

WEST ORANGE TOWNSHIP PLANNING BOARD

RESOLUTION NO. 20-05

RESOLUTION RECOMMENDING ADOPTION OF ORDINANCE 2616-20-AMENDING AND SUPPLEMENTING CHAPTER XXV, SUBSECTIONS 25-27.3 & 25-27.4, LAND USE REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE (TREE PROTECTION AND REMOVAL)

WHEREAS, the West Orange Township Council (the “Council”) has introduced an Ordinance (2616-20) Amending and Supplementing Chapter XXV, Subections 25-27.3 & 25-27.4, of the Revised General Ordinances of the Township of West Orange (the “Township”) entitled Land Use Regulations (hereinafter the “Ordinance”); and

WHEREAS, the Council has referred Ordinance 2616-20 to the Planning Board (the “Board”) pursuant to the Municipal Land Use Law. N.J.S.A. 40:55D-26a; and

WHEREAS, the purpose of the Ordinance is to require any tree cutting and/or removal to be performed only by tree care professionals who are duly licensed under the Tree Experts and Tree Care Operators Licensing Act, N.J.S.A. 45:15C–11 to –32, and who are also registered with the Township of West Orange Department of Public Works; and

WHEREAS, the Ordinance would also narrow the exceptions to the licensing requirement to exclude trees close to property boundaries in an effort to prevent disputes between neighboring property owners; and

WHEREAS, the Ordinance was reviewed and considered by the Planning Board at a publicly noticed meeting held on October 7, 2020 wherein the Board voted to formally recommend that the Council adopt the Ordinance; and

WHEREAS, the Board, pursuant to law, has made the following findings of fact and conclusions:

1. The proposed amendments to Subsections 25-27.3 & 25-27.4 in the Ordinance are mostly administrative in nature, dealing with the certifications and/or qualifications of those reviewing tree removal plans and licensing of those removing trees.
2. None of the proposed amendments relate directly to the Township’s Updated Master Plan Land Use Plan Element.
3. The changes are generally consistent with Master Plan objectives related to preservation of natural features.

NOW, THEREFORE, BE IT RESOLVED on this 4th day of November, 2020, by the Planning Board of the Township of West Orange, County of Essex, New Jersey, that the Planning Board has determined that proposed Ordinance 2616-20 is substantially consistent with the Township’s Master Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board recommends that the Ordinance, a copy of which is attached hereto as Exhibit A, be adopted by the Township Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby directs the Secretary to forward this Resolution to the Township Clerk for Township Council consideration.

OCTOBER 7, 2020 ROLL CALL VOTE ON ACTION BY THE BOARD

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
Bagoff (Vice-Chair)		X	X			
Johnson (1 st Alt.)			X			
Smeraldo			X			
Klein						X
McCartney			X			
Trenk			X			
Weston (Chair)	X		X			
Williams						X
Wilkes			X			

NOVEMBER 4, 2020 ROLL CALL VOTE ON THE RESOLUTION

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
Bagoff (Vice-Chair)						
Johnson (1 st Alt.)						
Smeraldo						
Klein						
McCartney						
Trenk						
Weston (Chair)						
Williams						
Wilkes						

CERTIFICATION

I hereby CERTIFY on this day _____ that the foregoing is a true copy of a Resolution adopted by the West Orange Township Planning Board at a publicly noticed meeting held on November 4, 2020, at which a quorum was present.

Sean McCauley-Secretary