

RESOLUTION

Township of West Orange

Planning Board

PB 22-07 West Orange Senior Housing LLC/46 Mount Pleasant Avenue

Block: 68 Lot: 1 and Block 67 Lot 1; Zone: R-G

Decided on August 3, 2022

Memorialized on September 7, 2022

Senior Housing Project Review

WHEREAS, West Orange Senior Housing, LLC (“Applicant”) has made a referral to the Planning Board for a courtesy review of a senior housing project pursuant to N.J.S.A. 40:55D-31(a) and N.J.A.C. 6A:26-3.2(c) in order to subdivide Township-owned properties to effectuate a development previously approved by the Planning Board on the site of the current West Orange Public Library at property located at 46 Mount Pleasant Avenue, also known as Block: 68; Lot 1 and Block 67 Lot 1, in the R-T Zone; and

WHEREAS, a public hearing was conducted on August 3, 2022; and

WHEREAS, the Applicant was represented by William C. Sullivan, Jr., Esq. and Patrick McNamara, Esq. of the firm Scarinci & Hollenbeck, LLC; and

WHEREAS, the Applicant provided testimony by Greg Domalewski, P.E., of MidAtlantic Engineering, a licensed professional surveyor; and

WHEREAS, the Applicant submitted the following documents to the Board in the form of the submission package:

ITEM	SIGNED BY	DATE/REVISION
Resolution 124-22 Authorizing Proposed Sale and Purchase	Karen J. Carnevale, R.M.C., Municipal Clerk and Susan McCartney, Council President	April 26, 2022

Courtesy Review Application Form	Joseph Alpert	July 29, 2022
Technical Subdivision and Right of Way Vacation Plan	Suzanne L. Warren, P.L.S.	July 11, 2022
West Orange Planning Board Resolution B-19-05C	Robin Miller, Secretary	August 7, 2019

WHEREAS, representatives of the public had an opportunity to ask questions of the witnesses and had an opportunity to offer statements in regard to the submission; and

WHEREAS, the Board reviewed and considered the Subdivision Plat, testimony and documents submitted therewith; and

WHEREAS, the Board also considered the input of its professionals at the hearing; and

NOW THEREFORE, the Board makes the following findings of fact, based upon the evidence presented at its public hearings, at which a record was made:

1. The Applicant has submitted a referral to the Planning Board for courtesy review of a subdivision to effectuate a previously approved development pursuant to N.J.S.A. 40:55D-31(a) and N.J.A.C. 6A:26-3.2(c) on the property.
2. The property is located on Mount Pleasant Avenue near the intersection of Main Street and is the site of the current West Orange Public Library .
3. The Applicant does not require any variance relief from the Board.
4. The Applicant referred the subject subdivision to the Planning Board for “review and recommendation in conjunction with [the] master plan[.]” N.J.S.A. 40:55D-31(a). The Applicant may not act upon the proposed project without first reviewing the Planning Board’s recommendation. Id.

5. The proposed subdivision provides a path to effectuate the purchase and sale of property dedicated to the development of senior housing in the Township and is necessary due to an existing right-of-way between the two lots.
6. The development approvals for the publicly owned property have already been granted and are not the subject of this subdivision.
7. The Municipal Plaza right-of way merged with the two existing adjoining lots – Block 67, Lot 1, the existing library building/future senior housing and the remainder of Block 68, Lot 1, the remainder of the existing Municipal Complex lot.
8. The proposed lot, Block 68, Lot 1.01 is being created pursuant to the West Orange Library Redevelopment Plan for the Library and Senior housing.
9. A portion of the property shown as a “triangle” on the plans and as further described on the record will remain with Block 67, Lot 1 for community parking and as an access easement.
10. A permanent easement for utilities to the property will be provided on the plan.
11. The triangle area will be maintained as part of the Senior Housing project and the permanent easement will be maintained by the Senior Housing project.

NOW, THEREFORE, based upon the foregoing findings of fact, the Board reaches the following conclusions of law:

1. Testimony established that in order to effectuate the development of a proposed Senior Citizen Housing project, the proposed subdivision is beneficial to the Township and is consistent with the Master Plan and the previously approved development plan.
2. The Township Planner, Paul Grygiel, testified that he is satisfied with the plan as presented.

3. The project meets the goals of the Master Plan as it fulfills the goals and objectives including that the affordable senior housing project approved on the subject property implements one of the compliance mechanisms in the Township of West Orange's court approved Master Plan Housing Element and Fair Share Plan.

NOW THEREFORE be it resolved by the Planning Board of the Township of West Orange that the application for subdivision of the property located at 46 Mount Pleasant Avenue, is not inconsistent with the Township Master Plan .

AND IT IS FURTHER RESOLVED that the Planning Board makes the following recommendations regarding the Senior Housing Project:

1. West Orange Senior Housing, LLC and its assigns will maintain the triangular area on Block 67 Lot 1 reserved for parking and as an access easement.
2. Applicant agrees to a permanent easement for utilities running through the site.

The undersigned secretary certifies the decision set forth herein was made by this Board on August 3, 2022 and memorialized herein pursuant to N.J.S.A. 40:55D10(g) on September 7, 2022.

JAMILET BAQUERIZO VITE,
PLANNING BOARD SECRETARY