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**BOROUGH OF MAYWOOD**  
**15 Park Avenue, Maywood, NJ 07607**

**ORDINANCE #3-26**

**AN ORDINANCE OF THE BOROUGH OF MAYWOOD, COUNTY OF BERGEN, STATE OF NEW  
JERSEY, CREATING A STACKED TOWNHOME OVERLAY DISTRICT AND ESTABLISHING  
DEVELOPMENT STANDARDS FOR INCLUSIONARY STACKED TOWNHOME DEVELOPMENT**

**Section 1. Title**

This Ordinance shall be known and may be cited as the “West Passaic Street Stacked Townhome Overlay District Ordinance of the Borough of Maywood.”

**Section 2. Purpose**

The purpose of this Ordinance is to create a Stacked Townhome Overlay District to facilitate the development of inclusionary multi-family housing in a manner compatible with surrounding neighborhoods while advancing the Borough’s constitutional obligation to provide a realistic opportunity for affordable housing pursuant to the Mount Laurel Doctrine and the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). This Overlay District implements the Borough’s Housing Element and Fair Share Plan.

**Section 3. Applicability**

The Stacked Townhome Overlay District shall apply only to the following properties, as designated by ordinance or zoning map amendment: Block 87, Lot 2; Block 87, Lot 3; and Block 87, Lot 4. The Overlay District establishes an optional alternative set of zoning standards. All underlying zoning regulations shall remain in effect unless expressly superseded by the provisions of this Overlay District.

**Section 4. Definitions**

Stacked Townhome: A self-contained dwelling unit designed for occupancy by a single household, located within a multi-unit residential building where units are stacked vertically and/or arranged horizontally, separated by common walls, floors, or ceilings, and sharing common circulation areas, parking facilities, or other common elements.

**Section 5. Permitted Uses**

A. Principal Use: Inclusionary stacked townhome residential buildings.

B. Accessory Uses: Structured or surface parking, open space and recreational amenities, maintenance buildings, utilities, storage, and customary residential accessory uses.

### **Section 6. Affordable Housing Requirement**

A. A minimum of twenty percent (20%) of all dwelling units shall be deed-restricted affordable housing units.

B. At least fifty percent (50%) of affordable units shall be low-income units.

C. At least thirteen percent (13%) of low-income units shall be very-low-income units.

D. All affordable units shall comply with Chapter 211, Affordable Housing Ordinance, of the Borough of Maywood and the Uniform Housing Affordability Controls (UHAC) (N.J.A.C. 5:80-26.1 et seq.), and shall be administered by the Borough's Administrative Agent.

### **Section 7. Density and Bulk Standards**

A. Maximum Density: 18 dwelling units per acre.

B. Minimum Lot Size: 2 acre (87,120 square feet)

C. Maximum Building Height: Three (3) stories and forty-five (40) feet.

D. Minimum Setbacks:

1. Front Yard: 30 feet

2. Side Yard: 20 feet

3. Rear Yard: 30 feet

E. Minimum Buffer to Single-Family Zones: 25 feet landscaped buffer.

F. Maximum Building Coverage: 45%.

G. Maximum Impervious Coverage: 75%.

H. Open Space: Minimum 10% of site area.

I. Parking: RSIS compliant including EV requirements.

### **Section 8. Building Separation and Design**

A. Minimum Separation (3 stories):

1. Front to Front: 68 feet

2. Side to Side: 15 feet

3. Side to Rear: 35 feet

4. Rear to Rear: 40 feet

B. Maximum Units per Building: 16 units.

C. Maximum Building Length: 240 feet.

### **Section 9. Architectural and Site Design Standards**

Buildings shall include façade articulation, pedestrian orientation, screened parking, screened mechanical equipment, and landscaped buffers to ensure neighborhood compatibility.

### **Section 10. Landscaping and Open Space**

Landscaping shall include street trees, perimeter buffers, internal plantings, and accessible open space areas. Passive recreation amenities are encouraged.

### **Section 11. Residential Buffering**

#### **A. Applicability**

A residential buffer shall be required where development in the [Zone Name] District abuts or is located across a public or private street from property zoned or used for single-family residential purposes.

#### **B. Buffer Width**

A minimum buffer width of twenty-five (25) feet shall be provided, measured from the property line or right-of-way line adjacent to the single-family residential property.

#### **C. Buffer Design**

The buffer shall be landscaped and maintained to provide year-round visual screening and shall include:

1. A landscaped berm;
2. Staggered rows of evergreen trees; and
3. Additional plantings appropriate to the local climate and site conditions.

Evergreen trees shall be a species suitable for the region and shall have a minimum height of six (6) to eight (8) feet at the time of planting.

#### **D. Prohibited Uses**

No buildings, parking areas, or storage shall be permitted within the required buffer. Utilities or pedestrian paths may be allowed where they do not reduce the effectiveness of the buffer, subject to approval.

### **Section 12. Administration**

Affordable housing units shall be administered by the Borough's Affordable Housing Liaison and Administrative Agent.

### **Section 13. Developer's Agreement**

A developer's agreement shall be executed prior to issuance of building permits, addressing affordable housing obligations, phasing, and compliance.

### **Section 14. Repealer**

All ordinances or parts thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

**Section 15. Severability**

If any section or provision is found invalid, such invalidity shall not affect the remaining provisions.

**Section 16. Effective Date**

This Ordinance shall take effect upon final passage and publication as required by law.

Date:

APPROVED: \_\_\_\_\_  
Richard Bolan, Mayor

ATTEST: \_\_\_\_\_  
Barbara L. Dispoto, RMC/CMC  
Borough Clerk

**Introduction-1<sup>st</sup> Reading**

**Date: February 10, 2026**

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilmember Bennin			X				
Councilmember DeMuro			X				
Councilmember Herrick	X		X				
Councilmember Padovano			X				
Councilmember Ullman			X				
Council President Flynn		X	X				

**Adoption-2<sup>nd</sup>/Final Reading**


**Date:**

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilmember Bennin							
Councilmember DeMuro							
Councilmember Herrick							
Councilmember Padovano							
Councilmember Ullman							
Council President Flynn							

**CERTIFICATION**

I, Barbara L. Dispoto, Municipal Clerk of the Borough of Maywood in the County of Bergen and the State of New Jersey do hereby certify that the foregoing ordinance is a true copy of the original ordinance duly passed and introduced on first reading by the Governing Body at the meeting of February 10, 2026.

Date: 2-11-26

  
Barbara L. Dispoto, RMC/CMC  
Borough Clerk

