



TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, N.J. 07052

Department of Planning and Development

SUSAN MC CARTNEY
Mayor

Tel: (973) 325-4110
Fax: (973) 325-6359
Email: planning@westorange.org

TO: Planning Board Members

FROM: Paul Grygiel, AICP, PP, Township Planner

DATE: March 28, 2023

RE: **Master Plan Consistency Review – Multiple Ordinances Amending Fees**

The Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-26a includes the following requirement:

Prior to the adoption of a development regulation, revision, or amendment thereto, the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate.

The Township Council introduced 20 proposed ordinances at its March 21, 2023 meeting. Each of these ordinances amends a section of the Township Code related to fees, with the only substantive changes to remove specifics regarding the fee(s) from the ordinance and to indicate the fee(s) will be “prescribed by resolution.”

It is noted 16 of these ordinances pertain to sections of Chapter 25, the Land Use Regulations Ordinance. The other four amend Chapters 1 and 14 (General and Housing, respectively). The MLUL defines a “development regulation” as “a zoning ordinance, subdivision ordinance, site plan ordinance, official map ordinance or other municipal regulation of the use and development of land, or amendment thereto adopted and filed pursuant to” the MLUL. Therefore the Planning Board’s review is for the amendments to Chapter 25.

I have reviewed these ordinances for Master Plan consistency. The setting of fees is not addressed in the West Orange Master Plan. Therefore in my opinion, the changes proposed in these 16 ordinances are not inconsistent with the Township’s Master Plan.



AN EQUAL OPPORTUNITY EMPLOYER
www.westorange.org