

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2018 - 059 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2016-166 AUTHORIZING A REDUCED BUILDING SUBCODE FEE PER CUBIC FOOT OF VOLUME AND MAXIMUM BUILDING HEIGHT FOR TWINS REALTY GROUP LLC WITH REGARD TO NEW COMMERCIAL BUILDING CONSTRUCTION FOR PROPERTY LOCATED AT BURNT MEADOW ROAD

**WHEREAS**, the Township of West Milford adopted resolution 2016-166 on May 4, 2016 authorizing a reduced building sub code fee per cubic foot of volume and maximum building height for Twins Realty Group LLC with regard to new commercial building construction for property located at Burnt Meadow Road; and

**WHEREAS**, the resolution stated that:

1. Current Township of West Milford fee ordinance, Section 12-2.1 of the Revised General Ordinances for new construction states that "Use group S1 and S2 for commercial; and use group F1 and F2 shall be charged \$0.036 per cubic foot of volume with a minimum fee of \$250.00".
2. Twins Realty Group LLC received Preliminary and Final Site Plan approval from the Planning Board in 2012 for the construction of several large open volume industrial buildings at an existing pre-cast concrete manufacturing site on Burnt Meadow Road.
3. Twins Realty Group LLC requested a fee reduction on the building sub code fee for this project due to the size of these buildings, which will total approximately 1,313,566 cubic feet.
4. Following discussions between the Township Administrator, the Township Construction Official and Twins Realty Group LLC, it has been determined that the rate for the Building Sub Code Fee can be moderately reduced for the benefit of all parties, while still maintaining operating costs.
5. State of New Jersey Uniform Construction Code Fee for S1, S2, F1 and F2 Use Groups is set at a rate of \$0.021 per cubic foot of volume, and the Township of West Milford Building Subcode Fee is set at a rate of \$0.036 per cubic foot of volume.
6. The Construction Official has recommended that a reduced rate of the Building Subcode Fee to \$0.028 per cubic foot of volume, as well as computing the fee based upon the maximum ceiling height of 20 feet, for Twins Realty Group LLC would be sufficient to maintain all levels of administrative, inspection and operational costs without negatively impacting the Township.
7. The State of New Jersey Department of Community Affairs recognizes that the fees for certain large industrial open volume buildings such as barns, silos, greenhouses, warehouses and other agricultural, recreational, and storage use buildings require less time for plan review and inspections, and will be capping the height at 20 feet for purposes of calculating the volume upon which the fee is based, with a May 2016 tentative adoption date.

**NOW THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of West Milford does hereby approve the reduction of the Building Subcode Fee for Twins Realty Group LLC to a rate of \$0.028 per cubic foot of volume, with a maximum ceiling height of 20 feet, for the construction of manufacturing buildings on Burnt Meadow Road, Block 6002; Lot 39.01 and Block 3906; Lots 9 & 10 under the Preliminary and Final Site Plan approved by the West Milford Planning Board with Resolution No. 2012 -13; and

**BE IT FURTHER RESOLVED** that John Vitale of Twins Realty Group LLC **will be required to obtain the building permit application from the Office of the Construction Official** for the initial phases of the above referenced project **within 30 days following the adoption of this resolution.**

Adopted: February 21, 2018

Adopted on this 21<sup>st</sup> day of February, 2018  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk