HEYER, GRUEL & ASSOCIATES
COMMUNITY PLANNING CONSULTANTS

**TO:** Township of West Orange Planning Board

**CC:** Geniece Gary-Adams, Director of Planning and Development/Zoning Official
Jamilet Baquerizo Vite, Planning Board Secretary

**FROM:** Malvika Apte, PP, AICP, Planning Board Planner
Langley Oudemans, Associate Planner

**RE:** Master Plan Consistency Review: Ordinance 2999-26 "An Ordinance Amending the Code of the Township of West Orange, Chapter 25, 'Land Use Regulations,' to Establish the Continuing Care Retirement Community District (CCRC) at Block 171 Lot 12 and to Establish Standards and Regulations for CCRC Development and Operations"

**DATE:** November 3, 2026

---

## 1. Purpose:

This memo provides a review of the consistency of proposed Ordinance 2999-26 with the Township of West Orange's Master Plan and Housing Element. The goals, objectives, and recommendations of both the 2019 Master Plan Reexamination Report and the 2025 Fourth Round Housing Element and Fair Share Plan were reviewed, and the findings are presented in the body of this report.

## 2. Statutory Basis for the Master Plan Consistency Review

According to the New Jersey Municipal Land Use Law ("MLUL"), specifically N.J.S.A. 40:55D-62a, all municipal land use regulations are required to "either be substantially consistent with the land use plan element and the housing plan element of the master plan or designed to effectuate such plan elements."

Additionally, per N.J.S.A. 40:55D-26, "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." This report aims

to satisfy this requirement by evaluating whether the above-mentioned ordinance is consistent with the Township's Master Plan.

If necessary, land development regulations that do not conform to the above consistency requirement can nonetheless be adopted by the Township Council, but this can only be achieved by way of a majority vote of the full membership and "with the reasons of the governing body for so acting set forth in a resolution and recorded in its minutes..."

## 3. Master Plan Consistency Review

Ordinance 2999-26 amends the Township of West Orange's Land Use Regulations, contained in Chapter 25 of the Township Code, in order to establish a Continuing Care Retirement Community (CCRC) District and establish the bulk standards, development requirements, and operational requirements for this district. The Ordinance creates CCRC district for site identified as Block 171 Lot 12 in the Township Tax records. Currently the site is developed and operates as nursing home.

The Ordinance states that the purpose of the CCRC District is to:

- *Provide for affordable units/beds to partially address the Township's affordable housing obligations.*
- *Ensure the provision of safe, secure, and well-designed housing and care for seniors.*
- *Protect the financial interests of prospective and current residents through compliance with stringent State and Federal oversight.*
- *Encourage innovative design and site planning that respects the character of the Township and the site*.

This amendment directly implements the goals of the 2019 Master Plan Reexamination and the 2025 Fourth Round Housing Element and Fair Share Plan.

### A. Master Plan Considerations

In relation to the 2019 Master Plan Reexamination, Ordinance 2999-26 is consistent with, and directly implements, the following objective:

- ***Provide for the housing needs of senior citizens and low- and moderate-income households.*** Further in the text it states, *"The general objective remains valid. The Township has been proactive in addressing its affordable housing obligations, as well as seeking to provide additional senior housing. West Orange has other*

*specialized housing, including assisted living and nursing facilities, which provide community benefits to support an aging population.*"

- As outlined in the text of the Ordinance, the CCRC district would permit Independent Living units, Skilled Nursing beds, and Assisted Living beds, a portion of which will include a 10% affordable set-aside, not to be less than 7 Assisted Living beds. With the creation of this district, the objective of providing housing needs for senior citizens and low- and moderate-income households is met.

Ordinance 2999-26 is also consistent with the following principle defined in the Master Plan:

- ***Encourage appropriate residential development.***
  - Within the description of this principle, the Master Plan notes, "senior and specialized housing options should be supported, as long as potential development impacts are addressed." The developability of the site is addressed in the 2025 Fourth Round Housing Element and Fair Share Plan (HEFSP), detailed below. The HEFSP notes that the site includes suitable development conditions and it is adjacent to appropriate related uses, including residential uses and the Kessler Rehabilitation Institute.

**B. Housing Element Considerations**

The 2025 Fourth Round Housing Element and Fair Share Plan (HEFSP) highlights the fact that the average age of the Township's population is increasing, and the largest cohort of residents by age is over the age of 65. The HEFSP notes, "*this data suggests that a larger portion of the Township's residents are transitioning into the senior citizen age range, which will require the Township to consider planning tools and approaches that encourage aging-in-place*." This Ordinance furthers this intention by creating a new zoning district that is specifically intended to encourage aging-in-place in West Orange.

Additionally, the HEFSP directly recommends that the site, which is the subject of this Ordinance (Block 171, Lot 12), be rezoned to create the CCRC Zone. The Plan includes specific support for the development of this site as a continuing care retirement community, and it notes that the site is appropriate for this type of development. The intentions and direct recommendations of the HEFSP are implemented by Ordinance 2999-26.

## 4. Conclusion

The proposed amendment to Chapter 25 to include the CCRC District is noted to be substantially consistent with the Township of West Orange's 2019 Master Plan Reexamination Report and the 2025 Fourth Round Housing Element and Fair Share Plan. It creates a designated area for the development of senior housing and affordable senior housing, thereby effectuating the goals and recommendations of the Master Plan and Housing Element.