

MEMORANDUM

TO: Township of West Orange Planning Board

FR: Gerard M. Haizel, PP, AICP, Principal 

RE: **Master Plan Consistency Review – Ordinance 2918-25 – An Ordinance Amending and Supplementing Chapter 25, Section 29 of the Revised General Ordinances of the Township of West Orange Based on Recommendations of the New Jersey Stormwater Best Management Practices Manual**

DT: May 7, 2025

Pursuant to The *NJ Municipal Land Use Law (MLUL)* at N.J.S.A. 40:55D-26(a), the above referenced matter was referred to the Township Planning Board for review and comment to the Governing Body, regarding the proposed Ordinance's consistency with the Township's Master Plan.

For this review, the following items were reviewed:

- Township of West Orange Ordinance 2918-25
- Memorandum to the West Orange Planning Board providing a Review of Ordinance 2918-25, dated April 28, 2025, prepared by Zayibeth Carballo, PE, PLS, PP, CME, CFM Municipal Engineer
- Township of West Orange Ordinance 2870-24
- Township of West Orange Master Plan Reexamination Report And Plan Element Amendments – 2019.
- Memorandum to the West Orange Planning Board providing a Review of Ordinance 2870-24, dated October 31, 2024, prepared by John J. Hess, PE, PP, CME, West Orange Planning Board Engineer.

At its meeting on April 8, 2025, the West Orange Township Council introduced Ordinance 2918-25 on first reading. This Ordinance provides an amendment to Ordinance 2870-24, which updated the stormwater management requirements in Chapter 25, Section 29 of the *Revised General Ordinance of the Township of West Orange*, based on the latest Stormwater

Management Rules in N.J.A.C. 7:8, which was last amended by the New Jersey Department of Environmental Protection (NJDEP) on July 17, 2023.

The purpose of the proposed amendment, as stated in Ordinance 2870-24, is to

“...establish minimum stormwater management requirements and controls for “major development,” and “minor development” as defined below in § 25-29.2”

As explained by the Township Engineer, Zayibeth Carballo, in her Memorandum to this Board, dated April 28, 2025, the amendment provided by Ordinance 2918-25 *“...introduces additional definitions in Section 29.2, updates the definition of a Major Development and establishes a definition for Minor Development that consist of design standards for projects that qualify as a Minor Development.”* Ms. Carballo further opines that, *“... the changes that have been made to this ordinance are more stringent for Major and Minor Developments than the NJDEP model ordinance.”*

As I indicated in my previous “Master Plan Consistency Review for Ordinance 2870-24,” dated November 5, 2024, the updating of the Township’s Stormwater Management regulations is contemplated in the Township’s *2019 Master Plan Update*. This is substantiated in the *Plan Element Amendments* section of the 2019 Master Plan Update, in Section V. *Circulation, B-Existing Conditions, Issues and Recommendations for Pedestrian/Bicycle Safety*, where it recommends, *“incorporation of green streets and infrastructure, in furtherance of New Jersey’s updated stormwater management rules.”*

The review of the Ordinance by the West Orange Municipal Engineer, further supports the consistency of the proposed amendment. In her Memorandum she states, *“... it is my professional opinion that Stormwater Control Ordinance (SCO) 2918-25 which is more stringent than the NJDEP model ordinance, complies with the requirements set forth in N.J.A.C., 7:8 which was last amended and adopted by Council on November 25, 2024.”*

Based on the above, in my opinion, the proposed amendment to Chapter 25, Section 29 embodied in Ordinance 2918-25 is consistent with the Township’s Master Plan and furthers the goals and objectives of the same.