

# Borough of Allendale

## ORDINANCE

AN ORDINANCE TO REGULATE THE REMOVAL OF SOIL FOR SALE OR FOR USE OTHER THAN ON THE PREMISES, IN THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

WHEREAS, the Governing Body of the Borough of Allendale finds and determines that the unregulated and uncontrolled relocation, filling, excavation and removal of soil on a large scale has resulted in conditions detrimental to the public safety, health and general welfare, substantially hampering and deterring the efforts of the Borough of Allendale to effectuate the general purpose of municipal planning.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF ALLENDALE, as follows:

**Section 1.** No person shall excavate or otherwise remove soil for sale or for use other than on the premises from which the soil shall be taken, except in connection with the construction or alteration of a building on such premises, and excavation or grading incidental thereto, without first having procured permission therefor from the Governing Body.

**Section 2.** The Governing Body shall not consider any application for the removal of soil from the premises for sale or otherwise unless and until the owner of the premises shall first file with the Borough Clerk an application requesting such permission, together with a map of the premises showing the contour lines and proposed contour grades resulting from such intended removal of soil in relation to the topography of the premises, and the said proposed contour lines and proposed grades shall be subject to the inspection and approval of the Governing Body of the Borough of Allendale. No such permission for soil removal shall be issued until such map has been filed, and until the proposed contour lines and grades have been approved by the Governing Body of the Borough of Allendale.

**Section 3.** Upon written request for a hearing made by the applicant to the Governing Body, an opportunity to be heard shall be granted within thirty (30) days thereafter and the Governing Body in considering and reviewing the application and in arriving at its decision shall be guided and take into consideration the public health, safety and general welfare, and particular consideration shall be given to the following factors:

- (a) Soil erosion by water and wind.
- (b) Drainage.
- (c) Soil fertility.
- (d) Lateral support slopes and grades of abutting streets and lands.
- (e) Land values and uses.
- (f) Such other factors as may bear upon or relate to the coordinated, adjusted and harmonious physical development of the Borough.

If, after examining the application and the map provided for in Section 2 of this ordinance, and after the hearing in the event a hearing is requested by the applicant, the Governing Body shall be of the opinion that the proposed soil removal will not

create conditions inimical to the public health, welfare and safety, and will not result in the creation of any sharp declivities, pits or depressions, soil erosion or fertility problems, depressed land values, nor create any drainage, sewerage problems or other conditions of danger, permission to remove the soil shall be granted.

**Section 4.** If permission to remove the soil shall be granted, the owner or person in charge shall so conduct the operations that there shall be no sharp declivities, pits or depressions, and in such a manner that the area shall be properly leveled off, cleared of debris, and graded to conform with the contour lines and grades as approved by the Governing Body of the Borough of Allendale.

**Section 5.** The owner of the premises or the person in charge of the removal of soil, when permission has been duly granted, shall not take away the top layer of arable soil for a depth of six inches, but such top layer of arable soil to a depth of six inches shall be set aside for retention on the premises, and shall be re-spread over the premises when the rest of the soil has been removed, pursuant to levels and contour lines, approved by the Governing Body of the Borough of Allendale.

**Section 6.** Before any permit or permission for soil removal shall be granted or issued, the owner or applicant shall file with the Governing Body a bond, in form, and with surety acceptable to the Borough of Allendale in such amount as in the opinion of the Governing Body of the Borough of Allendale shall be sufficient to insure the faithful performance of the work to be undertaken pursuant to the permission granted by the Governing Body pursuant to the provisions of this ordinance.

**Section 7.** No excavation shall be made and no soil shall be removed under the provisions of this ordinance, unless a permit therefor shall have been first obtained as provided herein, and no excavation shall be made and no soil shall be removed except in conformity with the provisions of this ordinance.

**Section 8.** Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to a fine not exceeding Two Hundred (\$200.00) Dollars, or imprisonment in the County Jail for a term not exceeding ninety (90) days, in the discretion of the Magistrate before whom such conviction shall be had. Each and every violation and non-conformance of this ordinance, or each day that any provisions of this ordinance shall have been violated shall be construed as a separate and distinct violation thereof.

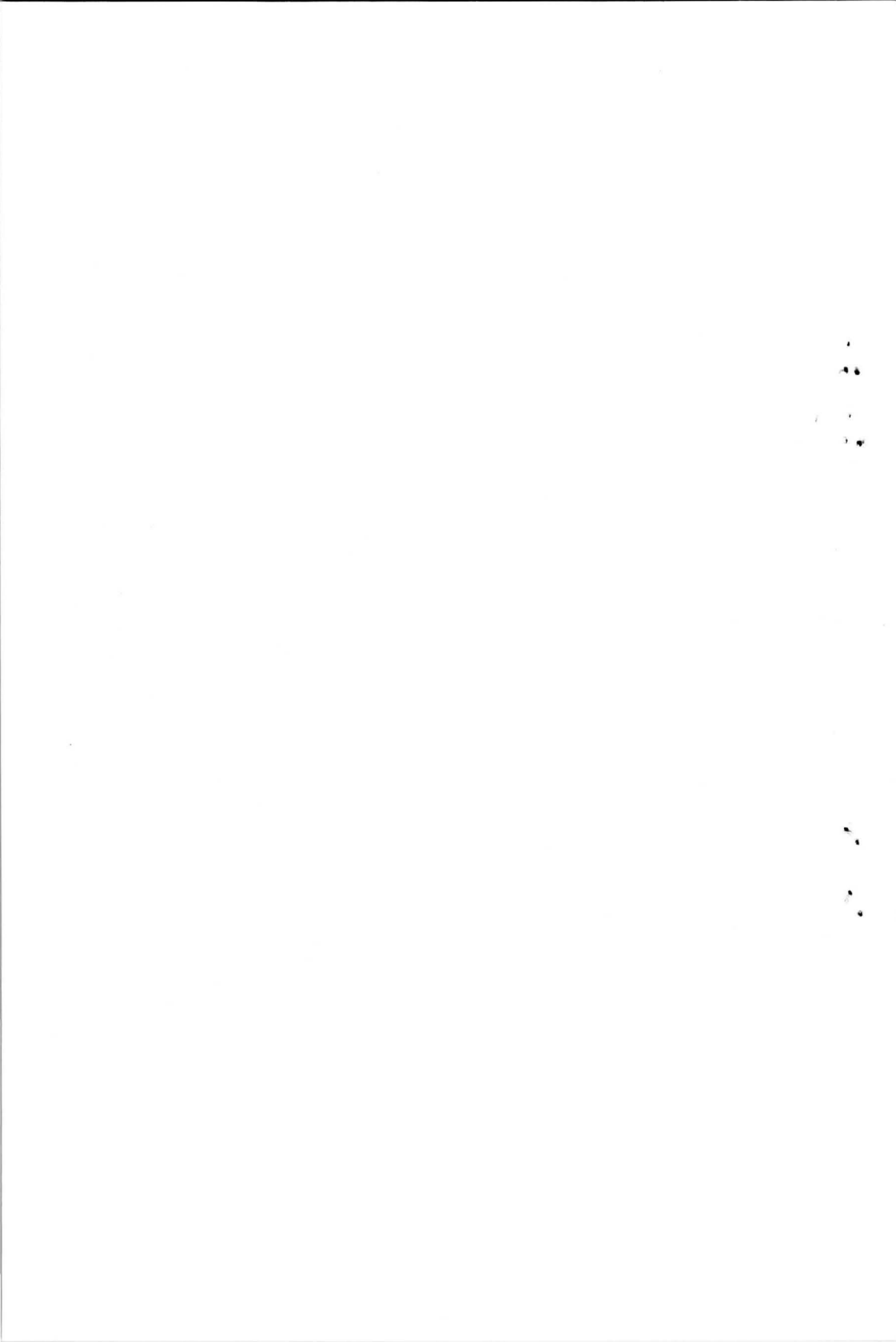
**Section 9.** This ordinance shall take effect immediately after passage and publication as required by law.

### NOTICE

Notice is hereby given that the foregoing Ordinance was introduced at a meeting of the Mayor and Council of the Borough of Allendale, held on the 13th day of March, 1952; was passed on final reading at a regular meeting of the Mayor and Council held on the 10th day of April, 1952, and was on the 10th day of April, 1952, duly approved by the Mayor of said Borough.

Dated April 10, 1952

CHARLES R. VOLLARO  
Borough Clerk



# Borough of Allendale

## ORDINANCE

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO REGULATE THE SUBDIVISION OF LAND, THE FILING OF MAPS THEREFOR, THE LOCATION AND CONSTRUCTION OF STREETS AND OTHER IMPROVEMENTS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

WHEREAS, the Planning Board of the Borough of Allendale has approved the provisions of this ordinance and recommended its adoption,

THEREFOR, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ALLENDALE, AS FOLLOWS:

**Section 1.** That the above entitled ordinance be and the same is hereby amended and supplemented by the addition thereto of a section to be known as Section 23 (a) to read as follows:

"Section 23(a). Any person, firm or corporation installing or constructing any road, sidewalk, curb drain, water main or other improvement required to be made by the provisions of the ordinance to which this ordinance is an amendment shall, on the completion of said work and in any event before a Certificate of Occupancy will be issued for any building or dwelling served by said work, file with the Borough Clerk a maintenance bond with corporate surety in an amount sufficient to indemnify the Borough of Allendale against any loss occasioned by defective workmanship and materials used in the construction of said work, and said bond shall require that said work shall be maintained and kept in good condition, through failure of workmanship or materials, for a period of three years from the date of the acceptance of said work by the Borough of Allendale. The said bond shall be in an amount fixed by the Governing Body and shall meet its approval as to surety, sufficiency, form and execution."

**Section 2.** This ordinance shall take effect upon passage and publication as provided by law.

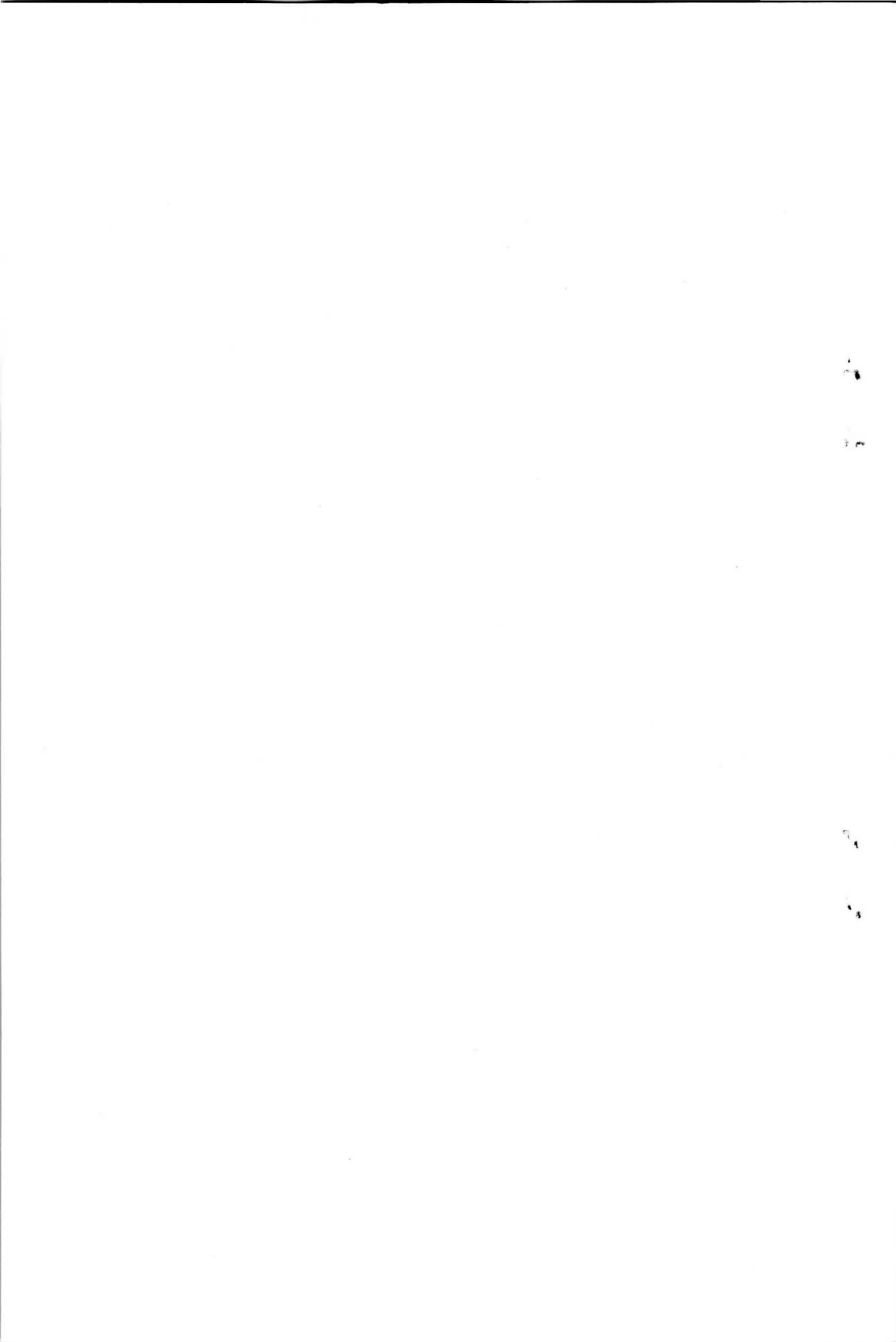
---

## NOTICE







Notice is hereby given that the foregoing Ordinance was introduced at a meeting of the Mayor and Council of the Borough of Allendale, held on the 11th day of October, 1951; was passed on final reading at a regular meeting of the Mayor and Council held on the 8th day of November, 1951, and was on the 8th day of November, 1951, duly approved by the Mayor of said Borough.

Dated: November 8th, 1951

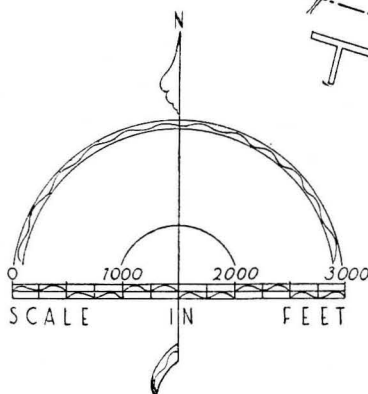
CHARLES R. VOLLARO  
Borough Clerk



# LEGEND

-  I FAMILY DWELLING & AGRICULTURE - AAA ZONE
-  I FAMILY DWELLING - AA ZONE
-  I FAMILY DWELLING - A ZONE
-  I & 2 FAMILY DWELLINGS - B ZONE
-  RETAIL SALES & SERVICE - C ZONE
-  NON-OBJECTIONABLE INDUSTRY - D ZONE

# ZONING MAP



BOROUGH of  
**ALLENDALE**  
 BERGEN CO., N. J.

NOVEMBER 13, 1952

Borough of Allendale      SCHEDULE OF REQUIREMENTS      November 13, 1952

Zone District	Primary Intended Use	Lot Area Per Family Res. in Sq. Ft.	Ave. Res. Lot Width	Front Yd. Set Back	Side Yd. Set Back	Corner Lot Side Yd.	Rear Yd. Set Back	Ht. Limit Stories	Limit Feet	Parking
AAA	One family dwelling and agriculture	20,000	130'	40'	20'	25'	50'	2-1/2	35'	One off street parking space for each dwelling unit. Non-res. structures must provide 1 sq. ft. usable off-street parking space for each sq. ft. floor area.
AA	One family dwelling	20,000	115'	35'	15'	20'	50'	2-1/2	35'	
A	One family dwelling	15,000	100'	30'	10'	15'	50'	2-1/2	35'	
B	One and two family dwellings	7,500 if one family 5,000 per family if more than one family. Limit of 4 families.	75'	30'	10'	15'	25'	2-1/2	35'	
C	Retail sales and service	Residences must meet B Zone requirements		42' from center line of street	None or 10'	5'	24' which may be used for parking or service drive	3	40'	
D	Non-objectable industry	No new residential uses permitted. Existing homes may convert as in B Zone where		120' on Rt. 17. 206 of 5' else lot width where	40' or 5'	5'	60' which may be used for parking	3	40'	

HARVEY W. BESWICK - BOROUGH ENGINEER

# Borough of Allendale

## ORDINANCE

AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND THE VOLUME AND EXTENT OF THEIR USE; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, REGULATING AND RESTRICTING THE PERCENTAGE OF LOT OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, AND THE DENSITY OF POPULATION; REGULATING AND RESTRICTING THE LOCATION, USE AND EXTENT OF USE OF BUILDINGS AND STRUCTURES FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES; AND TO REGULATE THE USE OF LAND, ESTABLISHING A BOARD OF ADJUSTMENT, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Be it ordained by the Governing Body of the Borough of Allendale:

### ARTICLE 1. TITLE AND PURPOSE

101. **SHORT TITLE.** This ordinance shall be known as the "Zoning Ordinance" of the Borough of Allendale and shall be considered a revision of the existing Zoning Ordinances.

102. **PURPOSE.** In their interpretation and application the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety, morals and general welfare. Among other purposes, such provisions are intended to provide for adequate light, air and convenience of access; to lessen congestion in the streets; to secure safety from fire and other dangers; to avoid undue concentration of population by regulating and limiting the height and bulk of buildings wherever erected; to limit and determine the size of yards, courts and other open spaces; to regulate the density of population; all with reasonable consideration to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of property and encouraging the most appropriate use of land throughout the Borough of Allendale.

103. **SCOPE.** It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance, or of any private restrictions placed upon property by covenant, deed or other private agreement. Where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or lot coverage, or requires greater lot areas, or larger yards, courts or other open spaces than are imposed or required by such existing provisions of law or ordinance or by such rules, regulations, or permits or by such private restrictions, the provisions of this Ordinance shall control.

### ARTICLE 2.—DISTRICTS AND MAP

201. **ZONE DISTRICTS.** For the purposes of this Ordinance the Borough of Allendale is hereby divided into six Zone Districts known as:

1. AAA Residence Zone Districts.
2. AA Residence Zone Districts.
3. A Residence Zone Districts.
4. B Residence Zone Districts.
5. C Central Business Zone District.
6. D Industrial Zone Districts.

202. **MAP AND SCHEDULE.** The Building Zone Map and Schedule of Requirements which accompany this Ordinance are hereby declared to be part hereof, and the zones designated on such map are hereby declared to be a part thereof. Except where referenced on said map to a street line or other designated line by dimensions

shown on said map, the district boundary lines follow lot lines or the center lines of streets or alleys as they existed at the time of the adoption of this Ordinance; but where a district line does not coincide with such lot lines or such street center lines or where it is not designated by dimensions, it shall be deemed to be 150 feet back from the nearest parallel street right of way.

203. **LOT DIVIDED BY ZONE LINE.** Where a district boundary line as established in this Section or as shown on the Zoning Map divides a lot which was in single ownership and on record at the time of enactment of this Ordinance, the use authorized thereon and the other district requirements applying to the least restricted portion of such lot under this Ordinance shall be considered as extending to the entire lot, provided the more restricted portion of such lot is entirely within 25 feet of said dividing district boundary line. The use so extended shall be deemed to be conforming.

### ARTICLE 3. DEFINITIONS

All words and terms used in this Ordinance are deemed to be used in their commonly accepted meaning, and it is not the intent of this Ordinance that any prohibited use shall be allowed because of a technical distinction in the meaning of any word.

### ARTICLE 4. GENERAL PROVISIONS

401. **ZONING AFFECTS ALL STRUCTURES, BUILDINGS AND LAND AND THE USE THEREOF.** No building or premises or land is to be erected, raised, moved, extended, enlarged, altered or used for any purpose other than a purpose permitted, and all construction shall be in conformity with the regulations provided for the zone in which such building or premises is located.

402. **BUILDING PLANS.** All applications for building permits shall be accompanied by a drawing of the proposed building, a plan in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building upon the lot, the dimensions of all open spaces, the established building lines within the block and such other information as may be necessary to provide for the enforcement of this Ordinance.

403. **SUBDIVISION OF LOT.** When a new lot, or lots are formed from part of a parcel of land, the separation must be effected in such a manner as not to impair any of the provisions of this Ordinance.

404. **PUBLIC UTILITIES.** Public Utilities of a non-objectionable nature may be located anywhere in the Borough if approved after a hearing before the Board of Adjustment.

405. **YARDS.** Every lot must provide front, rear and side yards required in its zone district; all front yards must face upon a dedicated public street or now existing dedicated public right of way, and no lot may contain more than one principal building. On streets less than fifty feet in width the required front yard shall be increased by one-half the difference between the width of the street and fifty feet.

406. **ACCESSORY BUILDINGS.** No accessory building may be built on any lot on which there is no principal building or structure. No accessory building shall exceed 21 feet in height except in the Industrial Zones provided barns used as an accessory to the principal use permitted shall not be limited to 21 feet in height. Accessory buildings shall be at least 10 feet from any principal building situated on the same lot, unless an integral part thereof; at least 6 feet from any other accessory building and at least four feet from all lot lines.

#### In Residence Zones:

a. In the case of an interior lot fronting upon only one street, no accessory building shall be erected or altered so as to encroach upon that half of the lot depth nearest the street.

b. In the case of an interior lot fronting upon two or more streets, no accessory building shall be erected or

altered so as to encroach upon that fourth of the lot depth nearest each and every street.

c. In the case of a corner lot fronting upon two streets, no accessory building shall be erected or altered so as to encroach upon that area between each respective street and a line drawn parallel to such street in a manner to divide the lot into two equal parts.

d. In the case of a corner lot fronting on three or more streets, no accessory building shall be erected or altered so as to encroach upon that fourth of the lot depth nearest each and every street.

e. No accessory building shall be located within ten feet of its rear lot line when such line forms part of the front half of the side line of an adjacent interior lot, or the front quarter of an adjacent through lot.

f. Notwithstanding any requirement in this section, the foregoing rules shall not prohibit any accessory building seventy feet or more from any street bounding the block.

407. **DWELLING IN REAR OF LOTS.** No building to be used as a dwelling shall be constructed or altered in the rear of a building situated on the same lot. Nor shall any building be constructed in front of or moved to the front of a dwelling situated on the same lot. These provisions shall not be construed as preventing the erection, alteration and maintenance of dwelling quarters in connection with an accessory building upon the rear of the lot when the persons occupying such quarters are employed in domestic service upon the premises.

408. **EXISTING PLATTED LOTS.** Where any existing platted lot has an area of not less than 90 per cent of its zone district requirements and where such lot can provide not less than 90 per cent of the side yard requirements of its zone, a single family use is permitted. An existing platted lot in common ownership at the time of the passage of this Ordinance of less than 90 per cent of its zone requirements may be utilized for single family use by reducing the required side yards by the same percentage such lot bears to its zone district area requirements, providing that no side yard shall be less than five feet and that off-street parking requirements are met. Where three or more adjacent lots owned by the same person, family or corporation exist and where such lots contain less than 90 per cent of the zone district width and area requirements, such lots shall be utilized in conformance with the Zoning Ordinance. The use of two adjacent lots owned by the same person, family or corporation where there is no practical possibility of obtaining additional land shall be determined by the Board of Adjustment on the basis of neighborhood character.

409. **REQUIRED AREA OR SPACE.** No lot, yard, parking area or other space shall be so reduced in area or dimension as to make said area or dimension less than the minimum required under this Ordinance. If already less than the minimum required under this Ordinance, said area or dimension shall not be further reduced. Where the plot plan presented in the application for a permit includes more than one recorded lot, the Building Inspector, or his Deputy, shall execute an affidavit in which the facts with reference to the use of said platted lots, or parts of platted lots, shall be stated and shall cause the same to be recorded in the Office of the Register of Deeds of Bergen County, New Jersey, the cost of recording to be borne by the applicant.

410. **GARAGES IN RESIDENTIAL ZONES.** In all residential zones there must be at least one enclosed garage space or space allowed for a one-car garage for each dwelling unit hereafter erected or altered. No more than three single car garages, to be used for automobiles may be erected on a single lot. It is intended that not more than one truck owned or used by a resident on the premises is permitted and that such shall be kept in enclosed garaging in accordance with the above requirements. This provision shall not be deemed to limit the number of commercial trucks or cars accessory to a farm.

411. **DANGEROUS CONDITIONS.** No permit shall be granted for a building or use if the design or construction of such structure or use involves exceptional risks of traffic congestion or public safety, or if the design or construction of said building is markedly incongruous with the character of the neighborhood as to be seriously detrimental to the value of adjacent or nearby property. If the Building Inspector finds either of the above to be the case, he shall refuse a permit and refer the application to the Board of Adjustment.

412. **SIGNS AND BILLBOARDS.** No stationary sign or billboard, except a customary professional sign, or temporary real estate sign not more than four square feet in size and placed upon the property offered for sale, or a sign necessary to the public welfare, shall be permitted in any Residence Zone, in the Commercial and Industrial Zone Districts no sign board or billboard shall be permitted which is not accessory to the business conducted on the property. Such sign may be erected on any entrance wall or wall facing on a street provided that any such sign shall not project beyond a property line, shall be erected parallel to the face of such wall, shall not extend more than twelve inches therefrom and further provided that there shall not be more than one sign to each separate tenant of the premises and that the area of any sign shall not exceed two (2) square feet for each foot of street frontage; that the maximum height shall not exceed two feet, and the maximum width not in excess of ninety (90) per cent of the width of the store front to which sign is attached. A billboard, signboard, or advertising sign shall be in no case permitted as an accessory use in a residence zone unless a temporary real estate sign. Overhanging signs are prohibited in all Commercial and Residential Districts.

413. **CORNER LOTS.** For the purpose of this Ordinance, where a lot is bounded by more than one street, the yard depth or setback from each street shall be determined by the conditions existing on that street. The owner of the lot shall determine which shall be the "front" or "main frontage" of the lot, provided, however, that said determination shall be approved by the Building Inspector who shall approve the same unless the determination be contrary to the intent and purpose of this Ordinance. Within any zone on any lot a required side yard which abuts a side street line need not be any wider than one-half of the depth of the front yard required as a minimum on the adjoining lot fronting on that side street.

414. **HEIGHT EXCEPTIONS.** Nothing herein contained shall apply to restrict the height of a church spire, belfry, clock tower, chimney flue, water tank, elevator bulkheads, stage tower, scenery lift, silos or similar structure.

415. **TEMPORARY PERMITS.** Temporary permits may be authorized by the Board of Adjustment for a period not to exceed one year for nonconforming uses incidental to housing or construction projects on the same premises and including such uses as a gravel sorting plant, storage of building supplies and machinery, the assembly of building materials, and a real estate office located on the tract offered for sale—provided that the issuance of such permits shall be conditional upon agreement by the owner to remove any structure or structures erected thereunder, upon expiration of permit. Such permits may be renewed annually over a period not to exceed three (3) years.

416. **SKYLIGHTS AND WINDOWS.** Except as otherwise provided in this Ordinance every room in which persons live, sleep, work, or congregate shall have at least a ventilating skylight or window opening directly either upon a street or upon a rear yard, front yard, inner court, or outer court located upon the same lot and conforming to the requirements prescribed by this Ordinance as to its minimum area and least dimensions. The skylights or windows opening out upon such required street, rear yard, front yard, inner or outer court shall have a minimum area in each room

equal to at least one-eighth of the floor area of each room. Courts, yards and other open spaces, if provided in addition to those provided by these regulations, need not be of the area and dimensions herein prescribed. No court, yard, or other open space provided about any building for the purpose of complying with the provisions of this Ordinance shall again be used as a yard, court or other open space for another building.

417. **PARAPET WALLS.** Nothing in this Ordinance shall prevent the erection above the height limit of a parapet wall or cornice extending above such height limit not more than three feet.

418. **NATURE AND EXTENT OF USES OF LAND.** Uses prohibitive in any zone shall apply to the nature and extent of the uses of land.

419. **CEMETERIES.** Cemeteries are prohibited in all zones within the Borough of Allendale.

#### ARTICLE 5—NON-CONFORMING USES AND BUILDINGS

501. **CONTINUANCE OF NON-CONFORMING USE OR STRUCTURE.** Any non-conforming use which existed at the time of the passage of this Ordinance may be continued and any existing building designed, arranged, intended or devoted to a non-conforming use may be reconstructed or structurally altered, subject to the following regulations:

a. The structural alterations may be made in such buildings but shall in total not exceed 50% of the fair market value of the building unless the use thereof is changed to a conforming use.

b. No non-conforming use shall extend at the expense of a conforming use.

c. A non-conforming use shall not be changed unless changed to a conforming use. A non-conforming use changed to a conforming use, and such use continued for a period of three years, may not hereafter be changed back to a non-conforming use.

502. **COMPLETION OF EXISTING BUILDINGS.** Nothing herein contained shall require any change in the plan, construction, or designated use of a building for which a building permit has been heretofore issued or plans for which are on file with the Building Inspector at the time of the passage of this Ordinance, and which entire building shall have been completed, according to such plans as filed, within one year from the date of the passage of this Ordinance.

503. **RESTORATION OF EXISTING BUILDINGS.** Nothing in this Ordinance shall prevent the restoration of a building destroyed by fire, explosion, act of God or act of public enemy. Nothing in this Ordinance shall prevent the restoration of a wall declared unsafe by the Building Inspector.

#### ARTICLE 6—PARKING

601. **RESIDENTIAL OFF-STREET PARKING.** Provisions shall be made for one usable off-street parking space for each new dwelling unit.

602. **NON-RESIDENTIAL OFF-STREET PARKING.** Provisions shall be made for one square foot of total parking area for each square foot of floor area for all new non-residential buildings or additions to such buildings in all zone districts.

603. **PARKING AREAS IN RESIDENCE ZONES.** Off-street parking is permitted in the Commercial and Industrial Zones, and in the Residential zones within one hundred and twenty feet of all Commercial and Industrial zones provided such parking areas:

a. extend continuously from the business or industrial zone,

b. are provided with a surface adequate to prevent dust or mud or nuisance to the residential area,

c. are surrounded by a four foot solid board or masonry fence or a landscaped screening agreed to in writing by the affected residential property owner or owners,

d. are attractively landscaped, and that

e. all entrances and exits are designed for maximum traffic safety and so as to protect the residential area.

The Building Inspector shall thereafter issue a use permit, which may be revoked at any time that the aforementioned requirements are not complied with.

604. **LOCATION.** Off-street parking facilities shall be located as hereafter specified; where a distance is specified it shall be the distance measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve.

a. For all residential buildings and for all non-residential buildings in residential zones, required parking shall be provided on the same plot with the building.

b. For commercial and all non-residential uses in business zones, required parking shall be provided within 300 feet.

c. For industrial uses, required parking shall be provided within 500 feet.

605. **COMMUNITY PARKING.** The provisions of this Article may be met by participation in a community parking program designed to serve a larger area, provided plans for such community parking have been approved by the Planning Board.

#### ARTICLE 7—PUBLIC GARAGES AND GASOLINE FILLING STATIONS

701. **PUBLIC GARAGES.** No public garage shall have an opening in roof, or side, or rear walls, less than 20 feet from any property line or street right of way, and no public garage or private garage accommodating more than five (5) cars, or gasoline filling station shall have entrance within 200 feet measured in a straight line to a public school, public library, church, theater, or other public gathering place, or park or playground.

702. **GASOLINE FILLING STATIONS.** Gasoline filling stations shall have their gasoline pumps including other service facilities, set back at least 50 feet from any street line. This provision does not apply to gasoline pumps and other service facilities within public garages.

#### ARTICLE 8—AAA RESIDENCE ZONE DISTRICT

801. **PRIMARY INTENDED USE.** This Zone District is designed for single family residential and agricultural use but permits:

a. Not more than two roomers or boarders except hired help.

b. The office or studio of a doctor, physician, surgeon, dentist, teacher, artist, musician, lawyer, architect, engineer or like professional persons residing on the premises provided that not more than one person not a resident in said dwelling is employed in such office and said office does not occupy more than one-half of the first floor area.

c. All public buildings and uses and such public and semi-public buildings as churches, chartered membership clubs.

d. Private schools provided there is no commercial use and that no such building may be nearer than thirty (30) feet to the nearest adjoining lot line.

e. Customary agricultural uses as well as the commercial keeping of pigs, sheep, goats, cattle or other animals provided they are kept within an enclosure distant at least fifty (50) feet from each lot line and have a lot area of five (5) acres. The keeping of animals for personal use is permitted with the same enclosure restrictions on a lot area of two (2) or more acres. The keeping of chickens or other fowl is permitted only provided they are never allowed outside of enclosures. This shall not be construed to permit commercial piggeries. The regulations in this section shall not restrict house pets.

f. Commercial nurseries or green houses are permitted provided no heating plant or storage of fertilizer

is within fifty (50) feet of the lot line.

g. Accessory uses customarily incident to the above uses provided they shall not include any activity commonly conducted for gain.

h. Private garages in accordance with Section 410.

i. Signs are permitted in accordance with Section 412.

j. Hospitals, sanitarium or other medical institution, provided same is approved by the Borough Council.

k. The business of truck gardening within a lot containing two (2) acres or more.

802. **PROHIBITED USE.** Any use other than those listed in Section 801 is prohibited.

803. **HEIGHT AND AREA.**

a. **Height.** No building shall exceed a maximum of two and one-half stories or 35 feet in height, whichever is the lesser.

b. **Front Yard.** There shall be a front yard of not less than 40 feet, except that where the existing buildings on the same side of the street and within 500 feet form an established setback, new buildings shall conform to such established line provided no new building may project closer than 30 feet to the front property line, nor need set back more than 50 feet from said property line.

c. **Side Yard.** There shall be two side yards and no side yard shall be less than 20 feet.

d. **Rear Yard.** There shall be a rear yard of at least 50 feet.

e. **Minimum Lot Area.** The minimum lot area of 26,000 square feet with an average width of 130 feet must be measured within 200 feet of the front street right of way.

f. **Minimum Floor Area.** No residence shall be constructed unless with a minimum livable area exclusive of porches, breezeways and garages as follows:

1. In a one story type home, at least 1300 square feet.

2. In a one and one-half story type home, 1000 square feet on the ground floor and 33 1/3 per cent of ground floor area on the second floor.

3. In a two story type home, 800 square feet on the ground floor and 75 per cent of the ground floor area on the second floor.

#### ARTICLE 9—AA RESIDENCE ZONE DISTRICT

901. **PRIMARY INTENDED USE.** This Zone District is designed for single family residential use but also permits any use permitted in the AAA Residential Zone District.

902. **PROHIBITED USE.** Any use other than those listed in Section 801 is prohibited.

903. **HEIGHT AND AREA.**

a. **Height.** No building shall exceed a maximum of two and one-half stories or 35 feet in height, whichever is the lesser.

b. **Front Yard.** There shall be a front yard of not less than 35 feet, except that where the existing buildings on the same side of the street and within 500 feet form an established setback, new buildings shall conform to such established line provided no new building may project closer than 25 feet to the front property line, nor need set back more than 45 feet from said property line.

c. **Side Yard.** There shall be two side yards and no side yard shall be less than 15 feet.

d. **Rear Yard.** There shall be a rear yard of at least 50 feet.

e. **Minimum Lot Area.** The minimum lot area of 20,000 square feet with an average width of 115 feet must be measured within 175 feet of the front street right of way.

f. **Minimum Floor Area.** No residence shall be constructed unless with a minimum livable area exclusive of porches, breezeways and garages as follows:

1. In a one story type home, at least 1200 square feet.

2. In a one and one-half story type

home, 950 square feet on the ground floor and 33 1/3 per cent of ground floor area on the second floor.

3. In a two story type home, 720 square feet on the ground floor and 75 per cent of the ground floor area on the second floor.

#### ARTICLE 10—"A" RESIDENCE ZONE DISTRICT

1001. **PRIMARY INTENDED USE.** This Zone District is designed for single family residential use but permits:

a. Any use permitted in the "AA" Residence Zone.

b. Customary home occupations, such as millinery, dressmaking, or hairdressing, provided there is no display of goods visible from the street and provided that such occupation shall be carried on by a person only within a dwelling or apartment used by him or her as their private residence, and provided that such occupation does not occupy more than one-half of the first floor area.

c. Lodging for roomers and boarders not exceeding three (3) in number.

d. Accessory uses customarily incident to the above uses, the term "accessory use," however, not including a business, or any building or use not located on the same lot with the building to which it is accessory.

1002. **PROHIBITED USE.** Any use other than those listed in Section 1001 is prohibited.

1003. **HEIGHT AND AREA.**

a. **Height.** No building shall exceed a maximum of two and one-half stories or 35 feet in height, whichever is the lesser.

b. **Front Yard.** There shall be a front yard of not less than 30 feet, except that where the existing buildings on the same side of the street and within 500 feet form an established setback, new buildings shall conform to such established line provided no new building may project closer than 20 feet to the front property line nor need set back more than 40 feet from said property line.

c. **Side Yard.** There shall be two side yards and no side yard shall be less than 10 feet.

d. **Rear Yard.** There shall be a rear yard of at least 50 feet.

e. **Minimum Lot Area.** The minimum lot area of 15,000 square feet with an average width of 100 feet must be measured within 150 feet of the front street right of way.

f. **Minimum Floor Area.** In a Residence "A" Zone no residence shall be constructed unless with a minimum livable area exclusive of porches, breezeways and garages, as follows:

1. In a one story type home, at least 1050 square feet.

2. In a one and one-half story type home, at least 800 square feet on the ground floor and 33 1/3 per cent of the ground floor area on the second floor.

3. In a two story type home, 600 square feet on the ground floor and 75 per cent of the ground floor area on the second floor.

#### ARTICLE 11—"B" RESIDENCE ZONE DISTRICT

1101. **PRIMARY INTENDED USE.** This Zone District is designed for one and two family residential use but also permits:

a. Any use permitted in the "A" Residence Zone District.

b. Three and four family dwelling units.

c. Lodging for not more than two (2) roomers or boarders per dwelling unit.

1102. **PROHIBITED USE.** No building or structure shall be erected which is intended or designed to be used in whole or in part for any industry, trade, manufacture or commercial purposes unless in accordance with Section 1101.

a. Lodging for more than two roomers or boarders per dwelling unit.

b. Use of any building by more than four families.

c. Any use other than those listed in Section 1101.

### 1103. HEIGHT AND AREA.

a. **Height.** No building shall exceed a maximum of two and one-half stories or 35 feet in height, whichever is the lesser.

b. **Front Yard.** There shall be a front yard of not less than 30 feet except that where the existing buildings on the same side of the street and within 500 feet form an established setback new buildings shall conform to such established line provided no new building may project closer than 20 feet to the front property line nor need set back more than 40 feet from said property line.

c. **Side Yard.** There shall be two side yards and no side yard shall be less than 10 feet.

d. **Rear Yard.** There shall be a rear yard of at least 25 feet.

e. **Minimum Lot Area.** There shall be a lot area of at least 7500 square feet for each single family dwelling hereafter erected or converted. More than one family dwellings may be erected or converted at a ratio of 5000 square feet per family. The average lot width of 75 feet must be measured within 100 feet from the front street right of way.

### f. Minimum Floor Area.

1. In a one story home, at least 975 square feet.

2. In a one and one-half story type home, at least 750 square feet on the ground floor and 33 1/2 per cent of the ground floor area on the second floor.

3. In a two story type home, at least 600 square feet on the ground floor and 75 per cent of the ground floor area on the second floor.

## ARTICLE 12—NEIGHBORHOOD ZONE DISTRICT

1201. It is intended that there shall not be created within the Borough neighborhood or spot zoning districts of character differing from its immediate surroundings.

## ARTICLE 13—"C" CENTRAL BUSINESS ZONE DISTRICT

1301. **PRIMARY INTENDED USE** This Zone District is designed to accommodate present and future uses of a primarily retail sales and service type but also permits:

a. Residential uses if they meet all yard, lot area and density requirements of the "B" Residence Zone District.

b. Not more than ten (10) roomers or boarders in one building.

1302. **PROHIBITED USES.** It is not intended that this Zone should be deemed to include any unenclosed businesses such as used car lots or junk yards, nor is it intended that there be any trailer camps, warehouses and storage buildings (except incidental to permitted businesses) or industrial uses. For purposes of this Ordinance such uses as laundries, bakeries and the like shall be deemed to be industries where they employ more than six persons or use more than 20 horsepower machinery, but it is not intended that a retail store or a service such as a hotel, department store or bank shall be limited in the number of its employees.

a. It is not intended any residential use be combined with commercial use in the same building unless the yard and lot area requirements of the "B" Residence Zone are met for the entire building.

### 1303. HEIGHT AND AREA.

a. **Height.** No building shall exceed a maximum of two stories or 28 feet in height, whichever is the lesser.

b. **Front Yard.** There shall be a front yard of not less than 42 feet from center line of street.

c. **Side Yard.** All business buildings may be built without side yards except that where a business zone adjoins a residence zone there shall be a minimum side yard of ten (10) feet.

d. **Rear Yard.** There shall be a rear yard of at least 24 feet, where prop-

erty abuts any Residence Zone District, provided that where an alley separates the Business Zone from the Residential Zone the full alley width may be counted as part of the required yard.

## ARTICLE 14—"D" INDUSTRIAL ZONE DISTRICT

1401. **PRIMARY INTENDED USE.** It is intended that this zone shall allow all business and industrial uses permitted in the Borough. Existing residences which provide the required yard spaces may be converted in accordance with the "C" Commercial Zone regulations.

1402. **PROHIBITED USE.** In order to make these zones available to industry, and because of the undue hazard industrial districts bring and the impossibility of furnishing economical residential services to such areas, new residential units are not permitted in Industrial Zones. It is intended that any new use which is deemed by the Board of Adjustment to be dangerous or obnoxious by reason of excessive noise, odor, smoke or hazard or any use which shall be detrimental to the health, safety, morals or general welfare of the Borough shall be prohibited in this zone or in the Borough limits. Before the Building Inspector issues a permit for any construction or use in the "D" Industrial Zone:

a. The Building Inspector must notify the Zoning Board of Adjustment of the requested permit giving all particulars and details pertaining to said request.

b. The Zoning Board of Adjustment shall hold a hearing within 30 days, reviewing the type of proposed industry. The Board may prescribe such conditions necessary to insure conformance with Section 1402.

c. If all required parking, height and area requirements and any other conditions required by the Board of Adjustment are met, the Zoning Board shall notify the Building Inspector of its approval and the conditions of approval and a permit shall be issued.

### 1403. HEIGHT AND AREA.

a. **Height.** No building shall exceed a maximum of three stories or 40 feet, whichever is lesser.

b. **Front Yard.** There shall be a front yard of not less than 120 feet on Route 17 and 5 feet elsewhere.

c. **Side Yard.** There shall be a minimum side yard of 40 feet on each side of the building, provided that if the lot has an average width of less than 200 feet the side yard shall be not less than 20 per cent of such average width.

d. **Rear Yard.** There shall be a rear yard of at least 60 feet; provided that where a rear alley or railroad right-of-way abuts the rear of the property such space may be counted as part of the rear yard.

## ARTICLE 15—BOARD OF ADJUSTMENT

1501. **MEMBERSHIP.** The Board of Adjustment is hereby established pursuant to the provisions of Chapter 55, Title 40 — Revised Statutes of New Jersey. Such Board shall be appointed by the Borough Council and consist of five members who shall not hold any elective office or position under the municipality. Under this Section the term of one shall expire on April 16, 1954 and the term of two shall expire April 16, 1953 and the term of two shall expire April 16, 1955. Each successor to an original appointee shall be appointed for a term of three years, except that any vacancy occurring during any term shall be filled for the unexpired term only. The members of the Board shall receive no compensation for their services. The members originally appointed under this Section shall meet and elect one member as chairman and another member as secretary of the Board. The Board of Adjustment shall adopt its own rules and regulations consistent with this Ordinance and Chapter 55, Title 40 — Revised Statutes of New Jersey. Meetings of the Board shall be held at the call of the chairman and such other times as the Board may determine. Said Board shall in appropriate cases and subject to ap-

propriate conditions and safeguards make special exceptions to the terms of this Ordinance in harmony with the general purpose and intent and in accordance with the general or specific rules therein contained and with the general rules hereby laid down that equity shall be done in cases where the strict construction of the provisions of this Ordinance would work undue hardship. The powers and duties of the Board having been delegated to and imposed upon it by statute, the Board will in all cases follow the provisions applicable to it in said Chapter 55, Title 40—Revised Statutes of New Jersey, or subsequent statutes in such case made and provided, and it shall from time to time furnish to any person requesting the same a copy of its rules and information as to how appeals or other questions may properly be brought before the Board for its decision thereon. The Board may employ such clerical or other assistance as may be necessary provided that it shall not at any time incur any expense beyond the amount of the appropriation made and then available for that purpose.

1502. **POWER OF BOARD.** The Board of Adjustment shall have the powers as are provided and granted by R. S. 40:55-39, and such further powers as have been granted to the said Board of Adjustment by this Ordinance.

a. In exercising the above mentioned powers, the Board of Adjustment may, in conformity with the provisions of Chapter 55, Title 40—Revised Statutes of New Jersey or amendments thereto or subsequent statutes, applying, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, appealed from, and make such order, requirement, decision or determination as ought to be made, and to that end have all the powers of the administrative officer from whom the appeal is taken.

1503. **EXPIRATION OF VARIATION.** Any exception or variation from this Ordinance granted by the Board of Adjustment to an applicant shall expire by limitation if no construction, alteration or conversion has been commenced within one year from the date of granting such variation or exception.

## ARTICLE 16—CERTIFICATE OF OCCUPANCY

a. No land shall be occupied or used and no buildings hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever until a certificate of occupancy shall have been issued by the Building Inspector stating that the premises or building complies with all the provisions of this Ordinance.

b. No change or extension of use and no alteration of use shall be made in a non-conforming use of premises without a certificate of occupancy having first been issued by the Building Inspector that such change, extension or alteration is in conformity with the provisions of this Ordinance.

c. Certificate of occupancy shall be applied for at the same time that the building permit is applied for and shall be issued within ten days after the erection or alteration of the building shall have been completed. A record of all certificates shall be kept on file in the office of the Building Inspector and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected. A fee of one dollar and fifty cents (\$1.50) shall be charged for each original certificate and one dollar (\$1.00) for each copy thereof.

d. No permit for excavation for, or the erection of any building shall be issued before application has been made for certificate of occupancy. No building or premises may be occupied until such certificate shall have been issued.

e. No certificate of occupancy shall be issued until all of the ordinances of the Borough of Allendale have been complied with and a certificate has been issued by the Board of Health stating that all the provisions of its ordinances have been complied with.

## ARTICLE 17—ENFORCEMENT

**Authority and Duties of the Building Inspector.** This Ordinance shall be enforced by the Building Inspector who shall in no case, except under a written order of the Board of Adjustment or the Borough Council, issue any permit for the erection or structural alteration of any building, nor grant any occupancy permit for any building or land where the proposed erection, structural alteration, or use thereof would be in violation of any provisions of this Ordinance.

## ARTICLE 18—VIOLATION AND PENALTIES

For each and every violation of any provision of this Ordinance, the owner, contractor, or other persons interested as general agent, architect, building contractor, owner, tenant, or any other persons who commit, take part, or assist in any violation of this Ordinance, or who maintain any building or premises or uses of any land in violation of this Ordinance shall exist, shall for each and every violation be imprisoned in the Bergen County Jail for a period not exceeding ninety (90) days or be fined not exceeding two hundred dollars (\$200) or both, at the discretion of the Magistrate before whom such a conviction may be had. Each and every day that such violation continues after such notice shall be considered a separate and specific violation of this Ordinance.

## ARTICLE 19—VALIDITY

In case any section or provision of this Ordinance shall be held invalid in any court the same shall not affect any other section or provision of this Ordinance, except so far as the section or portion so declared invalid shall be inseparable from the remainder or any portion thereof.

## ARTICLE 20—REPEALING CONFLICTING ORDINANCES

The Borough of Allendale Zoning Ordinance adopted February 14, 1925, as amended, is hereby repealed, and all other ordinances or parts of ordinances in conflict with the provisions of this ordinance are likewise repealed and this Ordinance shall take effect immediately after passage and publication in the manner provided by law.

## NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Governing Body of the Borough of Allendale, Bergen County, New Jersey, held on the 25th day of September, 1952; that said Ordinance was further considered for final passage at meetings held on the 23rd day of October, 1952, and the 13th day of November, 1952, and at said latter meeting said Ordinance was amended, and that said Ordinance as amended was further considered at meetings of the Governing Body held on the 11th day of December, 1952, and finally passed and approved at meeting held in the War Memorial Building in Allendale on the 22nd day of December, 1952.

CHARLES R. VOLLARO  
Borough Clerk

Dated: December 22, 1952



LAND SUBDIVISION REGULATIONS

ADOPTED June 29 , 1953

by the

PLANNING BOARD

of the

BOROUGH OF ALLENDALE

BERGEN COUNTY, NEW JERSEY

FOREWORD

A truly progressive community welcomes developments which will attract new residents, but it must also maintain vigilance that the resultant community will be an attractive, healthful and comfortable place in which to live and to work.

As the first step in shaping such a community, the Planning Board has drawn up and adopted the following regulations. Their general purpose is to establish guarantees of the advantageous development of the Borough and to prevent unwarranted burdening of expense on residents of the Borough. It is not intended that these regulations shall apply in their entirety to an individual building his own home.

Developers who desire to invest in the erection of homes and businesses will receive the earnest attention and cooperation of the Planning Board in the furtherance of their plans, but they must also realize that they will be expected to conform to the regulations which have been adopted for the protection of the community.

## ARTICLE I. OUTLINE OF PROCEDURE

101. Procedure. For the purpose of avoiding needless expense and to facilitate consideration by the Planning Board, a procedure has been developed under which applications may be submitted for preliminary discussion before the actual plan is prepared.

102. Tentative Plan. Prior to the submission of application by land owners desirous of subdividing lands, a tentative plan may be submitted by the applicant to discuss principles involved. (See Section 201).

103. Applications. All land owners who desire to subdivide their lands shall make application to the Planning Board. (See Section 202).

104. Public Notice. Shall be given according to Section 202 (d).

105. Application Address. All applications shall be directed to the Secretary of the Planning Board at least 15 (fifteen) days prior to the next regular meeting of the Board. The Secretary will check the application for completeness.

106. Application Review. All complete applications will be directed by the Secretary to the Chairman of the Land Subdivision and Private Works Committee for review.

107. Application Legality. Each application will be examined by the Land Subdivision Committee for conformity with Planning Board rules and regulations and pertinent Borough ordinances. Reports covering each application will be made by the said committee at the next regular Planning Board meeting.

108. Approval. Each application will be subjected to two (2) phases of approval, preliminary and final, or will be disapproved; in either case, the applicant will be promptly notified.

109. Confirmation. After the public hearing on the Preliminary Sketch Plan, a resolution shall be adopted by the Planning Board confirming the action taken above. Proper notification of this action shall be given to the applicant.

110. Schedule of Fees: Applicant or subdivider is subject to payment of fees as per schedule in Article V.

ARTICLE 2. REQUIREMENTS COVERING THE PREPARATION OF  
APPLICATIONS AND SUBMISSION OF PLANS IN DETAIL

201. Tentative Plan. A tentative plan may be submitted for initial discussion before the actual Preliminary Sketch Plan is prepared. The tentative plan is designed to enable the Planning Board and the applicant to discuss principles involved before the applicant goes to the expense of completing detailed engineering drawings. The Planning Board will act on such a plan, and, if satisfactory, give a tentative approval. This approval while not binding and while subject to change, will enable the applicant to proceed on a reasonably sound basis. It should be emphasized that tentative approval does not carry the authority to proceed with construction of buildings. Building permits will be granted only on the basis of approval of Final Map (See Section 207 below).

a. Scale. The tentative plan shall be drawn reasonably accurate. (The scale shall be one (1) inch equals 100 feet.)

b. Data. The tentative plan shall indicate location, block and lot numbers, direction of north, date, name and address of owner.

c. Measurements. All proposed lot lines and street lines shall conform to the zoning ordinance of the Borough.

d. Public Property. All public property or property to be dedicated to the public, including proposed streets, parks, playgrounds, etc., are to be shown on the plan.

202. Application. Application by the owner (or his authorized representative) for approval of plans, plats or descriptions of subdivisions of lands, showing the layout of streets, highways or other public spaces, and the size, shape and arrangement of building lots in connection therewith, or in relation thereto, and in connection with or in relation to streets, highways or other public grounds shown on the Master Plan and/or official zoning map, shall be made in writing, in quadruplicate, to the Borough Planning Board, on forms supplied by such Board, and shall be filed with the Board Secretary.

a. Such application shall be accompanied by a Preliminary Sketch Plan (see Section 203), in quintuplicate, prepared in accordance with the herein contained Rules and Regulations.

b. Where Preliminary Sketch Plans include new streets, the Planning Board will forward three copies of the Plan to the County Planning Board for an advisory report.

c. Because of the necessity for preliminary study by the Board Secretary and by the Committee on Land Subdivision, applications for the approval of subdivisions or requests for Planning Board decisions cannot be considered at a Planning Board meeting unless full information is received by the Secretary at least fifteen (15) days prior to the date of such meeting.

d. The Secretary will notify the applicant of the date of the meeting at which the application is to be discussed. The applicant shall publish notice of intention to subdivide the lands in question. This notice shall be in the form of an insertion in the official newspaper of the Borough and shall describe the lands to be subdivided by lot and block number according to the official tax map of the Borough and such notice shall be published at least five (5) days prior to the meeting at which the public hearing of the Borough Planning Board is to be held.

e. Following the public hearing on the plat, the Planning Board will either modify, approve or disapprove the proposed subdivision. Such approval of any Preliminary Sketch Plan by the Planning Board shall not constitute an acceptance of any final plan of any subdivision or resubdivision of land.

f. The Planning Board reserves the right to reject, without holding a public hearing, any and all applications not submitted in accordance with these rules and regulations.

203. Preliminary Sketch Plan Tenure. Failure of applicant to submit a Final Plat Plan (see Sections 207 and 208) to conform to the rules and regulations of the Planning Board within the period of one year from the date of approval of the preliminary plan, unless this period of time is extended by the Board, will result in the voiding of the Preliminary Sketch Plan approval and the subsequent necessity of refiling a new Preliminary Sketch Plan in accordance with Planning Board rules and regulations then existent. Unless approved in final form as provided in these regulations, no map shall be filed in the County Clerk's office covering such subdivision.

204. Preliminary Sketch Plan. The Preliminary Sketch Plan as submitted shall be at a scale of not less than one inch equals 100 feet and shall show:

a. Complete layout of proposed subdivision, together with its relation to adjoining existing streets and abutting properties, in sufficient detail to allow orientation.

b. Sizes of all lots can be approximate pending final engineering survey. The dimensions of each lot together with rear, front and side yard requirements shall be as provided in the Zoning Ordinance of the Borough of Allendale.

c. Street widths. All streets shall conform in widths, directions and alignments with the official map and Master Plan, and shall connect with streets shown thereon with the minimum of jogs and sharp angles, and no streets shall in any case have a "right-of-way" width of less than that indicated in Section 312 unless a lesser or greater width is authorized or required by the Planning Board.

d. Corner radii. Intersecting property lines of corner lots adjacent to the street lines shall be rounded with a radius of not less than 15 feet. All curb corners shall be rounded with a curve having a radius of not less than 25 feet. Street lines of corner lots, notwithstanding such curvature, shall be prolonged to the intersection of said streets, giving the tangent distances in connection therewith. The Planning Board reserves the right to specify greater radii where in the opinion of such Board, traffic conditions or other controlling factors demand a greater curvature.

e. Street names (can be tentative pending final layout of streets). No name applied to any street shall duplicate or so nearly resemble the name of an existing street within the Borough as to cause confusion. In the case of a direct extension of an existing street, the same name shall be used unless the Board shall otherwise direct.

f. Approximate positions of existing and proposed monuments.

g. Locations of nearest sewer connections, if any, and other public services (gas, water and electricity, etc.)

h. Storm drains if required and relation to existing storm drains, drainage ditches or brooks.

i. Water bodies, streams and swamps.

j. Contour lines at intervals of not more than five feet or at lesser intervals as required by Borough Engineer extending at least fifty (50) feet on all adjoining property.

k. Open spaces to be dedicated for public parks or playgrounds or other public use and the location and use of all property reserved for the common use of all property owners.

l. All existing or proposed easements and "rights-of-way".

m. Building setback lines. Each map shall show a uniform set-back line beyond which no part of any structure shall be erected, said line to be indicated on said map by dotted lines and to be marked "setback line".

n. Tentative grades of streets (pending final engineering survey).

o. Typical cross sections of streets, showing roadway paving, sidewalk and curb locations, drains and other improvements, which improvements must comply with construction specifications as hereinafter mentioned and be installed by the developer.

p. Any lots where group houses for residences or apartment houses or local stores or shops are proposed to be built, indicating for each lot or proposed building unit the approximate location and dimensions of the building proposed.

q. Intersecting property lines of corner lots adjacent to the street lines which shall be rounded to permit suitable rounded curb corners.

r. Other Data. The title of the plan shall include the name or designation of the subdivision, the date, name and address of owner, and the name and address of the subdividing engineer or surveyor and a place for his certification.

205. Character of Development. The written application shall indicate the applicant's intentions with regard to the subdivision to comply with section 15 of the Land Subdivision Ordinance of August 10th, 1950.

206. Soil Percolation Tests. The Preliminary Sketch Plan must be accompanied by an engineer's certificate evidencing soil percolation tests made (for each lot in the subdivision) according to F.H.A. standards for the State of New Jersey and showing that soil conditions are suitable to absorb all sanitary wastes.

a. To make certain that percolation tests of surface area are not misleading, a six (6) foot hole (or a deeper hole, if necessary) must be sunk for each three acres to determine sub-strata conditions and an engineer's report as to the satisfactory condition for proper absorption of sanitary wastes must be submitted.

207. Submission of Final Plan. After the preliminary approval of the subdivision, the applicant (owner or his authorized agent) shall submit to the Planning Board a Final Plan; provided, however, that the data on the Final Plan shall be based on correct engineering surveys and provided further that there shall be shown on each Final Plan:

a. Complete layout of proposed subdivision, together with its relation to adjoining existing streets and abutting properties, in sufficient detail to allow orientation.

b. All lot sizes and plot boundary lines with lengths of courses and bearings.

c. Lot and block numbers as approved by the Assessment Authority of the Borough of Allendale.

d. The names, exact locations and widths of all existing and recorded streets intersecting plot boundaries. (No name applied to any street shall duplicate or so nearly resemble the name of an existing street within the Borough as to cause confusion. In the case of a direct extension of an existing street, the same name shall be used unless the Board shall otherwise direct.)

e. Street Widths. All new streets shall conform in widths, directions and alignments with the official map and the Master Plan, and shall connect with streets shown thereon with the minimum of jogs and sharp angles, and no streets shall in any case have a "right-of-way" width of less than that indicated in Section 312 below unless a lesser or greater width is authorized or required by the Planning Board.

f. Curved Street Dimensions. On curved streets, the radius and length of arc must be shown to the nearest hundredth of a foot, and the central angle, to the nearest minute.

g. Corner radii: Intersecting property lines of corner lots adjacent to the street lines shall be rounded with a radius of not less than 15 feet. All curb corners shall be rounded with a curve having a radius of not less than 25 feet. Street lines of corner lots, notwithstanding such curvature, shall be prolonged to the intersection of said streets, giving the tangent distance in connection therewith. The Planning Board reserves the right to specify greater radii where, in the opinion of such Board, traffic conditions or other controlling factors demand a greater curvature.

h. Building Setback Lines. Each map shall show a uniform setback line beyond which no part of any structure shall be erected, said line to be indicated on said map by dotted lines and to be marked "setback line".

i. All easements for surface or sub-surface structures such as storm and sanitary sewers, water, gas or electric services, etc.

j. Locations of nearest sewer connections, if any, and other public services (gas, water, electricity, etc.)

k. Permanent concrete or blue stone monuments shall be accurately set at least three (3) feet in depth and established at such points as required by the Borough Engineers.

l. Open spaces to be dedicated for public parks or playgrounds or other public use and the location and use of all property reserved for the common use of all property owners.

m. Other Data. The title of the plat plan shall include the name or designation of the subdivision, the date, name and address of owner.

n. Suitable places and inscriptions for the certification and stamp of the licensed engineer or surveyor preparing the plat, for the approval and signature of the Chairman and the Secretary of the Allendale Planning Board, the Borough Engineer, the Mayor and the Borough Clerk and, when required, for the Chairman of the County Planning Board.

208. Roadway and other improvements - Construction Plan: A construction plan for the area to be subdivided as shown on the final map shall be prepared on tracing paper showing profiles and typical cross sections of streets, roadway paving, sidewalks, curbs, and storm drainage, etc. The plan and profiles shall be drawn to a scale of 1" = 50' horizontally and 1" = 5' vertically. These plans shall also show the following data:

- a. Centerline data with accurate stationing of critical points.
- b. All sanitary sewer construction (if required) with surface manholes not greater than 300' between manholes, with accurate invert elevations.
- c. Storm drains, if required, and their relation to existing underground structures, and water bodies or streams, must be shown. Storm sewer lines must have adequate manholes, catch basins, and headwalls with proper invert elevations and sizes and kind of pipe designated.
- d. The final disposition of such drainage to a natural water course.
- e. At least two bench marks to which grades have been referred with accurate descriptions thereof based on U.S. Coast and Geodetic survey datum.
- f. Water distribution system with valves and hydrants with sizes of mains designated.
- g. A tabulation of the estimate of quantities for all construction work to be done on the section.
- h. Approval block for signature of the Borough Engineer.
- i. Approval block for signatures of Chairman and Secretary of the Borough Planning Board.
- j. Appropriate title block showing the proposed name of the development, the name and license number of the engineer, scale and date.

209. Site Grading and/or Development Plan. Site grading plan for the area to be subdivided and shown on the final map shall be prepared on scale of not less than 1" = 50' on tracing paper and shall show the following data:

- a. Complete layout of the subdivision and its relation to existing streets in the area.
- b. Dimensions of all plots in accordance with final map (bearings not required).
- c. Original contours of the entire area at an interval of not greater than 5 feet, or at lesser intervals as required by Borough Engineer, extending at least 50 feet on all adjacent property.
- d. Proposed elevations to be shown at all lot corners.
- e. Street names and widths.
- f. The location of each home to be built with proper front off-sets and side yards.
- g. Elevations of the first floors of each home to be constructed.

- h. Finished grade and elevations at corners of buildings to be constructed.
- i. Proposed elevations of curbs and pavements.
- j. All curb, sidewalk and pavement to be constructed.
- k. Locations of nearest sewer connections, if any, and other public services (gas, water and electricity).
- l. All drainage systems and appurtenances to be constructed and relation to existing storm drains, drainage ditches or brooks.
- m. All dedicated areas indicated.
- n. Rights-of-way for floodway areas.
- o. Block and lot numbers as assigned on preliminary map.
- p. House numbers as assigned by Borough Authority.
- q. Builders designation for model of home to be constructed on each plot.
- r. Unless clearly indicated by elevations, flow arrows showing the drainage off each plot.
- s. North point.
- t. Appropriate title block showing the proposed name of the development and the name and license number of the engineer, scale and date.

210. The Final Plan (See Section 207 above) must also be accompanied by:

- a. Deeds of dedication of streets shown over lands of adjacent land owners.
- b. Triplicate copies of all existing or proposed deed restrictions for each differently restricted section of the subdivision. These documents shall have been duly signed by the owner (and the mortgagee, if any) with signatures duly notarized and witnessed.
- c. Water Policy Commission approval: Evidence must be furnished by applicant or developer that State Water Policy Commission has given its approval on any structures or work to be done on any stream under its jurisdiction.
- d. Easement agreements covering all surface or sub-surface structures for storm or sanitary sewers and other utilities through adjacent lands and off-site roads or other highways.
- e. Partial subdivision. Where a plat submitted covers only a part of the subdivider's tract, a sketch of the prospective future streets of the unsubmitted part shall be furnished and the street system of the part submitted shall be considered in the light of adjustments and connections with the street system of the part not submitted.
- f. Agreement of applicant to arrange at his expense, vacation of any existing street or streets or right-of-ways if required.
- g. Signed statements of approval of all parties holding mortgages or liens on all or any part of the land covered by the subdivision.



h. Deeds of dedication covering all streets and public areas (in form acceptable to the Board) with such certificate of title as shall be approved by the Board.

211. Final Plan. The Final Plan will not be acted upon, and hence cannot be filed with the County Clerk until the rules and regulations of the Allendale Planning Board have been complied with and the improvements required have been satisfactorily guaranteed to the Borough. (See Sections 23 and 23(a) of the Land Subdivision Ordinance of August 10th, 1950.)

212. Final Plan Approval. Upon approval by the Planning Board of the Final Plan (construction plan and Site Grading plan - where applicable), the Board shall deliver the original of the Final Plan (as well as copies of other plans, where applicable), to the Borough Engineer for his approval and signature and presentation to the Borough Clerk of original and three copies of the Final Plan at least five days prior to a regular Council meeting for proper signature and attestation by the Mayor and Borough Clerk.

Where the Planning Board requires applicant to post a bond or other satisfactory guarantees and/or to pay certain fees, the Borough Clerk will be so notified by the Board and the Borough Clerk is to withhold submission of Final Map for Borough Council approval pending presentation of bond, payment of inspection and other fees and the satisfaction of any other requirements indicated by the Planning Board in its letter to the Borough Clerk.

Thereafter, the Borough Engineer shall (if necessary), obtain signatures of the County Planning Board and shall have the following reprints of the Final Plan made at the property owner's expense, such reprints shall be delivered to the Borough Clerk for distribution as follows:

- a. One black line print on tracing cloth to be retained by the Borough Engineer.
- b. Two blue prints on cloth/<sup>one</sup>for the County Clerk (when required) and one for Borough Clerk.
- c. Five blue prints for distribution to the various Borough Boards or offices:
  1. Tax Collector
  2. Building Inspector
  3. Board of Health
  4. Assessor
  5. Planning Board

After all requirements as above have been met, the Borough Engineer shall promptly file the original tracing and one blue print on cloth with the Clerk of the County of Bergen, when required, as provided by law.

Borough Planning Board and Governing Body approval of final maps does not constitute final acceptance of streets, curbs, sidewalks and other public improvements until:

- a. Satisfactory completion of such installations is certified to the Governing Body by the Borough Engineer, and
- b. The Governing Body has, by resolution or ordinance, approved the Borough Engineer's report and has accepted (without reservations) the improvements certified completed by the Borough Engineer, and
- c. The developer is notified in writing that the improvements are accepted by the Borough which thereupon, and then only, shall discharge the developer from his liability for satisfactory completion of such improvements.

### ARTICLES 3. IMPROVEMENTS

301. Surety Bonds. No plat shall be finally approved unless the applicant (owner or developer) shall arrange for the deposit with the Borough of Allendale a sum equal to the cost of making of the said improvements or a surety company performance bond for the same amount to insure the satisfactory completion of such improvements in accordance with these regulations and with Section 23 of the Ordinance of August 10th, 1950.

(NOTE: To alleviate hardship resulting from burdensome bonding requirements, the applicant or developer may request Planning Board's preliminary approval and after such approval may proceed to file and obtain final approval of plans for sections of the area covered by the preliminary plan so as to limit the amount of the bond to the improvements in each section as finally approved.)

a. On completion of the improvements, the applicant or developer is to file with the Borough Clerk a maintenance bond, valid for a period of at least three years, issued by a corporate surety in an amount to indemnify the Borough against any loss occasioned by defective workmanship or materials used in construction of said work as provided by Section 23A of the Land Subdivision Ordinance of August 10th, 1950.

302. Building Permits. It shall be understood that no building permits shall be issued until such time as all the herein rules and regulations have been complied with or sufficient assurances given as provided in Section 301.

303. Street Pavement. The subdivider shall grade, build and construct streets in accordance with the following specifications:

a. The minimum right-of-way width of all streets as well as the minimum graded width as required by Section 312 below. Pavement shall be a concrete or Penetration Macadam Surface Course placed upon Macadam Base Course. Minimum width of pavement to be as required by Section 312 below.

b. The Penetration Macadam Surface Course shall have a minimum depth of three (3) inches after compression.

c. The Macadam Base Course shall have a minimum depth of three (3) inches after compression. The construction of Penetration Macadam Pavement and the base course shall conform to specifications of the New Jersey Highway Dept. for roads of this type.

d. If the pavement is constructed of concrete, it must be a 6 inch concrete properly cured with at least forty pounds of reenforcement in residential districts, on light traffic streets, and on more heavily trafficked roads, a pavement of 8 inches or 10 inches of concrete conforming to the specifications of the New Jersey State Highway Dept. on roads of this type.

e. All streets must be constructed with such grades and elevations as are established by the Borough Engineer, but no street grade shall be less than  $\frac{6}{10}$ \* of 1% nor more than 9% except in such cases where the topography of the land to be subdivided is such as to make it impossible to otherwise develop such land.

f. All dead end streets should not exceed 900 feet in length and must be provided with circular turnaround roadway having a minimum radius of 50 feet at the closed end. A grass bed with a minimum 12-1/2 foot radius may be placed at the center of the turnaround.

\*six-tenths of 1%.

304. Curbs shall be installed by the subdivider wherever required by the Board. (See Section 312 below.) Full width road pavement and curbs must be provided where the grade is 5 feet in a hundred feet or greater, or where drainage conditions warrant such full width pavement and curb. A profile of the proposed grades must be shown on the map or submitted with it as a separate plan. Concrete curbs shall be constructed of Class B concrete and in accordance with New Jersey State Highway specifications. The Concrete Curb shall have a top width of six (6) inches, a bottom width of nine (9) inches, and a height of twenty (20) inches.

305. Water. The subdivider shall make a supply of water available to each lot within the subdivision. If other than well water, the subdivider shall provide for the installation and maintenance and operation of fire hydrants in locations approved by the Borough. Mains shall be laid according to the Water Department Ordinance and Specifications and such other standards as are established by the Board.

306. Drains. The subdivider shall make adequate provision for the disposal of storm water subject to approval of the Borough Engineer and the Planning Board. Where it is deemed necessary by the Planning Board, streets must be provided with sufficient catch basins and other drainage appurtenances for the proper drainage thereof.

307. Sidewalks. The subdivider shall construct walks as required by the Board (see Section 312 below). The width of all sidewalk areas shall be <sup>at least</sup> 10 feet. Sidewalks shall be concrete except that where sidewalks are of a temporary nature, the Board may permit sidewalks of Bituminous Concrete. Concrete sidewalks shall be constructed in one course of Class C concrete and shall have a minimum depth of four (4) inches and a minimum width of four (4) feet over a four (4) inch bed of cinders or sand where soil conditions so require. Bituminous Concrete sidewalks shall be constructed with a Bituminous Concrete surface over a crushed stone base. The crushed stone base shall have a minimum compacted depth of four (4) inches and a minimum width of four (4) feet. The Bituminous Concrete Surface Course shall have a minimum depth of one (1) inch after compression and a minimum width of four (4) feet.

308. Sewerage. The Planning Board may require the subdivider to provide adequate sewer lines accessible to each lot whether or not a sewer disposal plant is immediately available. (Also see Section 306 above.)

309. Shade Trees. The subdivider shall provide shade trees in the grass plot between curbs and sidewalks, the type and spacing to be determined in concurrence between the subdivider and the Planning Board. The Planning Board may recommend planting any one of the following species:

White Oak	Norway Maple
Black Oak	Sugar Maple
Scarlet Oak	Small or large leaf Lindens
Pin Oak	Sweet Gum
Red Oak	Sour Gum
	Ginkgo.

Elms, Ash, Soft Maple or Sycamore trees are not recommended.

Trees must be planted not more than 50 feet apart and diversification of species on one street is desirable. Trees should be about 3 inches in diameter.

310. Street Lighting. The subdivider shall provide street lighting facilities unless waived by the Planning Board and the standards for such lighting shall be approved by the Planning Board.

311. Parks. In making his layout, the subdivider shall lay out adequate local parks and playgrounds in residential areas and automobile off-street parking space in business areas. Whatever of these facilities in the opinion of the Planning Board should be dedicated to public use, shall so be dedicated.

312. Variations of Public Improvements Required According to Zone and Lot Areas. In order to encourage good subdivision at more than minimum area standards, the Planning Board may vary the public improvement requirements according to lot sizes and areas as follows:

Zones	Minimum Lot Frontage	Minimum Lot Area Sq. Feet	Minimum Right-of-Way*	Minimum Graded Width	Minimum Width Street Pavement	Curbs Subject Section 304	Concrete Sidewalks
C			60'	60'	40'	Concrete curbs On both sides of the street.	Both sides of street.
B-A	75' - 114'	7500 - 19,999	50'	50'	30'	Concrete curbs on both sides of the street.	Both sides of street.
AA	115' - 129'	20,000 - 25,999	50'	40'	26'	Concrete curbs on both sides of the street.	Both sides of street as required.
AAA	130' & over	26,000 & over	50'	40'	26'	Bituminous curbs as required by Boro Engineers.	None.

\* Variations of the minimum right-of-ways may be necessitated to conform with County Planning Board recommendations, i.e.:-

1. Traffic arteries or through interborough routes (usually County roads) - 80' right-of-way.

2. Collector roads or streets that carry sectional traffic or lead to shopping centers - 60' right-of-way.

3. Minor streets (or local streets) providing access to homes in single family neighborhoods - 50' right-of-way.

313. The construction of streets, sidewalks, curbs, and drainage systems must be in accordance with standard specifications of the Borough of Allendale. No street will be approved by the Planning Board as a public thoroughfare unless there has been a full compliance with these regulations and Borough ordinances, and a certificate of approval thereof obtained from the Borough Engineer and all engineering inspection fees paid.

ARTICLE 4. GENERAL REQUIREMENTS

401. Zoning Ordinance. All subdivisions shall have been compared with the Zoning Ordinance of the Borough. The applicant will check this point and any variations will be stated in full as part of the formal application.

402. Specifications and Standards. All construction on, in or under streets which it is proposed to dedicate to the Borough shall be subject to the supervision of the Borough Engineer or other Borough officials who may be appointed for that purpose, and shall be in accordance with Borough specifications and standards.

403. Reserved Land Strips. Reserved strips must not be left between adjacent owners' lands and a proposed street.

404. Utilities Location. It is suggested certain utilities, especially telephone and electric lines, should be placed at the rear of lots. In many instances, the arrangement will be found economical or at least no more costly than the installation of such utilities in the streets, and especially in respect to pole lines, will add much to the attractiveness of the development.

405. Service Connections. The subdivider shall install any required underground service connections before the street is paved.

406. Easements. Except where alleys of not less than fifteen (15) feet are provided for the purpose, the Board may require easements, not exceeding six (6) feet, on each side of all rear lot lines, and on side lot lines where necessary, or, in the opinion of the Board, advisable for poles, wires, conduits, storm and sanitary sewers, gas, water, or other utility lines. Easements of the same or greater width may be required along the lines of or across lots where necessary for the extension of the existing or planned utilities.

407. Signatures on applications, and other documents submitted to the Board must be verified by the Board both as to sufficiency and authenticity.

a. Where applicant is an individual owner, individual notarized or witnessed signature is required.

b. An agent acting for an owner must substantiate his authority to act as agent by producing satisfactory evidence in form of power of attorney, etc.

c. Where applicant is a partnership, it is desirable to have all partners sign unless evidence is produced attesting to the power of the one signing to obligate all others.

d. Where applicant is a corporation, a certified copy of resolution of such corporation's Board of Directors is required evidencing authority of those signing to execute documents or application submitted to the Board.

## ARTICLE 5. FEE SCHEDULE

To defray engineering expenses incidental to the proper processing and recording of subdivisions and/or resubdivisions, also to insure the proper supervision and inspection of all construction work, the following schedule of fees is to be paid by the applicant or the developer in connection with all subdivisions and improvements.

501. Fee for examining and reporting on Preliminary Sketch Plans to be filed and which contain new streets - \$50.00. Payable with presentation of Preliminary Map.

502. Fee for examining and reporting Final Plan and which contain new streets.- \$25.00 plus \$6.15 for County filing fee. Payable on presentation of Final Plan.

503. If checking and report is required on Site Plans - \$3.00 per lot for subdivision of not more than fifty (50) lots - \$2.00 per lot for subdivisions with more than fifty (50) lots. Minimum Fee - \$30.00. Payable on presentation of Final Map.

504. Cost of all prints required by Regulations payable prior to filing plan in County.

505. Fee for Subdivisions on existing streets - \$5.00 per lot. Minimum Fee - \$15.00. Payable with preliminary presentation of Map.

506. Fee for preparing profiles and construction plan, layout and establishing grades for pavement, curbs, sidewalks and drainage in subdivisions containing new streets - 7% of construction cost. Payable one-half on presentation of profiles with final plans and one-half prior to the start of any construction.

507. For preparing profiles and construction plans, layout and establishing grades for pavement, curbs, sidewalks and drainage for private construction work on existing streets - Fee commensurate with the work involved to be determined and paid prior to start of construction.

508. Deposit for inspection at \$2.00 per hour for Borough Engineers estimate of inspection time required. Excess of deposit to be returned to Developer (\$3.00 per hour if inspection is done by Borough Engineer). Payable prior to start of any construction. If deposit has been underestimated, additional deposit to be made before work is accepted by the Borough.

509. Deposit of \$25.00 per Stone Monument to insure placing of monuments after grading has been completed - Deposit to be returned when monuments have been placed to satisfaction of Borough Engineer. Deposit to be used by Borough to have monuments set if Developer fails to set monuments after proper notice by Borough.

510. Filing Fee: A fee of \$5.00 is to be paid upon submission of the Preliminary Plan to cover Planning Board handling costs.

Form P.B. #1

Submit: Original and 4 copies

Preliminary Application to Planning Board, Allendale, N.J.  
for Approval of  
Land Subdivision, or Redivisions and Layout of Proposed Streets

The Undersigned hereby submit(s) for approval of the Planning Board the attached Preliminary Sketch Plans (in five copies) pursuant to Land Subdivision Ordinance, Zoning Ordinance and Planning Board Land Subdivision Regulations.

1. Name and Address of Applicant: \_\_\_\_\_  
(Property owner or his Agent) \_\_\_\_\_

Telephone Number: \_\_\_\_\_

2. Name of Development: \_\_\_\_\_

Location: \_\_\_\_\_  
(Block Number and Street Address)

3. Name and Address of Property Owner: \_\_\_\_\_  
(If different from #1 above) \_\_\_\_\_

Telephone Number: \_\_\_\_\_

4. The land covered by this application has/has not been previously subdivided.  
(If property was previously subdivided, copy of previous plat must be submitted.)

a) Deed restrictions are contemplated as follows:  
(If no restrictions, state "None".)

5. The proposed character of Development or Subdivision -

a) Is subdivision or redivision for sole purpose of sale of  
land? (Yes or No) - \_\_\_\_\_

b) Is this subdivision for the purpose of construction and  
sale of houses? (Yes or No) - \_\_\_\_\_

6. Type of Houses to be constructed:  
(Give short description of style, material to be used, number of rooms, etc.)

- a) Number of houses to be built: \_\_\_\_\_
- b) Number of front elevations to be used: \_\_\_\_\_
- c) Intervals at which same front elevations will be used: \_\_\_\_\_  
(The same elevations (i.e., exterior designs) may be repeated only at intervals of every fifth house on the same side of a street and the same elevations or exterior design must not be repeated directly on the opposite side of the street.)

## NOTE:

Developer is to submit:

- a) Two sets of plans for each basic house or suggested elevations.
- b) Map of Subdivision showing location of each basic house design with each particular type identified by letters or numerals.

7. In order to conform with minimum size requirements for homes as provided in Borough Zoning Ordinance, the Undersigned agrees to construct homes having the following minimum square feet areas (exclusive of breezeways, porches and garage), it being understood that the square feet areas indicated below are to include only "livable area" meaning only finished rooms, closets, halls and stairwells:

- a) In a one story type home, at least \_\_\_\_\_ sq. ft.
- b) In a one and one-half story type home, at least \_\_\_\_\_ sq.ft. on the ground floor and  $33\frac{1}{3}\%$  of the ground floor area on the second floor.
- c) In a two story type home, \_\_\_\_\_ sq.ft. on the ground floor and 75% of the ground floor area on the second floor.

In connection with each residence, a garage or garage space will be provided for at least one automobile.

8. The price range of homes will be \$ \_\_\_\_\_ to \$ \_\_\_\_\_.
9. Approximate date of beginning construction: \_\_\_\_\_  
Approximate date of completion of construction: \_\_\_\_\_
10. The proposed method of maintaining parks, (if any) is as follows:
11. The location, number and type of shade trees which the undersigned agrees to plant will be as follows:



12. Soil Percolation tests have been made according to F.H.A. Sewage Disposal Systems. (Engineering report covering such tests for each acre being subdivided are submitted with this application and certify that results of tests show absorption adequate for the size of houses to be built on lots of the size indicated on the Preliminary Sketch Plan.)

a) To make certain that percolation of surface area is not misleading, a 6 foot hole has been sunk for each three acres to determine sub-strata conditions and an engineer's report as to the satisfactory condition for proper absorption of Sanitary wastes is submitted herewith. (This applies only to subdivision of three or more acres.)

b) The Undersigned agrees and undertakes that individual percolation tests will be made after the sanitary plant site has been selected and rough grading has been made. It is understood the Building Inspector of the Borough of Allendale is not authorized to issue occupancy permits unless a proper Board of Health certificate is presented and filed with the Building Inspector proving the percolation test for the lot has been made and that results fully meet F.H.A. standards.

-----

The Undersigned (developer and/or applicant) hereby undertake(s) and agree(s):

1. To provide a performance bond valid for a period of at least one year issued by a prime bonding company acceptable to the Borough of Allendale, such bond to be for the full estimated cost of improvements as required by Borough Ordinance and Planning Board regulations; also,
2. To provide a maintenance bond acceptable to the Borough to be valid for a period of at least three years following acceptance of the improvements by the Borough.
3. To pay such fees as are required to cover the estimated cost of the services of the Borough Engineer and/or other Borough employees or Planning Board for checking compliance with the Ordinances and regulations and for other advisory services required by the Planning Board in reference to this subdivision.

Witnessed By:

Signed:

N.B.- This application is intended for the Applicant's convenience but the requirements imposed on the Applicant are not limited to the matters contained in this application. Applicant is required to comply with all conditions of the Borough Zoning and Land Subdivision Ordinances and Planning Board Land Subdivision Regulations.

If this application is submitted by a corporation, there must be submitted with this application, a certified copy of resolution of the Board of Directors of the Applicant corporation authorizing (on behalf and under responsibility of such applicant corporation) the approval, signing, and submission of this application and other pertinent documents to the Planning Board of the Borough of Allendale, New Jersey by the party signing this application. Parties signing "as Agents" or as "Attorney-in-Fact" must submit power of attorney to evidence authority to so sign. Applications submitted by Joint Title Holders or Partnerships should be signed by all the interested parties.

<u>Applications</u>	<u>Fee</u>	<u>Distributions</u>	<u>House Plans</u>
P.B. Files	Borough Clerk	<u>Preliminary Maps</u>	Building Inspector
Building Inspector		P.B. Files	Borough Engineer
Borough Engineer		P.B. Committees	
P.B. Committee		Borough Engineer	
Board of Health		Building Inspector	
		Board of Health	

# Borough of Allendale

## ORDINANCE

AN ORDINANCE TO REGULATE THE SUBDIVISION OF LAND, THE FILING OF MAPS THEREFOR, THE LOCATION AND CONSTRUCTION OF STREETS AND OTHER IMPROVEMENTS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale that:

1. No tract of land in the Borough of Allendale shall be subdivided into two or more plots unless a map or plat showing such subdivision shall be submitted to the Planning Board of the Borough of Allendale in accordance with this Ordinance and approved by said Board in accordance with the statute.

2. No streets, whether publicly or privately owned, shall hereafter be located, constructed or authorized within the Borough of Allendale unless the location, character and extent thereof has been submitted to the Planning Board and approved. Nothing herein contained shall apply to any private driveway or street serving one residence and leading from said residence or an outbuilding in connection therewith to an existing street appearing on the Master Plan of said Borough.

3. Application for approval of Land Subdivisions or Redivisions and layout of proposed streets shall be made to the Planning Board accompanied by duplicate copies of Preliminary Sketch Plans which shall first be approved by such Board before submission of the Final Plan. Such applications shall be made to the Planning Board in writing in accordance with all statutory laws, local and state ordinances and regulations, and all rules, regulations and standards heretofore or hereafter adopted by the Planning Board.

4. The tentative approval of any Preliminary Sketch Plan by the Planning Board shall not constitute an acceptance of any Final Plan of any Subdivision or Redivision of land.

5. The Preliminary Sketch Plans submitted shall be at a scale of not less than 1 inch equals 100 feet and shall show:

(a) Complete layout of the proposed subdivision, together with its relation to adjoining existing streets and abutting properties, in sufficient detail to allow of orientation.

(b) Sizes of all lots (can be approximate pending final engineering survey.)

(c) Street Widths.

(d) Corner radii.

(e) Street names (can be tentative pending final layout of streets.)

(f) Approximate positions of existing and proposed monuments (pending final engineering survey.)

(g) Locations of nearest sewer connections, if any, and other public services (gas, water and electricity, etc.)

(h) Storm drains if required and relation to existing storm drains, drainage ditches or brooks.

(i) Water Bodies, streams and swamps.

(j) Contour lines at intervals of not more than five feet.

(k) Open spaces to be dedicated for public parks or playgrounds or other public use and the location and use of all property reserved for the common use of all property owners.

(l) All existing or proposed easements and rights of way.

(m) Building setback lines.

(n) Tentative grades of streets (pending final engineering survey.)

(o) Typical cross sections of streets, showing roadway paving, sidewalk and curb locations, drains and other improvements, which improvements must comply with construction specifications as hereinafter mentioned and be installed by the developer.

(p) Any lots where group houses for residences or apartment houses or local stores or shops are proposed to be built, indicating for each lot or proposed building unit the approximate location and dimensions of the building proposed.

(q) Intersecting property lines or corner lots adjacent to the street lines which shall be rounded to permit suitable rounded curb corners. In no case shall the radius of such corners be less than 15 feet. The Planning Board reserves the right to specify such radii where in the opinion of such Board, traffic conditions or other controlling factors demand a greater curvature.

6. Streets—All streets must be graded, built and constructed in accordance with the following specifications:

a. The minimum width of all streets shall be 50 feet, with a minimum graded width of 24 feet. Pavement shall be a concrete or Penetration Macadam Surface Course placed upon either a Macadam Base Course or a Gravel Base

Course, Minimum width of pavement to be 20 feet.

b. The Penetration Macadam Surface Course shall have a minimum depth of three (3) inches after compression.

c. The Gravel Base Course and the Macadam Base Course shall have a minimum depth of three (3) inches after compression. The construction of Penetration Macadam pavement shall conform to specifications of the New Jersey State Highway Department for roads of this type.

d. If the pavement is constructed of concrete it must be a 6" concrete properly cured with at least forty pounds reinforcement in residential districts, on light traffic streets, and on the more heavily trafficked roads a pavement of 8" or 10" of concrete conforming to the specifications of the New Jersey State Highway Department on roads of this type.

e. All Streets must be constructed with such grades and elevations as are approved by the Borough Engineer, but no street grade shall be less than 1/2 of 1% nor more than 9%.

f. All dead end streets must be provided with circular turn-arounds having a minimum radius of 50 feet.

7. Sidewalks—The width of all sidewalk areas shall be 10 feet. Sidewalks, where required by the Board, shall be either Concrete or Bituminous Concrete. Concrete sidewalks shall be constructed in one course of Class C Concrete and shall have a minimum depth of four (4) inches and a minimum width of four (4) feet. Bituminous Concrete sidewalks shall be constructed with a Bituminous Concrete surface over a Gravel Base. The Gravel Base shall have a minimum depth of three (3) inches and a minimum width of four (4) feet. The Bituminous Concrete Surface Course shall have a minimum depth of one (1) inch after compression and a minimum width of four (4) feet.

8. Curbs—Curbs shall be installed wherever required by the Board. Full width road pavement and curbs must be provided where the grade is 5 feet in a hundred feet or greater, or where drainage conditions warrant such full width pavement and curb. A profile of the proposed grades must be shown on the map or submitted with it as a separate plan. Concrete curbs shall be constructed of Class B Concrete. The Concrete Curb shall have a top width of six (6) inches, a bottom width of eight (8) inches, and a height of twenty (20) inches.

9. Drains—Where it is deemed necessary by the Planning Board, streets must be provided with sufficient catch basins and other drainage appurtenances for the proper drainage thereof.

10. Sewerage—Evidence must be furnished that the soil conditions are suitable to absorb all sanitary wastes before approval of map.

11. The constructions of the streets, sidewalks, curbs, and drainage systems must be in accordance with the specifications of the State Highway Department. No street will be approved by the Planning Board as a public thoroughfare unless there has been a full compliance with this ordinance, monuments placed, the construction inspected by and a certificate of approval thereof obtained from the Borough Engineer and all engineering inspection fees paid.

12. Shade Trees—Standards therefor shall be at the discretion of the Planning Board.

13. Street Lighting—Standards therefor shall be at the discretion of the Planning Board.

14. Water Mains—Mains shall be laid according to the Water Department Ordinance and specifications, and such other standards as shall be established by the Board.

15. The Preliminary Sketch Plans shall be accompanied by a written statement from the Applicant which shall include:

a. The name and address of the owner of the property, intentions of the applicant in regard to the proposed character of the development, whether for the sole purpose for the sale of land or for the purpose of construction and sale of homes, with data such as price range of homes, deed restrictions, proposed method of maintaining park or recreational areas, number of homes intended to be constructed, and the date of beginning and completion of construction.

b. Applicant's agreement to pay to the Borough such inspection fees incurred by it in connection with proper inspection, by its designated official of the construction of roads, curbs, sidewalks, drainage structures and other improvements installed.

16. After tentative approval of the Preliminary Sketch Plans, the Applicant shall prepare and submit for approval a Final Plan on which shall appear all data shown on the Preliminary Sketch Plans, provided however that the final data shall be

based on correct engineering surveys and provided further that there shall be shown thereon and delivered to the Board:

(a) The name and designation of the subdivision map or plat.

(b) The direction of North.

(c) The scale (not less than 1" to 100') and date of the drawing.

(d) Street lines, giving bearings, lengths of arcs together with their radii and tangents.

(e) A road plan that shows in detail the plan of the street, layouts showing roadway paving, sidewalks and curbs of a scale of 1" equals 50'; typical cross sections of streets and relative elevations on a scale of 1/4" per foot. The said road plan must show profile showing natural contour of land with proposed final grades on a scale of 1" equals 50' horizontal and 1" equals 5' vertical. Storm drains, if required, and relation to existing underground structures, and water bodies or streams, must be shown and proof of legal right to discharge such drainage on abutting property (or properties) with no damage to such properties or other highways. Also, the map must show the final disposition of such drainage to a natural water course. At least two bench marks to which grades have been referred with accurate descriptions thereof. The said road plan shall also contain a suitable approval block for signature of the Borough Engineer and Planning Board.

(f) All subdivisions, lot and plot boundary lines with lengths of courses and bearings.

(g) The names, exact locations and widths of all existing and recorded streets intersecting plot boundaries.

(h) Lot and block numbers as approved by the Assessment Authority of the Borough of Allendale.

(i) Tie-up of at least two points in the subdivision with the nearest existing Borough Streets.

(j) Suitable places and inscriptions for the certification and stamp of the licensed engineer or surveyor preparing the plat, for the approval and signature of the Chairman and the Secretary of the Planning Board, the Borough Engineer, the Mayor and the Borough Clerk if required, and the Chairman and the Secretary of the County Planning Board.

(k) The approval and signature of all parties holding mortgages or liens on all or any part of the land covered by the subdivision, deeds of dedication covering all streets and public areas in form acceptable to the Board with such certificate of title as shall be approved by the Board.

17. If vacation of any existing street or streets or rights of way is required, proof that they have been vacated shall be presented with the "Final Plan."

18. In the case of a replatting of a subdivision the procedure and regulations hereinbefore described shall be followed except as may be modified on application to the Planning Board.

19. A cash deposit of not less than Fifteen Dollars (\$15.00) for each monument shown on the plan and not actually in place shall be made at the time of submission of the Final Plan. The deposit will be paid to the Borough and will be refunded on demand of the Owner after setting of the monuments has been accomplished to the satisfaction of the Borough Engineer. No monument shall be set until the streets have been graded in accordance with the approved plan and profile.

20. In the event that the monuments are not placed by the Owner within thirty days after written notice from the Borough Clerk to the Owner to do so, the Borough Engineer shall proceed to place same, and the deposit shall be paid to the Borough Engineer in compensation for this work.

21. All monuments must be approved durable material (bluestone, limestone or concrete preferably) at least six inches by six inches square and thirty six inches long or such other dimensions as may be required by law, and shall be set so that the lines they mark can be easily checked in the field, and so set that any future grading will not disturb their positions.

22. Upon approval by the Planning Board of the Final Plans, the Owner shall deliver the original and one print of same to the Borough Engineer for presentation to the Planning Board, and the Mayor and Council if required, for proper signatures and attestations, paying such fees as are provided by regulations, laws and ordinances. After proper signature and attestation, the Borough Engineer shall return the original to the Owner who shall have the following reprints made and delivered to the office of the Borough Clerk:

(a) One black line print on tracing cloth for the Borough Engineer.

(b) Five prints for the offices of the various Borough Officers.

The Owner shall promptly file the original tracing with the Clerk of the County of Bergen in accordance with the statute and furnish proof of the filing thereof to the Borough Clerk within five days after the filing of said map.

23. Before final approval of plan showing new streets or roads, the Planning Board may require the installation or satisfactory assurance hereinafter mentioned or subsequent installation of any or all of the following improvements which the Planning Board may decide to be necessary or appropriate, in accordance with the standards fixed by this ordinance or in accordance with whatever standards may be fixed by the Board with the approval of the governing Body: street grading and paving, sidewalks, street lighting standards, curbs and gutters, shade trees, water mains, and storm and sanitary sewers. If a plat is approved by the Planning Board before installation of any or all of the improvements specified by the Board to be made, the Board may require that a performance bond be furnished by the owner sufficient in amount to cover the full cost of all improvements yet to be made, such cost to be as estimated by the Planning Board or by another municipal department or agency designated by the Board. Such performance bond shall be issued by a bonding or surety company approved by the municipal governing body and shall also be approved by such governing body as to form, sufficient and execution. Such performance bond shall run for a period to be fixed by the Planning Board, but in no case for a longer term than three years; provided, however, that the term of such performance bond may be extended by the Planning Board with the consent of the owner and surety for an additional period not to exceed three years. In the event that the required improvements have not been installed as provided in this section within the term of such performance bond, the surety on such performance bond shall be liable thereon to the municipality for the reasonable cost of the improvements not so installed and upon the receipt of the proceeds thereof the municipality shall install such improvements as are covered by such performance bond.

24. The Planning Board reserves the right to waive, modify or vary the specified requirements herein contained in any individual case, where in the judgment of said Board, and such waiver, modification or variance is in the public interest or will avoid the imposition of unnecessary individual hardship.

25. Cash Fees as outlined below shall be deposited with the Borough Clerk (which fees shall not be returned).

(a) Five Dollars (\$5.00) upon submission of the initial "Preliminary Plan" to cover the costs of connection therewith.

(b) Such other fees as may be required (upon delivery of the Final Plan) to cover the estimated cost of the services of the Borough Engineer for checking of the plan, monuments and street grades.

26. No person, firm or corporation developing or subdividing any lands in the Borough of Allendale, laying out any streets therein or performing any acts which are subject to the control or within the jurisdiction of the Planning Board, shall violate any of the rules or regulations or requirements of said Board.

27. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be subject to a fine of not more than Two hundred (\$200.00) Dollars, or imprisonment for a term not exceeding ninety (90) days, or both in the discretion of the Magistrate before whom the matter is heard. Every day that such person, firm or corporation shall fail to comply with the provisions of this ordinance, or any them, shall constitute a separate and additional offense, for which a separate penalty may be imposed.

28. If any section or portion of this ordinance shall be adjudged to be invalid for any reason, such adjudication shall not invalidate the entire ordinance, but only such parts thereof as are directly so declared to be invalid.

29. This ordinance shall take effect when passed and published as required by law.

## NOTICE

Notice is hereby given that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Allendale, held on the 20th day of July, 1950; was passed on final reading at a meeting of the Mayor and Council held on the 10th day of August, 1950, and was, on the 10th day of August, 1950, duly approved by the Mayor of said Borough. Dated: August 10, 1950.

CHARLES R. VOLLARO,  
Borough Clerk.