25 feet.

## **7. MATERIALS**

### **A. FAÇADE MATERIALS**

Primary permitted façade materials include, but are not limited to: brick, stone, natural stone veneer; fiber cement siding and panel; metal panels; anodized aluminum cladding and storefront window framing, and glass. Stucco, EIFS, and polymer-based faux veneer stone are prohibited. No more than three different primary materials should be employed within each bay. Within the chosen primary materials, variation in color, texture, and/or pattern may be employed to create further distinctions.

### **B. APPLICATION OF MATERIALS**

Changes in materials, colors, texture, or pattern that occur across a horizontal line should be marked by a change in plane, dimensional band or belt cornice, a recessed channel, or similar horizontal feature. Changes in materials, color, texture, or pattern that occur across a vertical line should be extended around corners and extensions to a logical vertical break in plane, in order to avoid a “pasted on” appearance. The material palette, level of detail, and architectural style should generally be the same on all street-facing building façades.

## **8. SERVICE AND MECHANICAL AREAS**

### **A. MECHANICAL ROOMS**

Where possible, mechanical, storage, and other utilitarian rooms should be located at the interior or along interior lot lines of the building, rather than adjoining public streets. Where they must be located along a street-facing wall, their expression should be integrated into the overall pattern of bays and windows openings. Window and door glazing for mechanical and related rooms may be translucent (admitting light but not views) or opaque (such as spandrel glass). Exterior pad mounted transformers and generators, utility meters, and other utility equipment are permitted to be located exterior to the building but, will be required to be screened by robust landscaping and/or fencing if permitted by the utility.

### **B. TRASH, REFUSE, AND LOADING AREAS**

Building trash and recycling collection areas shall be fully contained within the building; no exterior dumpsters or similar containers are permitted.

### **C. ROOFTOP MECHANICAL EQUIPMENT**

All rooftop mechanical equipment shall be screened from view on the adjacent right of ways or faced in a material harmonious to that used in the façade of the building.

## **9. OPEN SPACE AND LANDSCAPING**

### **A. PRIVATE OPEN SPACE FOR BUILDING RESIDENTS**

#### *1) Shared Courtyard / Terrace*

At least one courtyard or terrace shall be provided for shared resident use above the garage. The space should include fixed and moveable seating, landscaping, decorative hardscape, and lighting.

#### *2) Individual Balconies*

To create visual variety and private open spaces in the upper floors of a building, balconies and terraces are permitted and encouraged.

### **B. BUFFERS AND LANDSCAPING**

#### *1) Street-facing Setback Areas*

Landscaping shall be provided within the building setback along the Portland Avenue frontage and around the vehicular drop-off loop and walkway leading from West Main Street. Landscaping should include a variety of plantings, such as low woody and flowering plants, tall native grasses, lawn areas, and ornamental trees. The plantings shall primarily be of hardy, native species with a mix of deciduous and evergreen plantings for year-round visual interest.

#### *2) Side Lot Line Buffers*

Along interior lot lines adjoining Lot 13, a buffer shall be provided within the required minimum setback. If sunlight and growing conditions allow, the buffer should include a mixture of deciduous and evergreen



plantings. Where vegetation cannot be expected to survive, an attractive fence or masonry wall should be provided to serve as a year-round visual screen.

### *3) Street Trees*

Street trees shall be planted in the public rights-of-way near the curb, supplementing any existing street trees, at spacing not to exceed 50 feet on center. Where above ground or underground utility conflicts restrict the ability to provide street trees at the required spacing, additional trees may be placed at closer intervals as long as the required number of trees, calculated by dividing the length of street frontage by 50 feet, is satisfied.

## 10. SIGNAGE

Wall-mounted signage shall be permitted for building identification purposes, conforming to the Borough signage standards in Borough §186-48, **Signs and Billboards**.

## 11. LIGHTING

In order to minimize glare, trespass, and light pollution, all new external lighting should be selected from the International Dark Sky Association's Fixture Seal of Approval Program.

## 12. PUBLIC ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

Public electric vehicle charging station(s) shall be provided for the uses on the lots within the Redevelopment Area. These charging stations shall be made publicly available on a permanent basis. The Redeveloper shall be responsible for the continued maintenance and functional operation of the public electric vehicle charging station(s) in accordance with the New Jersey State mandate and local ordinances.

**SEVERABILITY.** If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

**REPEALER.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

**EFFECTIVE DATE.** This ordinance shall take effect immediately upon final passage and publication as required by law.

**REVISED: NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced at a meeting of the Borough of Bergenfield on the 5<sup>th</sup> day of September, 2023 and passed on first reading, and the same was ordered for final passage at a meeting of the Council to be held at the Bergenfield Public Library located at 50 W. Clinton Avenue in Bergenfield, in the Friends Meeting Room, on the 17<sup>th</sup> day of October, 2023 at 8 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning such Ordinance.

**Borough Clerk**