

INTRO: 6/25/2012  
ADOTPED: 7/9/2012

**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:

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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.**

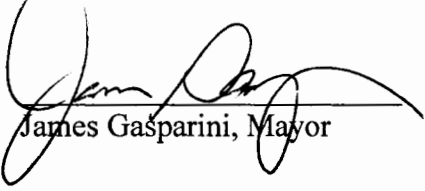
**Existing dwellings are exempt from the overlay zone requirements.**

**New dwellings must meet the overlay regulations.**

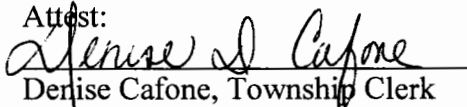
**Section 2.** All ordinances of the Township of Fairfield that are inconsistent with the provisions of this ordinance, as they relate to properties regulated by this ordinance, are hereby repealed to the extent of such inconsistency.

**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.

  
James Gasparini, Mayor

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**

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

**2<sup>ND</sup> READING AND PUBLIC HEARING JULY 9, 2012:**

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

**ROLL CALL VOTE**

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