TOWNSHIP OF FAIRFIELD
ORDINANCE #2012-10

AN ORDINANCE TO AMEND CHAPTER THE ZONE DISTRICT REGULATIONS
APPLICABLE TO
THE R-2 ZONE
OF THE TOWNSHIP OF FAIRFIELD, ESSEX COUNTY
STATE OF NEW JERSEY

WHEREAS, the Township of Fairfield recognizes that the community’s R-2 Zone encompassing property between Route 80 and Big Piece Road is typified by environmentally sensitive features including flood hazard considerations; and

WHEREAS, the Township of Fairfield also recognizes that there remain a number of large parcels in this area whose prospective development could negatively impact on Township residents quality of life due to the increased potential for flooding; and

WHEREAS, the Township supports the findings of the Passaic River Basin Advisory Commission Report, dated January 2011, stating that encroachment into the floodplain of the Passaic River Basin exacerbates flooding and flood damage, and

WHEREAS, local land use policy is designed to curtail flood risk in the Township, which impacts public health, safety and welfare, and the public health, safety and welfare can be advanced by limiting development in this area; and

WHEREAS, NJDEP and FEMA encourage communities to develop land use policies that exceed the minimum standards established by these agencies to address flood risk, and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey that the area and bulk regulations affecting the Township’s R-2 Zone District is hereby amended to address the concerns relating to development in this zone.

The zoning ordinance, Chapter XLV is hereby amended as follows:

Section 1. The Schedule of Area, Yard and Building Requirements Section 45-18 is hereby amended to reads as follows:
TOWNSHIP OF FAIRFIELD
ORDINANCE #2012-10

AN ORDINANCE TO AMEND CHAPTER THE ZONE DISTRICT REGULATIONS
APPLICABLE TO
THE R-2 ZONE
OF THE TOWNSHIP OF FAIRFIELD, ESSEX COUNTY
STATE OF NEW JERSEY

After the schedule (which is included at the end of this chapter) please add the following:

Any property with a valid resolution of subdivision or site plan approval from the Planning Board or Zoning Board of Adjustment, in effect prior to the date of adoption of this Ordinance, is exempt from the overlay zoning provisions set forth herein.

Existing dwellings are exempt from the overlay zone requirements.

New dwellings must meet the overlay regulations.

Section 2. All ordinances of the Township of Fairfield that are inconsistent with the provisions of this ordinance, as they relate to properties regulated by this ordinance, are hereby repealed to the extent of such inconsistency.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect ordinance.

Section 4. The ordinance shall take effect immediately upon final passage, approval, filing with Essex County Planning Board and publication required by law.

Attest:

Denise Cafone, Township Clerk

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on June 25, 2012, introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on July 9, 2012 at 7:30 p.m., at the Municipal Building, 230 Fairfield Road, Fairfield New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest, shall have an opportunity to be heard concerning same.

Denise D. Cafone
Municipal Clerk
INTRODUCTION OF ORDINANCE JUNE 25, 2012:

ORDINANCE #2012-10  AN ORDINANCE TO AMEND CHAPTER THE ZONE DISTRICT REGULATIONS APPLICABLE TO THE R-2 ZONE OF THE TOWNSHIP OF FAIRFIELD, ESSEX COUNTY STATE OF NEW JERSEY

INTRODUCED BY: COUNCILMAN LAFORGIA
SECONDED BY: COUNCILMAN MCGLYNN
PUBLISHED: JUNE 28, 2012

ROLL CALL VOTE

<table>
<thead>
<tr>
<th>GOVERNING BODY</th>
<th>AYES</th>
<th>NAYS</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCILPRESIDENT JOSEPH CIFELLI</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN THOMAS J. MORGAN</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN MICHAEL B. MCGLYNN</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN JOHN LAFORGIA</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAYOR JAMES GASPARINI</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2ND READING AND PUBLIC HEARING JULY 9, 2012:

INTRODUCED BY: Councilman McGlynn
SECONDED BY: Council President Cifelli
PUBLISHED: July 12, 2012

ROLL CALL VOTE

<table>
<thead>
<tr>
<th>GOVERNING BODY</th>
<th>AYES</th>
<th>NAYS</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCILPRESIDENT JOSEPH CIFELLI</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN THOMAS J. MORGAN</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN MICHAEL B. MCGYLNN</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN JOHN LAFORGIA</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAYOR JAMES GASPARINI</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>