

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR AN AREA IN NEED OF REDEVELOPMENT CONSISTING OF BLOCK 9, LOTS 11.01, 11.02, 11.03, 32, 36 AND BLOCK 7, LOT 22 IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, et. seq.

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., on May 3, 2016, the Township Council adopted Resolution No. 120-16 authorizing the Township of West Orange Planning Board (the “Planning Board”) to undertake a preliminary investigation for the redevelopment of approximately 2.5 acres of land known as Block 9, Lots 11.01, 11.02, 11.03, 32, and 36 as shown on the Township of West Orange Tax Map (the “Study Area”); and

WHEREAS, on June 14, 2016, the Township Council adopted Resolution No. 138-16 supplementing the Study Area to add the property identified as Block 7, Lot 22 on the Township of West Orange Tax Map; and

WHEREAS, the Planning Board, pursuant to N.J.S.A. 40A:12A-6, undertook a preliminary investigation as presented by Matrix New World Engineering (“Matrix”), and in conjunction therewith, adopted a map showing the boundaries of the Study Area, the location of the various parcels of property constituting the Study Area and a statement setting forth the basis for its Preliminary Investigation; and

WHEREAS, the Planning Board conducted a public hearing, duly noticed under the Local Redevelopment and Housing Law, on September 7, 2016, at which members of the general public, including all persons who were interested in or would be affected by a determination that the Study Area constituted an “area in need of redevelopment,” were given an opportunity to be heard and all objections to such determination and evidence in support

thereof, whether given orally or in writing, were received and considered by the Planning Board and made a part of the public record; and

WHEREAS, the Planning Board, after concluding its study of the matter, forwarded a report to the Township Council entitled “Area in Need of Redevelopment Study, Block 9, Lot 11.01, 11.02, 11.03, 32, & 36 and Block 7, Lot 22 Township of West Orange” prepared by Matrix dated July 11, 2016; and

WHEREAS, at its hearing on October 6, 2016, the Planning Board formally adopted Resolution #16-03 which memorialized its conclusion that the Study Area met the criteria of an “area in need of redevelopment” in accordance with N.J.S.A. 40A:12A-5 of the Local Redevelopment and Housing Law; and

WHEREAS, on October 26, 2016, the Township Council adopted Resolution No. 228-16 designating the Study Area as an “area in need of redevelopment” and authorized the Township of West Orange to use all of the powers provided by the Legislature for use in the Study Area, including the use of eminent domain, thus designating the Study Area as a “condemnation redevelopment area”; and

WHEREAS, the Township Council also directed the Planning Board to prepare a Redevelopment Plan for the Study Area pursuant to N.J.S.A. 40A:12A-7f of the Local Redevelopment and Housing Law; and

WHEREAS, Matrix, was authorized on behalf of the Planning Board to prepare a Redevelopment Plan, which Redevelopment Plan is entitled “Redevelopment Plan, Block 9, Lot 11.01, 11.02, 11.03, 32, & 36 and Block 7, Lot 22 Township of West Orange,” last dated November, 2016 (the “Redevelopment Plan”); and

WHEREAS, on December 7, 2016, Matrix presented the Redevelopment Plan to the Planning Board for a Master Plan consistency review in accordance with N.J.S.A. 40A:12A-7e; and

WHEREAS, the Planning Board approved the Redevelopment Plan with suggested revisions memorialized in a formal letter to the Township Council; and

WHEREAS, the Redevelopment Plan was revised to incorporated the edits suggested by the Planning Board; and

WHEREAS, the Township Council has reviewed and carefully considered the Redevelopment Plan and has found it to be satisfactory and now desires to adopt this Ordinance formally adopting the aforesaid Redevelopment Plan; and

WHEREAS, the Commissioner of the State Department of Community Affairs has approved the designation of the Study Area as a “condemnation area in need redevelopment.”

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Orange, County of Essex and State of New Jersey that the Redevelopment Plan as referenced in this Ordinance be adopted in accordance with N.J.S.A. 40A:12A-7 of the Local Redevelopment and Housing Law; and be it further

ORDAINED that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency; and be it further

ORDAINED that if any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective; and be it further

ORDAINED that this Ordinance shall take effect upon: (i) filing with the Essex County Planning Board in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey general law.

Robert D. Parisi, Mayor

Victor Cirilo, Council President

Karen J. Carnevale, R.M.C., Municipal Clerk

Introduced: December 20, 2016

Adopted: January 3, 2017

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