

BOROUGH OF CRESSKILL

ORDINANCE NO. 13-09-1452

AMEND CHAPTER 275 – ZONING – ARTICLE XXXVI
TR2 TOWNHOUSE RESIDENCE ZONE 2

BE IT ORDAINED by the Mayor and Council of the Borough of Cresskill in the County of Bergen and State of New Jersey, as follows:

SECTION I Article XXXVI. TR2 Townhouse Residence Zone 2

§ 275-158. Permitted uses.

No building or part of a building or premises shall be used, altered or erected which is arranged, intended or designed to be used, in whole or in part, for any purpose, except one-family residential townhouse dwellings, as defined in Section 275-3 of the Borough Code.

§ 275-159. Regulations.

The following regulations shall apply to the TR2 Zone:

A. A site plan shall be submitted and approved as required in Chapter 218 of the Borough Code. With specific regard to townhouse units, in addition to all required conditions of that chapter, said plan shall show that all standards established herein for townhouse units will be complied with.

B. Height. No structure containing a townhouse unit shall exceed a mean height of 35 feet. Mean roof height shall be defined as the average of the roof eave height and the height to the highest point on the roof surface, except that eave height shall be used for roof angle of less than or equal to 10 degrees (0.18 rad).

C. Setbacks.

(1) No building or structure shall be located closer than:

- (a) Twenty-five feet to any public street or highway. Where a lot is bounded by more than one street, the front yard or setback requirements shall be met on both abutting streets.
- (b) Twenty feet to any abutting zone line.

D. Density. The gross density for any development in the TR Zone shall not exceed thirteen (13) townhouse units per acre of privately-owned land. The maximum number of units permitted for any project shall be determined by multiplying the total area of the tract in acres, exclusive of any abutting public streets, by thirteen. Any fractional number of units shall be treated as one unit.

E. Minimum tract size. No tract, parcel or lot shall be developed as a townhouse district unless it shall contain a minimum area of 130,000 square feet of adjoining and contiguous land,

provided that it shall have sufficient access to an approved street. For the purposes of this section, internal streets, parking areas and rights-of-way shall not be deemed to divide the acreage of a townhouse district.

F. Distance between buildings. No structure containing a townhouse unit/units shall be permitted closer to another structure containing a townhouse unit than sixty-six (66) feet, front to front, forty-four (44) feet, rear to rear (exclusive of decks and/or patios), except that the minimum rear yard distance between buildings shall be forty-four (44) feet, exclusive of decks and/or patios.

G. Landscaping. A landscaping plan shall be submitted and be subject to review and approval by the Planning Board at the same time as the site plan. The landscaping plan will show in detail the location, size and type of all plantings, including lawns, to be used on the site. All areas not used for buildings or off-street parking shall be included in the landscaped plan. All parking and service areas shall be screened so that said areas are shielded from residential areas adjacent to the site. Wherever possible, as deemed by the Planning Board, existing woodlands shall be left intact and added to the landscaping scheme.

H. Lighting. Yard lighting shall be provided during the hours of darkness to provide illumination for the premises and all interior sidewalks, walkways and parking areas thereon. All wiring shall be laid underground, and all lighting fixtures shall be arranged so that the direct source of light is not visible from any residential areas adjacent to the site.

I. Utilities. Every unit must be connected to the public sanitary sewer and water systems as approved by the Borough Engineer.

J. Driveways and Roads. All driveways within the project shall be at least 10 feet wide for one car garages and at least 20 feet wide for two car garages. Private roads shall be at least 26 feet wide and shall be constructed by the developer in accordance with the requirements of Subchapter 4 of the New Jersey Residential Site Improvement standards ("RSIS") and subject to approval by the Planning Board. Frontage shall be permitted on a private and approved street. All roads dedicated to the Borough shall be subject to all municipal ordinances as well as the laws of the State of New Jersey.

K. Master deed. The developer shall furnish to the Borough as a condition of site plan approval such guaranties, covenants, master deed or builder's agreement which shall satisfy the requirements of the Planning Board for the construction and maintenance of all roads, driveways, common areas, landscaping, recreational areas, public improvements and buildings.

L. Number and length of townhouses. The number of townhouse dwellings in any attached group of such dwellings shall be no more than six townhouse dwellings, and the length of any such attached group of townhouse dwellings shall not exceed 150 feet. The group of townhouse dwellings shall be designed with variations in the building setback of each townhouse dwelling in accordance with sound architectural and engineering standards to provide an aesthetically pleasing construction.

M. Impact statement.

(1) An environmental impact statement shall be prepared and submitted which will include an assessment, supported by engineering data, of the environmental impact of the project upon the following factors:

- (a) Vehicular traffic.
- (b) Noise.
- (c) Storm drainage.
- (d) Sanitary sewer facilities.

(2) As far as the traffic impact is concerned, the Planning Board shall require entrances and exits to the site at locations and widths that will minimize traffic congestion and result in the best vehicular and pedestrian circulation pattern both on and abutting the site. The Planning Board may require the applicant to submit a traffic engineering study prepared by a licensed professional traffic engineer which will indicate the impact that the development of the site will have on surrounding roads. This traffic study shall include the following elements:

- (a) Estimated peak hourly traffic to be generated by the proposal.
- (b) Assignment of estimated peak hourly traffic by percentage and volume to surrounding streets.

(3) If the results of the survey indicate necessary off-site improvements of existing Borough streets, the applicant shall contribute a prorated share of such improvements as specified under Chapter 218-35 of the Cresskill Code.

N. Building coverage. Not more than 35% of the total tract area shall be covered by any above-grade buildings or structures.

O. Total impervious coverage. Not more than 65% of the total tract area shall be covered by any impervious material, including but not limited to buildings, structures, driveways, parking areas, patios, walkways, game areas such as tennis courts, swimming pools, and the like.

P. Parking. Off-street parking spaces for each dwelling unit shall be provided as set forth under RSIS. In addition, visitor parking shall be reasonably distributed throughout the site.

Q. Garage. A private attached one- or two-car garage shall be incorporated into the design of each townhouse dwelling as part of such building structure.

R. Common Elements. When any designated common elements are to be retained by the Developer, the Developer shall be required to file easements, covenants or other documents, as determined by the Planning Board, to ensure the intended use and function and arrange for the maintenance of such areas.

S. Uses Prohibited. Any uses not listed in §275.158 are prohibited.

T. Additional Requirements. In addition, the following minimum floor areas must be provided:

Type:

Minimum Livable Floor Area Per Dwelling Unit (square feet)

Efficiency	600
1-bedroom	700
2-bedroom	950
3-bedroom	1100

SECTION II

All other Ordinances of the Borough, or parts thereof, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

SECTION III

If any section, subsection, paragraph, subdivision, or sentence of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such decision shall apply only to the section, subsection, paragraph, subdivision, sentence, clause, phrase or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION IV

This Ordinance shall take effect immediately upon final passage and publication according to law.