

**RESOLUTION NO. 21-01**

**MEMORIALIZING RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP  
OF WEST ORANGE, IN THE COUNTY OF ESSEX**

**RECOMMENDING THAT THE TOWNSHIP COUNCIL ADOPT THE “EXECUTIVE  
DRIVE-ROONEY CIRCLE”  
NON-CONDEMNATION REDEVELOPMENT PLAN FOR BLOCK 155, LOT 40.02;  
BLOCK 155, LOT 42.02; AND BLOCK 155, LOT 41.02**

**PUBLIC HEARING(S):     January 20, 2021**

**MEMORIALIZED:         January 20, 2021**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, by Resolution #178-20 adopted on September 22, 2020, the Township Council (the “Township Council”) of the Township of West Orange (the “Township”) authorized and directed the Township’s Planning Board (the “Planning Board”) to conduct a preliminary investigation of the properties identified as 100 Executive Drive, 200 Executive Drive and 10 Rooney Circle and designated as Block 155, Lots 40.02, 42.02 and 41.02 on the Tax Maps of the Township (the “Study Area”) to determine whether the Study Area meets the criteria set forth in the Redevelopment Law for redevelopment area designation, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS**, the Planning Board and the Township Council caused Susan Gruel, P.P., of the firm Heyer, Gruel and Associates (the “Planning Consultant”) to conduct a preliminary investigation to determine whether the Study Area should be designated an area in need of redevelopment; and

**WHEREAS**, the Planning Consultant conducted such an investigation and prepared a report, dated October 29, 2020, and entitled “Executive Drive Redevelopment Study, Township of West Orange, Essex County, New Jersey”, memorializing its findings and recommendations; and

**WHEREAS**, the Planning Board conducted public hearings on November 18 and 19 2020, in which the Planning Board provided an opportunity to hear all persons who were interested in or would be affected by the determination that the Study Area is a non-condemnation redevelopment area;

**WHEREAS**, after the public hearings, the Planning Board concluded that the Study Area meets the criteria set forth in N.J.S.A. 40A:12A-5b and 5d for designation as an area in need of redevelopment and recommended that the Township Council make such designation; and

**WHEREAS**, on December 2, 2020, the Planning Board adopted a resolution (WOPB Res. 20-09) memorializing its findings and recommendations; and

**WHEREAS**, by Resolution #1249-20 adopted on December 15, 2020, the Township Council designated the Study Area as a non-condemnation area in need of redevelopment (hereinafter, the “Redevelopment Area”) under the Redevelopment Law; and

**WHEREAS**, in Resolution #1249-20, the Township Council also directed the Planning Board to prepare a redevelopment Plan; and

**WHEREAS**, by Resolution #254-20 adopted on December 15, 2020, the Township Council retained Heyer, Gruel and Associates (“Heyer, Gruel”) to work with the Planning Board to prepare a Redevelopment Plan for the Redevelopment Area; and

**WHEREAS**, Heyer, Gruel prepared a redevelopment plan, entitled “Executive Drive-Rooney Circle Redevelopment Plan” (the “Redevelopment Plan”) and dated January 18, 2021, for the Redevelopment Area; and

**WHEREAS**, Susan S. Gruel, P.P., of Heyer, Gruel presented the Redevelopment Plan to the Planning Board at a special virtual meeting of the Board on January 20, 2021, at which all members of the public who wished to be heard were provided an opportunity to be heard; and

**WHEREAS**, the Planning Board reviewed the Redevelopment Plan and considered the testimony of the Planning Consultant and members of the public who provided comments;

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of West Orange as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Planning Board hereby (a) finds that the Redevelopment Plan contains the elements required by the Redevelopment Law, sets forth goals and objectives for the Redevelopment Area, and provides uses and design standards to govern the redevelopment of the Redevelopment Area in a manner consistent with the Township’s goals and objectives. Specifically, the Plan contains an outline for the development of the Redevelopment Area sufficient to indicate:

- its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;

- proposed land uses and building requirements in the redevelopment area;

- adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe

and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;

-an identification of any property within the Redevelopment Area proposed to be acquired in accordance with the redevelopment plan;

-any significant relationship of the redevelopment plan to the Master Plans of contiguous municipalities; the Master Plan of the County in which the municipality is located and the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act”;

-as of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to law, that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions listed by affordability level, number of bedrooms, and tenure;

-a plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan; and

-proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

3. The Planning Board (b) finds that the provisions contained in the Redevelopment Plan are consistent with the Township’s Master Plan Reexamination Report and Update (2019 ) and any applicable subsequent Plan Element Amendments. Specifically, the following 2019 Master Plan Objectives are advanced by the Redevelopment Plan:

-guide appropriate long-range development of lands within the Township through a continual planning process;

-encourage coordination of public development with land use policies;

-provide sufficient space for balanced growth and development;

-encourage economic development, redevelopment and rehabilitation in Downtown and other commercial areas that is compatible with the character of the Township;

-provide for the housing needs of senior citizens and low-and moderate-income households; and

-coordinate public and private procedures and activities.

Moreover, the following Master Plan Elements and their accompanying objectives are furthered by the Redevelopment Plan: Land Use, Economic Development, Community Facilities, Sustainability and Circulation.

4. The Planning Board (c) recommends that the Township Council adopt the Redevelopment Plan as presented to the Planning Board on January 20, 2021.
5. This resolution shall take effect immediately. The Secretary of the Planning Board shall deliver a copy hereof and of the Redevelopment Plan to the Township Clerk, for the attention of the Township Council, immediately.

**JANUARY 20, 2021 ROLL CALL VOTE ON ACTION BY THE BOARD**

| Board Member        | Motion | Second | Aye | Nay | Abstain | Absent |
|---------------------|--------|--------|-----|-----|---------|--------|
| Bagoff (Chair)      | ✓      |        | ✓   |     |         |        |
| Johnson             |        |        |     |     |         | —      |
| Smeraldo            |        |        | ✓   |     |         |        |
| Klein               |        |        | ✓   |     |         |        |
| McCartney           |        | ✓      | ✓   |     |         |        |
| Trenk               |        |        | ✓   |     |         |        |
| McNair              |        |        | ✓   |     |         |        |
| Guarino             |        |        | ✓   |     |         |        |
| Wilkes (Vice-Chair) |        |        | ✓   |     |         |        |

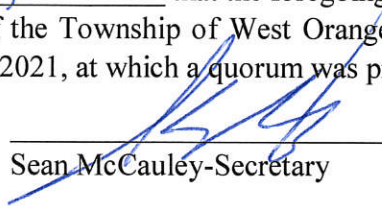
The undersigned, Secretary to the Planning Board of the Township of West Orange, hereby certifies that the above is a true copy of a Resolution memorialized by said Board on January 20, 2021, on the following vote:

**JANUARY 20, 2021 ROLL CALL VOTE ON THE RESOLUTION**

| Board Member        | Motion | Second | Aye | Nay | Abstain | Absent |
|---------------------|--------|--------|-----|-----|---------|--------|
| Bagoff (Chair)      | ✓      |        | ✓   |     |         |        |
| Johnson             |        |        |     |     |         | —      |
| Smeraldo            |        |        | ✓   |     |         |        |
| Klein               |        |        | ✓   |     |         |        |
| McCartney           |        |        | ✓   |     |         |        |
| Trenk               |        |        | ✓   |     |         |        |
| McNair              |        |        | ✓   |     |         |        |
| Guarino             |        | ✓      | ✓   |     |         |        |
| Wilkes (Vice-Chair) |        |        | ✓   |     |         |        |

**CERTIFICATION**

I hereby CERTIFY on this day January 21, 2021 that the foregoing is a true copy of a Resolution adopted by the Planning Board of the Township of West Orange at a publicly noticed virtual special meeting held on January 20, 2021, at which a quorum was present.

  
\_\_\_\_\_  
Sean McCauley-Secretary