

Exhibit “A”

Via Email (Rachel.Stopper@dep.nj.gov) and US Mail

September 20, 2021

Rachel Stopper, HDSRF/BDA Coordinator
Office of Brownfield Reuse
N.J. Department of Environmental Protection
401 East State Street, 5th Floor East Wing
Mail Code 401-05K, P.O. Box 420
Trenton, NJ 08625-0420

**Re: HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF)
APPLICATION FOR A GRANT TO COMPLETE REMEDIAL ACTION**

**SELECTO FLASH INC. (FORMER)
18 CENTRAL AVENUE
BLOCK 9, LOT 36
WEST ORANGE, ESSEX COUNTY, NEW JERSEY 07052
NJDEP PI NO. 027054
MATRIX NO. 17-296**

**FORMER BIDDELMAN, INC
4-10 CENTRAL AVENUE
BLOCK 9, LOT 32
WEST ORANGE, ESSEX COUNTY, NEW JERSEY 07052
NJDEP PI NO. G000006148
MATRIX NO. 18-286-01**

Dear Ms. Stopper:

On behalf of the Township of West Orange, Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C. (Matrix), is submitting an Application for a Hazardous Discharge Site Remediation Fund (HDSRF) Grant to complete the Remedial Action (RA) at the former Selecto Flash Site located at 18 Central Avenue in West Orange, New Jersey and at the former Biddelman Inc. Site located at 4-10 Central Avenue in West Orange, New Jersey (Site). In his email dated April 6, 2021, former NJDEP Brownfield Coordinator, John Doyon, requested that one HDSRF Grant Application be submitted for the proposed remedial actions at the Selecto Flash and the former Biddelman properties as the properties are adjoining and the work will occur simultaneously. Combining the remedial actions creates efficiencies and will save money.

BACKGROUND

Selecto Flash, Inc.

In June 2018 an application for a HDSRF Grant to complete the RI for the Selecto Flash Site was submitted to NJDEP. The total of this HDSRF RI Grant was \$129,176.80. While implementing the RI Scope of Work (SOW) in 2019, a number of monitoring wells were found to be damaged, requiring replacement. At the suggestion of NJDEP OBR, Matrix submitted a request on September 30, 2019, for the reallocation of a portion of the original RI HDSRF funding to allow for the immediate rehabilitation of the monitoring wells. The cost for the rehabilitation of the monitoring wells is estimated at \$20,854. The tasks that were removed

from the original RI SOW to allow for the well rehabilitation included the completion of the RIR and Remedial Action Workplan (RAWP). Therefore, an application for a Supplemental HDSRF Grant was submitted to the NJDEP in October 2019. This application also included costs for one additional well repairs, two well abandonments, one additional day of soil sampling, vapor intrusion sampling, and one additional round of groundwater sampling. The total of this HDSRF Supplemental RI Grant was \$44,718.00. The RIR/RAWP and associated forms were submitted to the NJDEP in February 2020.

Former Biddelman, Inc.

The Township of West Orange received funding under the NJDEP's HDSRF Grant Program to complete a Preliminary Assessment (PA) and Site Investigation (SI). The total of the HDSRF Grant was \$63,956.20. While completing the scope of work, 17 potential Areas of Concern (AOCs) were identified and seven AOCs were investigation between October 2019 and March 2020. The PA/SI Report and associated forms were submitted to the NJDEP in April 2020. In August 2020, an application for a HDSRF Grant to complete the RI for the former Biddelman Site was submitted to NJDEP. The total of this HDSRF RI Grant was \$198,425.50. while completing this scope of work, one additional AOC was identified and soil and groundwater impacts beneath the Site were delineated. The RIR/RAWP and associated forms were submitted to the NJDEP in September 2021.

Matrix is now submitting an application for a HDSRF Grant to complete the RA for both the Selecto Flash Site and the Former Biddelman Site. The RA activities for both Sites will include the removal of impacted soils in several AOCs with post remedial groundwater monitoring and the use of engineering (i.e. capping), and institutional controls (i.e. Deed Notice and Classification Exception Area [CEA]) for residual VOC impacts and historic fill material. This application also includes the costs for well repairs, well abandonments, well installations, and additional vapor intrusion sampling and vapor mitigation on and off-Site, if required. The total requested in the application is \$4,675,000.00. which includes the remedial action at both Selecto Flash and the former Biddelman properties.

In accordance with Part VI of the HDSRF Application Checklist, one original and one copy of the complete HDSRF application are attached, which include:

- A detailed scope of work (Part I Section H);
- An itemized cost estimate (Part I Section I);
- Executed Part II - General Certification;
- Executed Part III - Subrogation of Rights;
- Executed Part V - Municipal Questionnaire; and
- Township Resolution and Foreclosure documentation.

We thank you for your prompt attention to this matter. If you have any questions or require any additional information, do not hesitate to contact us at (973) 240-1800.

Sincerely,

Allison Molnar
Project Manager

Richard Britton, P.G., LSRP
Senior Technical Director

Copy to: Leonard Lepore, Municipal Engineer, Township of West Orange (Via Email)
Richard Trenk, Esq., Trenk Isabel Attorneys at Law (Via Email)



New Jersey Department of Environmental Protection
Site Remediation and Waste Management Program

HAZARDOUS DISCHARGE SITE REMEDIATION FUND
- PART I

☒ LSRP ☐ Subsurface Evaluator (for UHOT cases only)

Program Interest Name: Selecto Flash, Inc. & Former Biddelman Inc. PI #: 027054 & G000006148

Date Stamp
(For Department use only)

SECTION A. REQUESTED FUNDING TYPE AND AMOUNT

☐ PLEASE CHECK HERE IF THIS IS A SUPPLEMENTAL REQUEST

Public Entity

- ☒ Brownfield Development Area Grant\$ 4,675,000.00
☐ PA/SI/RI Grant\$ _____
☐ 75% Recreation and Conservation Grant\$ _____
☐ 75% Renewable Energy Grant\$ _____
☐ 50% Affordable Housing Grant\$ _____
☐ 25% Matching Grant Remedial Action Unrestricted Use\$ _____
☐ Loan\$ _____

Private Entity

- ☐ 25% Matching Grant Remedial Action Unrestricted Use\$ _____
☐ Loan\$ _____

Non-Profit

- ☐ PA/SI/RI Grant\$ _____

SECTION B. APPLICANT INFORMATION

Name: Township of West Orange (John Gross)

Address: 66 Main Street

City: West Orange

State: New Jersey

County: Essex

Zip Code: 07052

Phone Number: (973) 325-4160

Ext: _____

Fax: _____

Email Address: jgross@westorange.org

Individual: Social Security Number: _____

Businesses: Tax ID Number: _____

SIC: _____

NIAC: _____

SECTION C. CONTACT INFORMATION

☒ Check here if contact information is the same as Section B above (proceed to Section D)

Contact Person: _____

Title: _____

Affiliation: _____

Address: _____

City/Town: _____

State: _____

Zip Code: _____

Phone Number: _____

Ext: _____

Fax: _____

Email Address: _____

SECTION D. SITE OWNERSHIP INFORMATION

☒ Check here if site ownership information is the same as Section B above (proceed to Section E)

Name of Site Owner: _____

Address: _____

Municipality: _____ State: _____ Zip Code: _____

SECTION E. SITE INFORMATION (location where remediation will be conducted)

Name of Site (as identified on NJDEP's Known Contaminated Site List): Selecto Flash Inc. & Former Biddelman, Inc.

PI (Program Interest) Number: 027054 & G000006148 Acreage: 1.33 & 0.51

Other Site Names (A.K.A.): _____

Address: 18 Central Avenue & 4-10 Central Avenue

Municipality: West Orange State: New Jersey

County: Essex Zip Code: 07052

Municipal Block(s) and Lot(s): Block 9, Lot 36 & Block 9, Lot 32

SECTION F. VIOLATIONS, PENALTIES & FEES

Any applicant that is not in compliance with all applicable DEP regulation must submit a written description and explanation for noncompliance including a list of **all** violations and outstanding fees and penalties to be provided below. Applicant's must specify whether the violations, fees or penalties are currently being contested in a manner prescribed by law and whether the violations, fees and penalties resulted from a lack of financial resources to perform required remediation.

Historically, NJDEP DataMiner noted one outstanding violation exists for the Selecto Flash, Inc. Site.

Program Description: Site Remediation

Program Interest Type: SRP-PI

Activity Number: PEA 110001

Program Interest ID: 027054

Document Type: SRP Directive

Description of Non-compliance: Failed to conduct remediation in accordance with N.J.A.C. 7:26C

Discovery Activity Number: SUB 110001

Discovery Date: 2/9/2011

Violated Citation: [N.J.A.C. 7:1E-5.7(a)2ii]

Violation Status: Pending

Compliance Due Date: N/A

SECTION G. OTHER FUNDING SOURCES

Indicate all other sources of financial assistance sought for the remediation of the site.

☒ Check here if no other funding sought

☐ Insurance Coverage

☐ UST Fund

☐ 75% Brownfield Reimbursement

☐ Entity(s) responsible for conducting the remediation

☐ NJRA Brownfield Redevelopment Initiative

☐ Green Acres

☐ NJ Environmental Infrastructure Trust

☐ Other: _____

SECTION H. WORK PROPOSAL

Attach Work Proposal to application.

Name of Firm Preparing the Work Proposal: Matrix New World Engineering

Preparer Name: Richard Britton, P.E., LSRP

Phone: (973) 240-1800 Email Address: rbritton@mnwe.com

SECTION I. COST ESTIMATE

Attach Detailed Cost Estimate to application.

SECTION J. FINANCIAL INFORMATION (Private Entities)

Homeowners must submit Federal tax returns for the last three years. Businesses and private matching grant applicants must attach business, as well as personal, financial statements for the last three years. Provide financial information with application.

**Hazardous Discharge Site Remediation Fund
Application for a Grant to Complete a Remedial Action**

**Former Biddelman, Inc. Property
4-10 Central Avenue
Block 9 Lot 32
NJDEP PI No. G000006148**

&

**Selecto Flash Inc.
18 Central Avenue
Block 9 Lot 36
NJDEP PI No. 027054
West Orange, Essex County, New Jersey**

**PART I
SUPPLEMENT TO PART I SECTION H
SCOPE OF WORK**

**Part I Section H – Work Proposal
Remedial Action Scope of Work**

**Selecto Flash, Inc.
18 Central Avenue
Block 9, Lot 36
NJDEP PI No. 027054**

**Former Biddelman, Inc.
4-10 Central Avenue
Block 9, Lot 32
NJDEP PI No. G000006148
West Orange, Essex County, New Jersey
September 2021**

1.0 INTRODUCTION

The following Remedial Action Scope of Work (SOW) has been prepared on behalf of the Township of West Orange (Township) as part of the request for a Brownfield Development Area (BDA) grant from the New Jersey Department of Environmental Protection's (NJDEP) Hazardous Discharge Site Remediation Fund (HDSRF). Funding is being requested for the completion of Remedial Action (RA) and the preparation of a Remedial Action Report (RAR) and Response Action Outcome (RAO) for the Township-owned property, Former Selecto Flash, Inc. (Site) located at 18 Central Avenue and for the Township-owned property, Former Biddelman, Inc. (Site) located at 4-10 Central Avenue in West Orange, Essex County, New Jersey. The Selecto Flash Site is approximately 1.33-acres and the Former Biddelman Site is approximately 0.51-acres and are part of the Central Valley (Orange West) BDA. The Sites are located in a mixed industrial, commercial, and residential area of the Township. The Central Valley BDA is comprised of six lots (Block 9, Lots 11.01, 11.02, 11.03, 32 and 36, and Block 7, Lot 22). The Site are Lots 32 and 36 of Block 9.

The Sites are also included within the Orange Valley Regional Groundwater Contamination Site (Comprehensive Environmental Response, Compensation and Liability Act [CERCLA] ID No. NJD002148799 [formerly known as the West Orange Groundwater Contamination Site]), which consists of a groundwater contaminant plume that cannot be clearly attributed to any specific source. The Sites are two of 22 facilities associated with F-listed Wastes that may be the source, or one of the sources, of the groundwater contamination.

Selecto Flash Site

The Township acquired the property at 18 Central Avenue (Block 9; Lot 36) in West Orange, New Jersey through foreclosure in April 2016. The Site is identified by the NJDEP as PI No. 027054 (Selecto Flash, Inc.) with Case Tracking No. 95-10-18-1521-31. The former buildings at the Site were demolished in the fall of 2017. Beginning in the 1980's, Selecto Flash owned and operated a silk-screening business, using solvent-based inks to produce large-scale decals. Historical soil data has indicated the presence of trichloroethene (TCE) and other chlorinated volatile organic contaminants (CVOCs) at the Site. TCE has also been consistently detected in groundwater samples collected from on-site monitoring wells.

The Township received funding under the NJDEP's HDSRF grant program to complete a Preliminary Assessment (PA) and Site Investigation (SI) at the Site to evaluate the environmental conditions. The PA Report was submitted to the NJDEP on February 23, 2018 and identified 22 areas of concern (AOC). As documented within the SI Report two additional AOCs were added for a total of 24 AOCs and was submitted to the NJDEP on March 2, 2018. Environmental investigations completed at the Site during a review of historical investigations, the SI, and Remedial Investigation (RI) activities (original and supplemental RI HDSRF Grant) have identified the presence of contaminants, including CVOCs, semi-

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volatile organic compounds (SVOCs), and metals in soil at concentrations exceeding the NJDEP's Residential or Non-Residential Direct Contact Soil Remediation Standards (RDCCSRs or NRDCSRs) and the Default Impact to Groundwater Soil Screening Levels (IGWSSL). Furthermore, CVOCs and SVOCs were detected in groundwater at concentrations above the NJDEP's Groundwater Quality Standards (GWQS) and the NJDEP's Vapor Intrusion Groundwater Screening Levels (VIGWSL).

As part of the RI activities conducted on-Site between January 2019 and December 2019, horizontal and vertical delineation of CVOC exceedances of RDCCSRs and NRDCSRs was achieved in all directions. In addition, soil texture analysis was completed for use in the Seasonal Soil Compartment Model (SESOIL) Model to develop a Site-Specific Impact to Groundwater Soil Remediation Standard (SSIGWSRS) for cis 1,2-DCE, PCE, and TCE. The RI for groundwater (AOC-16) included the established of a Classification Exception Area (CEA) for the Selecto Flash portion of the contaminant plume. Finally, based on the results of the 2019 groundwater sampling, Vapor Intrusion (VI) sampling was required at three occupied structures within 100 feet of CVOC contamination above NJDEP Vapor Intrusion Groundwater Screening Levels (GWSL) in three monitoring wells MW-1R, MW-2, and MW-3R. These three occupied structures were sampled, and a completed VI pathway does not exist. The RI Report and Remedial Action Workplan (RAW) were submitted to the NJDEP on February 28, 2020.

Former Biddelman, Inc.

The Township acquired the property at 10 Central Avenue (Block 9, Lot 32) in West Orange, New Jersey in October 2018. The Site is identified by the NJDEP as PI No. G000006148 (Former Biddelman, Inc) with Case Tracking No. 17-04-20-1128-26. From the late 1950's to 1985 when operations ceased, Biddelman, Inc. engaged in the wholesale distribution of dry goods and dry-cleaning supplies. The materials and chemicals involved in this business ranged from organic solvents such as ammonia and acetic acid for spot cleaning to PCE for dry-cleaning. The PCE was stored in a 4,000-gallon AST (AOC-1). The PCE AST was removed with a fuel oil UST in 1987. From approximately 1985 to 2004, the Site was owned by Richard Praitano, who operated a portion of the building as Personalized Letter Service and Sales CO., Inc., a letter printing business. A portion of the warehouse was sublet to Artie Petussian of Tri-State Technical Sales, which assembled plastic forms. All operations ceased in April 2004 and the Site has been vacant since 2004. The former operations associated with the dry-cleaning business are most likely the source of the contamination in soils and have contributed to groundwater contamination beneath the Site.

The Township received funding under the NJDEP's HDSRF grant program to complete a PA and SI at the Site to evaluate the environmental conditions. The PA/SI Report was submitted to the NJDEP in April 2020 and identified 17 AOC. As documented within the RI Report and RAW, one additional AOC was added for a total of 18 AOCs and was submitted to the NJDEP on **September 24, 2021**. Environmental investigations completed at the Site during a review of historical investigations, the SI, and RI activities have identified the presence of contaminants, including CVOCs, SVOCs, and metals in soil at concentrations exceeding the NJDEP Residential Inhalation Exposure Pathway Soil Remediation Standards (RISRS), Residential Ingestion-Dermal Exposure Pathway Soil Remediation Standards (RIDRS), and/or Migration to Groundwater Exposure Pathway Soil Remediation Standards (MGWSRS). Furthermore, CVOCs, and SVOCs were detected in groundwater at concentrations above the NJDEP's GWQS and NJDEP VIGWSL.

As part of the RI activities conducted on-Site between March 2021 and June 2021, horizontal delineation was achieved of CVOC exceedances of the NJDEP RISRS in soils surrounding the AOCs. Additionally, vertical delineation was also achieved of the impacted soils at the Site at a several depths ranging from 6.5 ft bgs to 12.5 ft bgs. A SSMGWSRS was developed for PCE for on-site and off-site impacts using the

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SPLP method. RI sampling for volatiles and soil texture analysis was conducted during the SI sampling to support fate and transport modeling using the SESOIL Model to assess the impact to groundwater pathway. Based on the SSMGWSRS developed for TCE and vinyl chloride, Site soils have been delineated horizontally and vertically. The RI for groundwater (AOC-16) included the delineation of the groundwater impacts and establishment of a CEA for the Biddelman portion of the contaminant plume. Finally, based on the results of the 2020 groundwater sampling, VI sampling was required at five occupied structures within 100 feet of CVOC contamination above NJDEP GWSL in on-site monitoring wells. These structures were sampled, and a completed VI pathway does not exist. The RI Report and RAW were submitted to the NJDEP on **September 24, 2021**.

The RA planned for both Sites include the removal of impacted soils in several AOCs with post remedial groundwater monitoring and the use of engineering (i.e. capping), and institutional controls (i.e. Deed Notice and CEA) for residual VOC impacts and historic fill material. After the completion of the RA and redevelopment of the Site, a Deed Notice will be prepared and filed with the County Clerk of Essex County. A copy of the filed Deed Notice will be included with an application for a Remedial Action Permit for Soils (RAP-soils) as part of the RA Report. Should contamination remain in groundwater after post-remedial monitoring is completed, the groundwater CEA will be re-evaluated and modified as necessary, with detail included in an application for a Remedial Action Permit for Groundwater (RAP-Groundwater). Upon approval of the RAPs, a Restricted Use Response Action Outcome (RAO) for the Site will be issued by the Licensed Site Remediation Professional (LSRP).

2.0 TECHNICAL APPROACH

This SOW has been developed in compliance with the requirements of the Site Remediation Reform Act (SRRA), N.J.S.A. 58:10C-1 et seq., the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS), N.J.A.C. 7:26C, the Technical Requirements for Site Remediation (TRSR), N.J.A.C. 7:26E, and applicable NJDEP Guidance Documents. Oversight of investigation activities will be conducted by a Matrix LSRP.

The proposed RA will include excavation and off-site disposal of all impacted soils with TCE, PCE, and vinyl chloride that exceed the NJDEP's NRDCSRS, RDCSRS, and SSIGWSRS (Selecto Flash Site) and NJDEP's RISRS, NRISRS, RIDSRS, NRIDSRS, and SSMGWSRS (Former Biddelman Site) within the unsaturated zone. Prior to initiating the RA activities, New Jersey One Call will be notified, all permits will be obtained, and a Soil Erosion and Sediment Control (SESC) Plan will be completed and submitted to the Essex County Soil and Water Conservation District (SWCD) in accordance with N.J.A.C. 7:26E-5.6. All approved SESC measures will be installed prior to the start of the RA activities. Post remediation groundwater monitoring will be conducted to monitor the effectiveness of the RA. The following sections describe each of these remedial tasks in more detail.

In addition, the Quality Assurance Project Plan (QAPP) will be revised pursuant to N.J.A.C. 7:26E-2.2 and the site-specific Health and Safety Plan (HASP) will be revised with all requirements of 29 CFR 1910.120 and other applicable OSHA requirements.

Selecto Flash Site - AOC-2A: French Drain, AOC-2B: Floor Drain in Wash/Rinse Room, AOC-4: Drum Storage Pad, AOC-10C: Paint and solvent Storage Building, and AOC-11: Staining on Drum Storage Pad Soil Remediation

Excavation will be required to remove the impacted soils above the NJDEP's RDCSRS and NRDCSRS in "Hot Spot" areas on the Selecto Flash Site. Based on existing data, five hot spot excavations are anticipated and include:

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- Hot Spot Areas 1 and 2 - AOC-2A – French Drain Excavation: 50 ft by 10 ft by 4 ft (74 cubic yards) and 15 ft by 5 ft by 8 ft (22 cubic yards), approximately 120 cubic yards;
- Hot Spot Areas 3 and 4 - AOC-2B - Floor Drain in Wash/Rinse Room Excavation: 26 ft by 35 ft by 6 ft (202 cubic yards), approximately 202 cubic yards; and
- Hot Spot Area 5 - AOC-4 – Drum Storage Pad, AOC-10C – Paint and Solvent Storage Building, and AOC-11 – Staining on Drum Storage Pad: 55 ft by 45 ft by 7.5 ft (687.5 cubic yards), approximately 688 cubic yards.

A total of 986 cubic yards or 1479 tons of F-listed waste will need to be excavated and disposed of off-site. Matrix has added a 15% contingency on the (1) hot spot excavation volume as the soil expansion factor and (2) to the number of post excavation samples collected. The disposal of 1,133 cubic yards or 1700 tons of F-listed waste is budgeted. Due to the most economical option, the F-listed waste will be transported to a facility in Canada and the costs per ton for disposal at this facility is expected to be between \$275 and \$300 per ton with 10% markup from the subcontractor. To be conservative, Matrix has used the \$300 per ton in the budget for disposal of the F-listed waste. Finally, the disposal facility has a surcharge of \$360 per load (flat fee to go through a TSDF with an export permit in place) and \$35 per truckload EPA manifest upload fee with a 10% markup from the subcontractor. This cost has been included in the attached cost estimate.

Matrix will direct soil excavation activities at the “Hot Spot” areas using the historic data and visual and olfactory observations with a calibrated photo-ionization detector (PID) [MiniRae parts per billion (ppb) meter]. Upon the completion of the soil excavation activities, post excavation samples will be collected in accordance with the NJDEP TRSR. Up to 40 soil samples will be collected from the “Hot Spot” excavations including side wall and base samples. Post-excavation soil samples (for VOC analysis only) will be collected from the excavation sidewalls in accordance with NJDEP regulation and guidance at a rate of one sample location per 30 feet of sidewall. Bottom samples will be collected in accordance with NJDEP regulation and guidance at a rate of one sample per 900 square feet. In addition, up to 5 waste classification soil samples will be collected and analyzed per the facilities requirements. The disposal facility also requires the collection and analysis of one sample by a Canadian certified lab at a cost of \$1,500 plus shipping to Canada.

Following the remediation and post-excavation soil sampling activities, the excavation will be backfilled and compacted to grade with certified clean fill. All excavation activities will be documented in the form of photographs, field measurements referencing existing site features, and completion of applicable field forms. Before beginning excavation activities, the “Hot Spot” areas to be excavated will be clearly marked with the horizontal limits. Removal of impacted soils will be verified by post excavation sampling, which will be compared to the NJDEP’s RDCSRS, NRDCSRS, DIGWSSL, and SSIGWSRS, where applicable.

Former Biddelman, Inc. Site – AOC-1- Former 4,000-gallon PCE AST, AOC-3 – Floor Drains, AOC-6C – NJDEP Case No. 17-04-20-1128-26, AOC-15 – Former Operations, and AOC-18 – Off-Site Soil Contamination

Excavation will be required to remove the impacted soils at the Site above the NJDEP RISRS, RIDSRS, NRISRS, and/or NRIDSRS in “hot spot” areas on the Former Biddelman Site. In addition, some impacted soils at the Site above the NJDEP MGWSRS will be required to be excavated in order to help clean up groundwater or due to proposed redevelopment plans. Based on existing data, seven hot spot excavations are anticipated:

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- Hot Spot Area 1 - AOC-3 – Floor Drains Excavation: 35 ft by 16 ft by 8 ft (165.9 cubic yards), approximately 166 cubic yards;
- Hot Spot Area 2 – AOC-1 – Former 4,000-gallon PCE AST Excavation: 50 ft by 25 ft by 15 ft (694.4 cubic yards), approximately 695 cubic yards;
- Hot Spot Area 3 – AOC-6C – NJDEP Case No. 17-04-20-1128-26 and AOC-15 – Former Operations Excavation: 40 ft by 60 ft by 8 ft (711.1 cubic yards), approximately 711 cubic yards;
- Hot Spot Area 4 – AOC-15 – Former Operations Excavation: 20 ft by 10 ft by 7.5 ft (55.5 cubic yards), approximately 56 cubic yards;
- Hot Spot Area 5 – AOC-15 – Former Operations Excavation: 70 ft by 75 ft by 9 ft (1,750 cubic yards), approximately 1,750 cubic yards;
- Hot Spot Area 6 – AOC-15 – Former Operations Excavations: 40 ft by 25 ft by 4 ft (148.1 cubic yards), approximately 148 cubic yards.
- Area 7 - Off-Site Hot Spot Area – AOC-18 – Off-site Soil Contamination: 35 ft by 10 ft by 8 ft (103.7 cubic yards), approximately 104 cubic yards.

A total of 3,630 cubic yards or 5,445 tons of F-listed waste will need to be excavated and disposed of off-site. Matrix has added a 15% contingency on the (1) hot spot excavation volume as the soil expansion factor and (2) to the number of post excavation samples collected. The disposal of 4,175 cubic yards or 6,260 tons of F-listed waste is budgeted. Due to the most economical option, the F-listed waste will be transported to a facility in Canada and the costs per ton for disposal at this facility is expected to be between \$275 and \$300 per ton with 10% markup from the subcontractor. To be conservative, Matrix has used the \$300 per ton in the budget for disposal of the F-listed waste. Finally, the disposal facility has a surcharge of \$360 per load (flat fee to go through a TSDF with an export permit in place) and \$35 per truckload EPA manifest upload fee with a 10% markup from the subcontractor. This cost has been included in the attached cost estimate.

Matrix will direct soil excavation activities at the “Hot Spot” areas using the historic data and visual and olfactory observations with a calibrated PID [MiniRae parts per billion (ppb) meter]. All excavation activities will be documented in the form of photographs, field measurements referencing existing site features, and completion of applicable field forms. Before beginning excavation activities, the area to be excavated will be clearly marked with the horizontal limits. Since a few of the hot spot areas have been delineated using extrapolation due to safety concerns (drilling in an abandoned building), post excavation soil sampling will be completed to ensure removal of all impacted soils above the NJDEP RIDSRS, RISRS, and SSMGWSRS. Post excavation samples will be collected in accordance with the NJDEP TRSR. Up to 75 soil samples will be collected from the “Hot Spot” excavations including side wall and base samples. Post-excavation soil samples (for VOC analysis only) will be collected from the excavation sidewalls in accordance with NJDEP regulation and guidance at a rate of one sample location per 30 feet of sidewall. Bottom samples will be collected in accordance with NJDEP regulation and guidance at a rate of one sample per 900 square feet. In addition, up to 12 waste classification soil samples will be collected and analyzed per the facilities requirements. The disposal facility also requires the collection and analysis of two samples by a Canadian certified lab at a cost of \$3,000 plus shipping to Canada.

Excavated soils will be staged on plastic and covered with plastic at the conclusion of each day of excavation and stockpiling. Following facility approval, soils will be transported off-site and properly disposed. Following the remediation and post-excavation soil sampling activities, the excavation will be backfilled and compacted to grade with certified clean fill.

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Following post-excavation soil sampling activities and before selected hot spot excavations are backfilled, an amendment (ABC+) will be introduced into the excavation to accelerate the reduction groundwater concentrations above NJDEP Class II-A GWQS. Redox Tech's ABC+ is an emulsified vegetable oil and fatty acid ester product for anaerobic bioremediation. ABC+ also contains a phosphate buffer to maintain the pH in the optimal range for complete biodegradation. Subsequent to ABC+ introduction into the excavation, zero valent iron (ZVI) will be blended into the bottom of the excavation. ZVI will abiotically reduce chlorinated compounds and accelerate the decrease of dissolved oxygen and oxidation reduction potential favorable for in situ biodegradation. The excavations will then be backfilled as discussed above. A Permit by Rule (PBR) Authorization Request will be applied for with the NJDEP in order to add the above amendments to the bottom of the selected hot spot excavations.

For residual VOC impacts (VOC impacts below residential soil remediation standards but above MGWSRS), engineering controls (i.e., capping) will be required to preclude infiltration of precipitation as required by NJDEP Capping of Volatile Contaminants for the Impact to Ground Water Pathway (January 2019, Version 1.1). Engineering controls will consist of future asphalt and/or concrete paving, and building coverage related to the planned future Site development which will provide protection from direct contact with contaminated soils and prevent leachate forming that could impact groundwater quality. Current redevelopment plans for the Site, consists mostly of an asphalt paved parking lot; however, at the east corner of the Biddelman Site limited grass/permeable areas are planned. All soil above site specific MGWSRS values will be excavated from this area in order to preclude any future impact to groundwater quality.

Selecto Flash and Biddelman Sites - AOC-8 – Historic Fill Material Remediation

Engineering controls (i.e., capping) will consist of future asphalt and/or concrete paving, landscaping, and building coverage related to the planned future Site development which will provide protection from direct contact with contaminated soils and prevent migration of contaminants.

Select Flash and Biddelman Sites - AOC-16: Groundwater Remediation

One pre-remediation round of groundwater samples will be collected from all Selecto Flash monitoring wells (MW-1R, MW-1DS, MW-3R, MW-4, MW-4D, MW-5R, MW-7, and MW-8R), Biddelman monitoring wells (MW-1, MW-1D, MW-2, MW-2D, MW-12, MW-12D, and MW-13), and off-site monitoring wells (MW-6, MW-9, MW-9D, MW-10, MW-11, and MW-11D). The groundwater samples will be collected from the on-site and off-site monitoring wells via low flow sampling technique. During purging, field measurements including depth to groundwater, dissolved oxygen (DO) content, turbidity, pH, temperature, conductivity, and ORP will be collected for all monitoring wells. The groundwater samples will be analyzed for TCL VOCs+15. For QA/QC purposes, one duplicate sample and up to three field blanks will be collected and analyzed for TCL VOCs+15. One trip blank sample will be collected for TCL VOCs+15 analysis, per groundwater sampling event. This sampling event will serve two purposes including establishing pre-remediation baseline concentrations and evaluating which wells should be included in the post-remediation sampling program.

Upon completion of the source soil remediation activities, a long-term quarterly groundwater monitoring program will be implemented to monitor the effectiveness of the remedial action and to evaluate the viability of a monitored natural attenuation (MNA) remedy for groundwater. A total of eight quarters of groundwater sampling will be completed for monitoring for statistical trend analysis via the sampling method described above. The groundwater CEAs for VOCs will be re-evaluated and modified as necessary, with details included with an application for a Groundwater RAP for each Site.

HDSRF Application
Selecto Flash, Inc.
Former Biddelman, Inc.

During RI, the horizontal extent of PCE/TCE concentrations were extrapolated, therefore additional monitoring wells will be installed to confirm the extent of impacted groundwater. In addition, a few of the monitoring wells will need to be abandoned during the soil remediation activities and therefore re-installed. The installation of up to eight shallow monitoring wells, up to six deep monitoring wells, and abandonment of up to 11 monitoring wells are budgeted. The cost estimates also include the management and disposal of the soil cuttings, well development water, and groundwater sampling purge water for all the monitoring wells installed and sampled on the Site. The disposal of non-hazardous investigative derived waste (IDW), up to 50, 55-gallon drums, is included in this cost estimate. Following the installation of any additional monitoring wells, the wells will be surveyed.

Selecto Flash and Biddelman Sites - AOC-17: Vapor Intrusion On-Site

Due to the concentrations of CVOCs in groundwater, a vapor mitigation system (VMS) is recommended beneath the future on-site structures. The VMS will be designed in accordance with the requirements set forth by Technical Requirements Site Remediation (N.J.A.C. 7:26E) as well as the Solid Waste Regulations (N.J.A.C. 7:26 2A) and the NJDEP's Vapor Intrusion Technical Guidance (January 2018, Version 4.1). At the time of this SOW, the redevelopment plans include an apartment building on the Selecto Flash Site and an asphalt paved parking lot on the Biddelman Site and it is anticipated that the VMS will be needed for the Selecto Flash Site including the following:

- Slab on grade construction with crushed stone bedding (gas permeable layer);
- A spray on or manufactured impermeable liner system (or equivalent) installed on top of the crushed stone prior to pouring the slab;
- Columns and utility penetrations through the slab will be sealed or booted with the liner;
- Sub-slab monitoring points will be installed in the floor prior to the installation of the vapor barrier to provide future access to the sub-slab soil gas for monitoring sub slab vacuum and sub slab soil gas sampling;
- Sub slab soil gas collection beneath the liner will be primarily via the use of a low-profile vent system, such as Geovent installed within the gas permeable layer;
- Vent piping will run to the roof of the structures; and
- Each of the pipes will be routed to a blower on the roof for active venting.

In addition to the installation of the VMS, visual inspections, smoke tests, and repairing of any holes or breaches in the vapor barrier will be completed as part of the vapor barrier quality control program during the installation.

Once the VMS is installed, it shall be commissioned to verify that it is functioning consistent with the mandated performance specifications and to establish an operational baseline. The baseline performance measurements should be collected no sooner than 30 days after the system activation, but not exceeding 60 days. The 30-day timeframe also allows the building time to vent prior to collecting the verification indoor air samples, which will be analyzed for TO-15 (NJDEP-SRP Low Level USEPA TO-15 Method).

Diagnostic testing will also be performed during the system commissioning to determine the operational parameters of the mitigation system, assess the performance of the system, and establish a baseline for the operational parameters. These diagnostic measurements will be used during the monitoring and maintenance (M&M) phase of the project to confirm steady state operational conditions and provide multiple lines of evidence that the mitigation system continues to prevent vapor intrusion. The M&M phase will be completed in accordance to the NJDEP's Vapor Intrusion Technical Guidance (January 2018, Version 4.1).

HDSRF Application
Selecto Flash, Inc.
Former Biddelman, Inc.

Selecto Flash and Biddelman Sites - AOC-17: Vapor Intrusion Off-Site (If required)

The sub slab soil gas sampling that was completed as part of the RI concluded that there was no complete pathway for vapor intrusion at the occupied off-site structures located within 100 feet of the Selecto Flash and/or Biddelman groundwater plumes. Therefore, no additional vapor intrusion testing or mitigation is required at this time for the structures sampled with the exception of 5 Central Avenue. The RA estimate includes funds for periodic monitoring of the indoor air at 5 Central Avenue. The additional testing will include an annual inspection of the building and the collection of indoor air samples during the heating season in 2022 and every five years thereafter at 5 Central Avenue. The RA estimate also includes funds for an additional VI investigation of five additional properties that are within 100 feet of the Sites, if required. A total of ten indoor air samples, five ambient air samples, and 15 sub slab soil gas samples are anticipated. These samples will be analyzed for TO-15 (NJDEP-SRP Low Level USEPA TO-15 Method). Sampling will be completed in accordance with NJDEP's TRSR, FSPM, and the NJDEP's Vapor Intrusion Technical Guidance (May 2021, Version 5.0). In addition, a vapor intrusion evaluation and report will be completed and submitted, which includes NJDEP Full Data Deliverables Form, if required.

Remedial Action Reports

The remediation activities will be reported as part of the Remedial Action Reports (RAR). The report will be prepared in accordance with N.J.A.C. 7:26E-5.7. The RARs will discuss the remediation, the results of the post excavation and post remediation sampling, and will include the following:

- A summary of all remediation performed, associated disposal documentation, and clean fill certification;
- Results of all analyses, copies of laboratory data sheets and conversion of the laboratory deliverable to the required electronic data deliverables pursuant to N.J.A.C. 7:26E-2.1;
- A summary table of analytical methods and quality assurance indicators pursuant to N.J.A.C. 7:26E-2.2;
- Sample summary tables of all analyses, including sample location, media, sample depth and field and lab identification numbers pursuant to N.J.A.C. 7:26E-3.13(c)3. The summary tables will identify contaminant concentrations exceeding the applicable remediation standards, samples with elevated reporting limits (RLs) exceeding their applicable remediation standard will be identified and explained, and the remaining requirements pursuant to N.J.A.C. 7:26E-3.13(c)3 will be met;
- Field data from each sampling point, including field instrument readings for each sample will be generated and presented in the Summary Report;
- Figures will be prepared indicating the areas of remediation and post excavation samples. Figures will identify contaminant exceedances above their respective remedial standard by contaminant and depth;
- An updated QAPP prepared pursuant to N.J.A.C. 7:26E-2.2; and
- Submit a completed case inventory document worksheet and other NJDEP required forms.

The purpose of the RA is to complete remedial actions that will prevent further expose of any receptor to residual contamination and include a presumptive remedy consistent with Table 5-1 *Presumptive Remedies for Soil Contamination at Schools, Child Care Centers and Residences*. The remedial action for the historic fill material and any VOC residual impacts underlain at the Sites will include filing a Deed Notice pursuant to N.J.A.C. 7:26C-7.2 and RAP-Soil. Based on the post remedial monitoring of the groundwater, the CEAs will be modified as necessary and included with an application for a RAP-Groundwater. Long term monitoring and maintenance requirements will be set forth in the Deed Notice, RAP-Soil, and RAP-Groundwater. The Township of West Orange is an exempt entity under N.J.A.C. 7:26C-7.10(c) and is not required to establish Financial Assurance.

**Hazardous Discharge Site Remediation Fund
Application for a Grant to Complete a Remedial Action**

**Former Biddelman, Inc. Property
4-10 Central Avenue
Block 9 Lot 32
NJDEP PI No. G000006148**

&

**Selecto Flash Inc.
18 Central Avenue
Block 9 Lot 36
NJDEP PI No. 027054
West Orange, Essex County, New Jersey**

**PART I
SUPPLEMENT TO PART I SECTION I
COST ESTIMATE**



New Jersey Department of Environmental Protection
 Site Remediation Program

HDSRF APPLICATION - COST ESTIMATE - SECTION I

Activity	Rate	Unit	Quantity	Total
Task No. 1 - Site Preparation				
Mobilization	\$15,000.00	Lump Sum	1	\$15,000.00
Soil Erosion and Sediment Control	\$38,000.00	Lump Sum	1	\$38,000.00
Surveying	\$7,000.00	Lump Sum	1	\$7,000.00
Temporary Demob/remob	\$4,400.00	Lump Sum	1	\$4,400.00
Task No. 1 - Site Preparation				\$65,000.00
Task No. 2 Source Area Excavations				
Equipment	\$200.00	Day	60	\$12,000.00
Travel	\$75.00	Day	80	\$6,000.00
Matrix Oversight	\$105.00	Hour	695	\$72,975.00
Subcontractor Excavation Equipment & Labor	\$6,500.00	Day	40	\$260,000.00
Post Excavation Soil Sampling	\$112.50	Each	120	\$13,500.00
Waste Classification Sampling	\$1,450.00	Each	17	\$24,650.00
Soil Disposal of F-Listed Waste (\$300 per ton plus 10% Sub Markup)	\$330.00	Ton	7960	\$2,626,800.00
F-Listed Waste (\$360 surcharge per load plus 10% Sub Markup)	\$396.00	Truck	390	\$154,440.00
F-Listed Waste (\$35 per Manifest per load plus 10% Sub Markup)	\$40.00	Truck	390	\$15,600.00
Facility Analysis Costs (\$1500 plus shipping)	\$1,900.00	Lump Sum	3	\$5,700.00
Loading of F-Listed Waste and Final Clean-up of Site	\$6,500.00	Day	16	\$104,000.00
Admendments to excavations (ABC+) (~2 per pound plus 10% sub Markup)	\$2.20	per pound	10000	\$22,000.00
Subconctrctor Labor for applying admendments	\$4,000.00	Day	2	\$8,000.00
Clean Fill	\$32.00	Ton	7960	\$254,720.00
Subcontractor Backfilling Equipment & Labor	\$6,500.00	Day	16	\$104,000.00
Water Disposal	\$0.45	Gallon	22500	\$10,125.00
Task No. 2 Source Area Excavations				\$3,695,000.00



New Jersey Department of Environmental Protection
 Site Remediation Program

HDSRF APPLICATION - COST ESTIMATE - SECTION I

Activity	Rate	Unit	Quantity	Total
Task No. 3a - Groundwater Monitoring - Baseline Sampling, Well Installation, Abandonment				
Equipment	\$3,200.00	Per Event	2	\$6,400.00
Travel	\$400.00	Per Event	2	\$800.00
Well Sampling	\$105.00	Hour	68	\$7,140.00
VOC Samples	\$100.00	Per Sample	38	\$3,800.00
QAQC	\$100.00	Per Sample	6	\$600.00
Well installation/abandonment oversight	\$105.00	Hour	80	\$8,400.00
Well Abandonment (Up to 11 Wells)	\$690.00	Each	11	\$7,590.00
Well Installation (up to 14 wells)	\$3,100.00	Each	14	\$43,400.00
IDW Well Installation - Transportation	\$650.00	Per Event	4	\$2,600.00
IDW Well Installation - Disposal	\$113.00	Drum	44	\$4,972.00
Task No. 3a - Groundwater Monitoring - Baseline Sampling, Well Installation, Abandonment				\$86,000.00
Task No. 3b - Groundwater Monitoring -8 Quarters				
Equipment	\$3,300.00	Per Event	8	\$26,400.00
Travel	\$400.00	Per Event	8	\$3,200.00
Well Sampling	\$5,600.00	Per Event	8	\$44,800.00
IDW Assume 3 Drums per event	\$1,560.00	Per Event	8	\$12,480.00
VOC Samples	\$3,200.00	Per Event	8	\$25,600.00
QAQC	\$400.00	Per Event	8	\$3,200.00
Task No. 3b - Groundwater Monitoring -8 Quarters				\$116,000.00
Task No. 4 - Vapor Intrusion On-Site (Vapor Mitigation System) - SELECTO FLASH ONLY				
VI Design	\$10,000.00	Lump Sum	1	\$10,000.00
Vapor barrier	\$6.00	Per Square Feet	21710	\$130,260.00
VO+TICs, naphthalene (TO-15) - soil gas	\$271.00	Per Sample	6	\$1,626.00
VO+TICs, naphthalene (TO-15) - IA/AA	\$271.00	Per Sample	6	\$1,626.00
Task No. 4 - Vapor Intrusion On-Site (Vapor Mitigation System) - SELECTO FLASH ONLY				\$144,000.00



New Jersey Department of Environmental Protection
 Site Remediation Program

HDSRF APPLICATION - COST ESTIMATE - SECTION I

Activity	Rate	Unit	Quantity	Total
Task No. 5a - Additional Vapor Intrusion Sampling (If required)				
VI Building Survey & Indoor Air & Soil Gas Sampling	\$105.00	Hour	80	\$8,400.00
VI Evaluation & Reporting	\$130.00	Hour	80	\$10,400.00
VO+TICs, naphthalene (TO-15) - soil gas	\$271.00	Per Sample	15	\$4,065.00
VO+TICs, naphthalene (TO-15) - IA/AA	\$271.00	Per Sample	15	\$4,065.00
5 Central Avenue VI Building Survey & Indoor Air Sampling	\$105.00	Hour	70	\$7,350.00
5 Central Avenue - VI Evaluation & Reporting	\$130.00	Hour	112	\$14,560.00
5 Central Avenue - year one	\$271.00	Per Sample	3	\$813.00
5 Central Avenue - every fifth year (30 years)	\$271.00	Per Sample	18	\$4,878.00
Task No. 5a - Additional Vapor Intrusion Sampling (If required)				\$55,000.00
Task No. 5b - Vapor Mitigation Offsite (If required)				
VMS Install in existing home	\$12,000.00	Each	1	\$12,000.00
Post Install Verification Testing	\$4,500.00	Each	1	\$4,500.00
Task No. 5b - Vapor Mitigation Offsite (If required)				\$17,000.00
Task No. 6 - Consulting/Engineering Costs				
Project Management	10%	Percent of Remedial costs		\$417,800.00
QAPP Preparation	\$130.00	Hour	16	\$2,080.00
Workplans	\$130.00	Hour	42	\$5,460.00
HASP Preparation	\$105.00	Hour	16	\$1,680.00
Permit By Rule	\$130.00	Hour	32	\$4,160.00
RE/CID	\$115.00	Hour	48	\$5,520.00
Deed Notice	\$115.00	Hour	40	\$4,600.00
CEA	\$125.00	Hour	32	\$4,000.00
SRRA Forms	\$125.00	Hour	25	\$3,125.00
LSRP	\$200.00	Hour	90	\$18,000.00
Report Preparation	\$115.00	Hour	145	\$16,675.00
CAD	\$110.00	Hour	120	\$13,200.00
Task No. 6 - Consulting/Engineering Costs				\$497,000.00
RA				\$4,675,000.00

SECTION K. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT

LSRP ID Number: 573758

First Name: Richard Last Name: Britton

Phone Numbers: (973) 240-1800 Ext.: _____ Fax: (973) 240-1818

Mailing Address: 26 Columbia Turnpike

Municipality: Florham Park State: New Jersey Zip Code: 07932

Email Address: rbritton@mnwe.com

This statement shall be signed by the LSRP who is submitting this notification in accordance with N.J.S.A. 58:10C-14, and N.J.S.A. 58:10B-1.3b(1) and (2).

(1) *I certify, as a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C-1 et seq. to conduct business in New Jersey, that for the remediation described in this submission, and all attachments included in this submission, I personally: Managed, supervised, or performed the remediation conducted at this site that is described in this submission, and all attachments included in this submission; and/or periodically reviewed and evaluated the work performed by other persons that forms the basis for the information in this submission; and/or completed the work of another site remediation professional, licensed or not, after having: (1) reviewed all available documentation on which I relied; (2) conducted a site visit and observed the then-current conditions and verified the status of as much of the work as was reasonably observable; and (3) concluded, in the exercise of my independent professional judgment, that there was sufficient information upon which to complete any additional phase of remediation and prepare workplans and reports related thereto.*

(2) *I certify:*

- *That I have read this submission and all attachments to this submission;*
- *That in performing the professional services as the licensed site remediation professional for the entire site or each area of concern, I adhered to the professional conduct standards and requirements governing licensed site remediation professionals provided in N.J.S.A. 58:10C-16;*
- *That the remediation conducted at the entire site or each area of concern, that is described in this submission and all attachments to this submission, was conducted pursuant to and in compliance with the remediation requirements in N.J.S.A. 58:10C-14.c;*
- *That the remediation described in this submission, and all attachments to this submission, was conducted pursuant to and in compliance with the regulations of the Site Remediation Professional Licensing Board at N.J.A.C. 7:26I; and*
- *That the information contained in this submission and all attachments to this submission is true, accurate, and complete.*

(3) *I certify, when this submission includes a response action outcome, that the entire site or each area of concern has been remediated in compliance with all applicable statutes, rules, and regulations and is protective of public health and safety and the environment.*

(4) *I certify that no other person is authorized or able to use any password, encryption method, or electronic signature that the Board or the Department have provided to me.*

(5) *I certify that I understand and acknowledge that:*

- *If I knowingly make a false statement, representation, or certification in any document or information I submit to the Department I may be subject to civil and administrative enforcement pursuant to N.J.S.A. 58:10C-17.a.1(a)through (f) by the Board, including but not limited to license suspension, revocation, or denial of renewal; and*
- *If I purposely, knowingly, or recklessly make a false statement, representation, or certification in any application, form, record, document or other information submitted to the Department or required to be maintained pursuant to the Site Remediation Reform Act, I shall be guilty, upon conviction, of a crime of the third degree and shall, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, be subject to a fine of not less than \$5,000 nor more than \$75,000 per day of violation, or by imprisonment, or both.*

(6) *I certify that I have read this certification prior to signing, certifying, and making this submission.*

LSRP Signature: _____

Date: _____

LSRP Name: Richard Britton, P.E., LSRP

Company Name: Matrix New World Engineering

SECTION K. SUBSURFACE EVALUATOR INFORMATION AND STATEMENT

I certify under penalty of law that the work was performed under my oversight and I have reviewed the report and all attached documents, and the submitted information is true, accurate and complete in accordance with the requirements of N.J.A.C. 7:14B and N.J.A.C. 7:26E. I am aware that there are significant civil and criminal penalties for submitting false, inaccurate or incomplete information including fines and/or imprisonment.

Name: _____	UST Cert. No.: _____
Firm: _____	Firm's UST Cert. Number: _____
Firm Address: _____	
City/Town: _____	State: _____ Zip Code: _____
Phone Number: _____	Ext: _____ Fax: _____
Signature: _____	Date: _____

Completed forms should be sent to:

Bureau of Case Assignment & Initial Notice
Site Remediation Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

**Hazardous Discharge Site Remediation Fund
Application for a Grant to Complete a Remedial Action**

**Former Biddelman, Inc. Property
4-10 Central Avenue
Block 9 Lot 32
NJDEP PI No. G000006148**

&

**Selecto Flash Inc.
18 Central Avenue
Block 9 Lot 36
NJDEP PI No. 027054
West Orange, Essex County, New Jersey**

PART II



**New Jersey Department of Environmental Protection
Site Remediation and Waste Management Program**

HDSRF APPLICATION – GENERAL CERTIFICATION – PART II

THIS CERTIFICATION IS REQUIRED TO BE COMPLETED BY ALL APPLICANTS

This certification shall be signed as follows:

- for a corporation, by a principal executive officer, at least the level of vice president;
- for a partnership, by a general partner;
- for a sole proprietorship, by the proprietor;
- for a public entity, the contact person (business administrator, manager, mayor, etc.);
- for other than above (i.e. homeowner/individual), the person with legal responsibility for the site.

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

Signature

Name/Title

Township of West Orange

Company

Sworn to and Subscribed Before Me

On this date of

Notary

**Hazardous Discharge Site Remediation Fund
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PART III



**New Jersey Department of Environmental Protection
Site Remediation and Waste Management Program**

HDSRF APPLICATION – SUBROGATION OF RIGHTS – PART III

THIS CERTIFICATION IS REQUIRED TO BE COMPLETED BY ALL APPLICANTS

This certification shall be signed as follows:

- for a corporation, by a principal executive officer, at least the level of vice president;
- for a partnership, by a general partner;
- for a sole proprietorship, by the proprietor;
- for a public entity, the contact person (business administrator, manager, mayor, etc.);
- for other than above (i.e. homeowner/individual), the person with legal responsibility for the site.

I hereby subrogate to the New Jersey Department of Environmental Protection all rights to recover remediation costs from an insurance carrier, discharger, or person in any way responsible for a hazardous substance discharge pursuant to subsection c. of section 8 of P.L. 1976, c. 141 (C.58:10-23.11g) and who does not have a defense to liability pursuant to subsection d. of that section, upon the failure of the recipient to repay the financial assistance to the State.

I further certify that I have not relinquished, impaired, or waived, and do not intend to relinquish, impair, or waive, any right by the State to recover the costs of the remediation against an insurance carrier, discharger, or person in any way responsible for a hazardous substance pursuant to subsection c. of section 8 of P.L. 1976, c.141 (C.58:10-23.11g).

Signature

Name/Title

Township of West Orange

Company

Sworn to and Subscribed Before Me

On this date of

Notary



**New Jersey Department of Environmental Protection
Site Remediation and Waste Management Program**

**HDSRF APPLICATION – 25% MATCHING GRANT REMEDIAL ACTION
CERTIFICATION – PART IV**

THIS CERTIFICATION IS REQUIRED FOR ALL PUBLIC AND PRIVATE ENTITY APPLICANTS APPLYING FOR A 25% MATCHING RA GRANT

This certification shall be signed as follows:

- For a corporation, by a principal executive officer, at least the level of vice president;
- for a partnership, by a general partner;
- for a sole proprietorship, by the proprietor;
- for a public entity, the contact person (business administrator, manager, mayor, etc.);
- for other than above (i.e. homeowner/individual), the person with legal responsibility for the site.

I hereby certify that

- A) *The requestor has a net worth of not more than \$2,000,000 at the time the relevant costs are incurred; and*
- B) *The requestor will implement an unrestricted use remedial action.*

Signature

Name/Title

Township of West Orange

Company

Sworn to and Subscribed Before Me

On this date of

Notary

**Hazardous Discharge Site Remediation Fund
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PART V



New Jersey Department of Environmental Protection
Site Remediation and Waste Management Program

HDSRF APPLICATION – MUNICIPAL QUESTIONNAIRE – PART V

THIS INFORMATION IS REQUIRED FOR ALL PUBLIC ENTITIES APPLICANTS

In order to expedite the processing of grant or loan application for public entities at the NJEDA, complete this Preliminary Questionnaire and return it to the NJDEP as part of the HDSRF application. NJDEP will forward this information to the NJEDA once your application has been approved. If you have any questions about available financial assistance, call the NJEDA at (609) 341-2723.

1. Applicant: Township of West Orange

Project Name: Selecto Flash, Inc. & Former Biddelman Inc.

2. Indicate the estimated project start date.

Start Date: 01/01/2021

3. List the current owner of the project site: Township of West Orange

4. If you are not the owner, do you hold a tax sales certificate for the property? ☐ Yes ☐ No

When was the tax sale certificate obtained? Date: _____

PROVIDE A COPY OF PROPERTY OWNERSHIP, SUCH AS TAX SALE CERTIFICATE, FORECLOSURE PAPERS, ETC. WITH THIS APPLICATION.

If the municipality does not currently own the property or hold a tax sale certificate, has the municipality passed a resolution indicating an intent to acquire the property? ☐ Yes ☐ No

When was the resolution passed? Date: _____

5. Describe any pending or threatened litigation related to the project site.

None

6. Describe any other pending issues that could delay grant/loan closing.

None

7. If the financial assistance for which you are applying will not cover the full cost of your project, such as the removal of underground storage tanks, identify other funding sources:

- ☐ Issuance of Bonds \$ _____
- ☐ Capital Budget Expenditure \$ _____
- ☐ Other, please describe: _____

LOAN APPLICANTS, ANSWER QUESTIONS 8 THROUGH 11:

8. Indicate the length of term, up to ten years, you desire for this loan. (Note that this term must be coterminous with all additional project financing.) _____ Years

9. Indicate if your municipality will need Local Finance Board Approval to participate in this program (i.e. are you within your legal debt limit?)..... ☐ Yes ☐ No
If "Yes," please state reason below.

10. If you currently hold a tax sale certificate or have acquired the site through foreclosure, do you intend to sell the remediated property and return it to your tax rolls within the next two years?..... ☐ Yes ☒ No

11. If you answered yes to question 10, indicate whether you would like a moratorium on principal and interest payments up to a maximum of two years. ☐ Yes ☐ No
If "Yes," I request a payment moratorium of _____ years

12. Provide additional comments in the space below.

Certification: By their signature below, the undersigned, a duly authorized representative of the above unit of local government, hereby certifies on behalf of the local government that the information contained herein is true, complete and correct in all respects as of the date hereof.

Signature: _____

Date: _____

Name (print): Leonard R. Lepore, P.E.

Title: Director of Public Works/Municipal Engineer

Appendix XII-B2

 FORECLOSURE CASE INFORMATION STATEMENT (FCIS) Use for Initial Chancery Division — General Equity foreclosure pleadings (not motions) under Rule 4:5-1. Pleading will be rejected for filing, under Rule 1:5-6(c), if information is not furnished or if attorney's signature is not affixed.		FOR USE BY CLERK'S OFFICE ONLY
SECTION A: TO BE COMPLETED BY ALL PARTIES		PAYMENT TYPE: ☐ CK ☐ CG ☐ CA ☐ MO RECEIPT NO.: AMOUNT: OVERPAYMENT: BATCH NUMBER: BATCH DATE:
CAPTION Township of West Orange v. 4 Tompkins Street; 18 Central Avenue		COUNTY OF VENUE Essex DOCKET NUMBER (when available) F -011876-16
NAME(S) OF FILING PARTY(IES) (e.g. John Doe, Plaintiff) Township of West Orange		DOCUMENT TYPE ☒ COMPLAINT ☐ ANSWER ☐ OTHER
ATTORNEY NAME (IF APPLICABLE) Richard D. Trenk, Esq.	FIRM NAME (IF APPLICABLE) Trenk, DiPasquale, Della Fera and Sodono, P.C.	
MAILING ADDRESS 347 Mt. Pleasant Avenue, Suite 300, West Orange, NJ 07052		DAYTIME TELEPHONE NUMBER (973) 243-8600
SECTION B: TO BE COMPLETED BY PLAINTIFF TO INITIAL COMPLAINT		
FORECLOSURE CASE TYPE NUMBER ☐ 088 IN PERSONAM TAX FORECLOSURE ☒ 089 IN REM TAX FORECLOSURE ☐ 0RF RESIDENTIAL MORTGAGE FORECLOSURE ☐ 0CF COMMERCIAL MORTGAGE FORECLOSURE ☐ 0CD CONDOMINIUM OR HOMEOWNER'S ASSOCIATION LIEN FORECLOSURE ☐ 091 STRICT FORECLOSURE ☐ 0FP OPTIONAL FORECLOSURE PROCEDURE (NO SALE) ☐ 0TS TIME SHARE FORECLOSURE	IS THIS A HIGH RISK MORTGAGE PURSUANT TO P.L.2009,C.84 AND P.L.2008,C.127 ☐ YES ☒ NO PURCHASE MONEY MORTGAGE ☐ YES ☒ NO RELATED PENDING CASE ☐ YES ☒ NO IF YES, LIST DOCKET NUMBERS:	
FULL PHYSICAL STREET ADDRESS OF PROPERTY: 4 Tompkins Street, West Orange, NJ 18 Central Avenue, West Orange, NJ ZIP CODE 07052 COUNTY: Essex	MUNICIPALITY CODE (*0722 MUNICIPAL BLOCK: 7 and 9 (Lots) 22 and 36	
ALL FILING PARTIES MUST SIGN AND PRINT NAMES(S) AND DATE THE FORM BELOW		
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).		
ATTORNEY / SELF REPRESENTED SIGNATURE 	PRINT ATTORNEY / SELF REPRESENTED NAME Richard D. Trenk, Esq.	DATE 4/20/16

*The Municipality Codes can be found at http://www.judiciary.state.nj.us/forms/11343_municodes.pdf

**TRENK, DIPASQUALE, DELLA FERA
& SODONO, P.C.**

347 Mt. Pleasant Avenue, Suite 300
West Orange, NJ 07052
(973) 243-8600
Richard D. Trenk, Esq. (016951982)
Attorneys for Plaintiff Township of West Orange

TOWNSHIP OF WEST ORANGE, a Municipal
Corporation of the State of New Jersey,

Plaintiff,

v.

4 TOMPKINS STREET,
Block 7, Lot 22 assessed to
SELECTO-FLASH, CORP

18 CENTRAL AVENUE,
Block 9, Lot 36 assessed to
SELECTO-FLASH, CORP.

Defendant(s).

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: ESSEX COUNTY

Civil Action

DOCKET NO.: ESX-F- F-011876-16

VERIFIED COMPLAINT

RECEIVED

APR 21 2016

SUPERIOR COURT
CLERK'S OFFICE

Plaintiffs Township of West Orange, a municipal corporation of the State of New Jersey,
in the County of Essex hereby states and alleges as follows:

COUNT ONE
(In Rem Tax Foreclosure)

1. By Resolution adopted by the Township Council of the Township of West Orange on April 19, 2016 pursuant to N.J.S.A. 54:5-104.29 to N.J.S.A. 54:5-104.71 as amended, and the rules of this Court governing such practice and procedure, the Township of West Orange plaintiff determined to foreclose, In Rem, the Tax Sale Certificates particularly mentioned and described in the tax foreclosure list annexed to said Resolution, a copy of which tax foreclosure list is attached hereto as Exhibit "A."

2. More than two (2) years (6 months, if tax certificate issued in accordance with C. 91, P.L.1974) have expired from the date of the sale out of which each of the above mentioned

certificates arose.

3. All or any portion of the general land taxes levied and assessed against the land covered by each of the above mentioned certificates for the 48 months (21 months, if tax certificate issued in accordance with C. 91, P.L.1974) next preceding the commencement of the action, other than those subject to payment by installments authorized by a Resolution adopted pursuant to N.J.S.A. 54:5-65, remains unpaid.

4. Each of the Tax Sale Certificates and the land therein described which are the subject matter of this foreclosure are listed in the tax foreclosure list annexed hereto and made a part hereof and are there designated as Schedules #1 and #2 inclusive, in numerical sequence.

5. The name of the person or persons who, by the public records, appear to be the owners of the land to be affected by this tax foreclosure proceeding, more particularly set forth in the attached tax foreclosure list, and the book and page or date and instrument number of the instrument by which such persons acquired title is set forth hereunder, opposite the respective Schedule number referred to in paragraph 4 above. There is also set forth opposite each Schedule number, the identifying serial number of the certificate of the tax sale, the date of recording of the same in the office of the Essex County Clerk and the instrument number or book and page number where same is recorded, and each certificate set forth herein shall be deemed a separate cause of action.

Schedule Number	Tax Sale Certificate Number	Date Recorded	Instrument No. (or Book & Page reference)
1	12-003	1/9/2013	13002177 Book: 12410 Page: 1195
2	12-005	1/9/2013	13002115 Book: 12410 Page: 1190

Schedule and Number	Transferee or Purchaser of Title	Dated	Date Recorded	Book Page
1	Selecto-Flash, Inc.	8/10/1979	8/13/1979	Book: 4651 Page: 229-230
2	Selecto-Flash, Inc.	7/6/1979	7/10/1979	Book: 4647 Page: 394-396

WHEREFORE, the plaintiff demands judgment as follows: (1) that any person desiring to protect a right, title or interest in the above described lands or any parcel thereof, by redemption, or to contest plaintiff's right to foreclosure, must do so by paying the amount required to redeem, plus interest to the date of redemption, and such costs, as the court may allow prior to the entry of a judgment herein, or by filing and serving an answer to this complaint setting forth defendants' defense within 45 days after the date of publication; (2) that in the event of failure to redeem or answer by any person having the right to redeem or answer, such person shall be forever barred and foreclosed of all his right, title and interest and equity of redemption in the lands and premises hereinabove described; and (3) that a judgment may be rendered by this court giving full and complete relief in accordance with the purposes and provisions of the aforesaid act, and in accordance with any other statutory authority and with the practice of the court, to bar the right of redemption and to foreclose all prior or subsequent alienations and descents of the lands aforesaid and encumbrances thereon, and to order and adjudge an absolute and indefeasible estate of inheritance in fee simple in the lands hereinabove described, to be vested in the plaintiff.

**TRENK, DiPASQUALE, DELLA FERA
& SODONO, P.C.**
Attorneys for Plaintiff Township of West Orange

DATED: April 20, 2016

By: _____

RICHARD D. TRENK

VERIFICATION

JOANNE GAGLIARDO, being of full age, hereby certifies as follows:

1. I am the Tax Collector of the Township of West Orange, the plaintiff herein.
2. I have read the foregoing Complaint and know the contents thereof.
3. The tax foreclosure list contained in the Complaint was prepared by me or under my supervision.
4. The matters and things stated in the Complaint that were taken from the records of my office, are true, and the other matters therein stated, are true to the best of my knowledge, information and belief.

DATED: April 20th, 2016



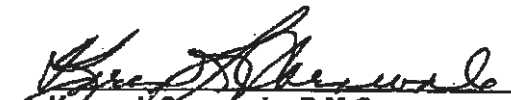
JOANNE GAGLIARDO

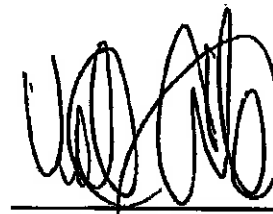
RESOLUTION

**RESOLUTION OF THE TOWNSHIP OF WEST ORANGE AUTHORIZING
FORECLOSURE UNDER THE IN REM TAX FORECLOSURE ACT OF 1948 AS
AMENDED, AND ESTABLISHING THE TAX FORECLOSURE LIST OF LIENS TO BE
FORECLOSED**

WHEREAS, the Township of West Orange has determined that it is necessary and proper to foreclose certain Tax Sale Certificates held by the Township of West Orange, County of Essex, State of New Jersey, by summary proceedings pursuant to the authority granted by the In Rem Tax Foreclosure Act of 1948, as amended; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, ESSEX COUNTY AND STATE OF NEW JERSEY that the governing body of the Township of West Orange, that the Tax Sale Certificates as shown on the foreclosure list, annexed hereto as Exhibit "A," now held by the Township of West Orange be foreclosed by the summary proceedings IN REM, and as described by N.J.S.A. 54:5-104.29 to 54:5-104.71 as amended, and pursuant to the rules of the Civil Practice of the Superior Court of New Jersey.


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


Victor Cirilo
Council President

Adopted: April 19, 2016

Exhibit "A" to Resolution of the Township of West Orange Authorizing Foreclosure Under the In Rem Tax Foreclosure Act of 1948 as Amended, and Establishing the Tax Foreclosure List of Liens to be Foreclosed

Foreclosure List (Updated March 28, 2016)

Schedule Number	Tax Sale Certificate Number	Date Sold	BLK/LOT	Book/Pg. Recording	Amount of Sale	Subsequent Liens	Amount To Redeem	Name of Owner
1	12-003	10/25/2012	Block No. 7 Lot No. 22	Book: 12410 Page: 1195	\$335.49	\$5,555.80	\$5,891.29	Selecto-Flash, Corp. 4 Tompkins Street West Orange, NJ 07052
2	12-005	10/25/2012	Block No. 9 Lot No. 36	Book: 12410 Page: 1190	\$36,678.80	\$503,561.64	\$540,240.44	Selecto-Flash, Corp. 18 Central Avenue West Orange, NJ 07052

**Hazardous Discharge Site Remediation Fund
Application for a Grant to Complete a Remedial Action**

**Former Biddelman, Inc. Property
4-10 Central Avenue
Block 9 Lot 32
NJDEP PI No. G000006148**

&

**Selecto Flash Inc.
18 Central Avenue
Block 9 Lot 36
NJDEP PI No. 027054
West Orange, Essex County, New Jersey**

PART VI



New Jersey Department of Environmental Protection Site Remediation and Waste Management Program

HDSRF APPLICATION CHECKLIST – PART VI

This following checklist has been provided to assist you in preparing a HDSRF application for each specific grant and/or loan offered by the program. Please review the checklist for the applicable grant and/or loan to verify all required documentation has been included as part of the application package.

PUBLIC ENTITIES

Brownfield Development Area (BDA) Grant

- ☒ HDSRF Application form (Part I)
- ☒ HDSRF General Certification (Part II)
- ☒ HDSRF Subrogation of Rights (Part III)
- ☒ Municipal Questionnaire (Part V)
- ☒ Detailed remediation Work Proposal and itemized cost estimate
- ☒ Comprehensive redevelopment plan or resolution (indicating a commitment exists to develop within three years following completion of the remediation)
- ☒ Resolution that public entity authorized to apply to HDSRF for the remediation of a discharge/suspected discharge
- ☒ One original and one copy of the HDSRF application packet

PA/SI/RI Grant

- ☐ HDSRF Application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ Municipal Questionnaire (Part V)
- ☐ Detailed remediation Work Proposal and itemized cost estimate
- ☐ Proof of ownership interest (tax sale certificate, deed, or resolution to acquire property by voluntary conveyance)
- ☐ Resolution that public entity authorized to apply to HDSRF for the remediation of a discharge/ suspected discharge
- ☐ Comprehensive redevelopment plan or resolution (indicating a commitment exists to develop within three years following completion of the remediation)
- ☐ One original and one copy of the HDSRF application packet

75% Recreation and Conservation Grant

- ☐ HDSRF Application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ Municipal Questionnaire (Part V)
- ☐ Detailed remediation Work Proposal and itemized cost estimate
- ☐ Resolution that public entity authorized to apply to HDSRF for the remediation of a discharge/suspected discharge
- ☐ Documentation indicating the property is to be preserved for recreation/conservation by conveyance of a development easement, conservation easement, or other restriction/easement permanently restricting development
- ☐ Comprehensive plan for the development or redevelopment of the subject property
- ☐ One original and one copy of the HDSRF application packet

75% Renewable Energy Grant

- ☐ HDSRF Application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ Municipal Questionnaire (Part V)
- ☐ Detailed remediation Work Proposal and itemized cost estimate

75% Renewable Energy Grant (continued)

- ☐ Resolution that public entity authorized to apply to HDSRF for the remediation of a discharge/suspected discharge
- ☐ Documentation indicating the property is to be redeveloped for a project that will generate renewable energy.
- ☐ Comprehensive plan for the development or redevelopment of the subject property
- ☐ One original and one copy of the HDSRF application packet

50% Affordable Housing

- ☐ HDSRF Application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ Municipal Questionnaire (Part V)
- ☐ Detailed remediation Work Proposal and itemized cost estimate
- ☐ Resolution that public entity authorized to apply to HDSRF for the remediation of a discharge/suspected discharge
- ☐ Copy of the deed for the property indicating the inclusion of the appropriate restrictions for Affordable Housing
- ☐ Comprehensive plan for the development or redevelopment of the subject property
- ☐ One original and one copy of the HDSRF application packet

25% RA Matching Grants Remedial Action Unrestricted Use

- ☐ HDSRF Application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ 25% Matching Grant RA Certification (Part IV)
- ☐ Municipal Questionnaire (Part V)
- ☐ Detailed remediation Work Proposal with detailed description of remedial action and itemized cost estimate
- ☐ Resolution that public entity authorized to apply to HDSRF for the remediation of a discharge/suspected discharge
- ☐ Comprehensive redevelopment plan or resolution (indicating a commitment exists to develop within three years following completion of the remediation)
- ☐ One original and one copy of the HDSRF application packet

Loans

- ☐ HDSRF Application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ Municipal Questionnaire (Part V)
- ☐ Detailed remediation Work Proposal and itemized cost estimate
- ☐ Comprehensive redevelopment plan or resolution (indicating a commitment exists to develop within three years following completion of the remediation)
- ☐ One original and one copy of the HDSRF application packet

PRIVATE ENTITIES

25% Matching Grants Remedial Action Unrestricted Use

- ☐ HDSRF Application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ HDSRF 25% Matching Grant RA Certification (Part IV)
- ☐ Business and personal financial statements for the last three years
- ☐ Detailed remediation Work Proposal with detailed description of remedial action and itemized cost estimate
- ☐ One original and one copy of the HDSRF application packet

Loans

- ☐ HDSRF Application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ Proof of ownership of the subject property (copy of the Deed)
- ☐ Three previous years of federal tax returns
- ☐ Detailed remediation Work Proposal with detailed description of remediation and itemized cost estimate
- ☐ One original and one copy of the HDSRF application packet

NON-PROFIT ORGANIZATIONS

PA/SI/RI Grant

- ☐ HDSRF application form (Part I)
- ☐ HDSRF General Certification (Part II)
- ☐ HDSRF Subrogation of Rights (Part III)
- ☐ Proof of ownership interest of the subject property (Deed or resolution to acquire property by voluntary conveyance)
- ☐ Documentation indicating status as a 501(c)3 non-profit organization
- ☐ Detailed remediation Work Proposal with detailed description of remediation and itemized cost estimate
- ☐ Resolution that the non-profit organization is authorized to apply to HDSRF for the remediation of a discharge/suspected discharge
- ☐ Comprehensive redevelopment plan or resolution (indicating a commitment exists to develop within three years following completion of the remediation)
- ☐ One original and one copy of the HDSRF application packet

**Hazardous Discharge Site Remediation Fund
Application for a Grant to Complete a Remedial Action**

**Former Biddelman, Inc. Property
4-10 Central Avenue
Block 9 Lot 32
NJDEP PI No. G000006148**

&

**Selecto Flash Inc.
18 Central Avenue
Block 9 Lot 36
NJDEP PI No. 027054
West Orange, Essex County, New Jersey**

**SUPPLEMENT TO PART VI
REDEVELOPMENT PLAN AND RESOLUTION**

**Redevelopment Plan
Block 9, Lots 11.01, 11.02, 11.03, 32, & 36
and Block 7, Lot 22
Township of West Orange, New Jersey**



Prepared For:
Township of West Orange
66 Main Street
West Orange, NJ 07052

Prepared By:



Peter Van den Kooy, P.P., AICP #5918

Matrix New World Engineering
26 Columbia Turnpike
Florham Park, NJ 07932



Sean Moroski, P.P., AICP #3601

Matrix New World Engineering
26 Columbia Turnpike
Florham Park, NJ 07932

November 22, 2016

The original of this report was signed and sealed in accordance with NJSA 45:14A-12.

ACKNOWLEDGEMENTS

Mayor and Council

Hon. Robert D. Parisi, Mayor
Victor Cirilo, Council President
Michelle Casalino, Councilwoman
Jerry Guarino, Councilman
Joe Krakoviak, Councilman
Susan McCartney, Councilwoman

Administration

John K. Sayers, Business Administrator

Planning Board

Ron Weston, Chairman, AIA
Dr. Robert Bagoff, Vice Chairman
Joanne Carlucci
Jerome Eben, AIA, PP
Tekeste Ghebremicael
Gerald Gurland, FAIA
Jason T. Lester (Mayor's Designee)
Council President Susan McCartney
William Wilkes II
Lee D. Klein (Alternate #1)
Gary B. Wegner (Alternate #2)

Patrick Dwyer, Esq., Board Attorney
Robin Miller, Board Secretary
Paul Grygiel, A.I.C.P., P.P., Acting Municipal Planner
Leonard Lepore, P.E., Municipal Engineer & Director of Public Works

Additional Township Staff

Rose DeSena, Zoning Board of Adjustment Secretary

Additional Professionals for the Township

Richard Trenk, Esq., Township Attorney
Mark Moon, Esq.

Consulting Professionals

Peter Van den Kooy, PP, AICP
Sean Moronski, PP, AICP
Leah Thiel
Robert Gascoyne, LSRP
Rose DeLorenzo, CHMM, LSRP
Tamara Grillon

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LIST OF APPENDICES

Appendix A Township of West Orange Planning Board Resolution No. 16-03

Appendix B Township of West Orange Council Resolution No. 228-16 (designation of Condemnation Area in Need of Redevelopment)

Appendix C Township of West Orange Council Resolution No. 120-16 (authorize preliminary investigation)

LIST OF FIGURES

Figures 1A & 1B Tax Maps

Figure 2 USGS Topographic Map

Figure 3 Aerial Photo of Project Site

Figure 4 Zoning Map

Figure 5 Environmental Constraints Map

Figure 6 Notified Properties Within 200 Feet of the Area in Need of Redevelopment

1. REDEVELOPMENT PLAN BACKGROUND

1.1 INTRODUCTION

This Redevelopment Area, hereinafter referred to as the “Central Avenue Redevelopment Area,” comprises six lots (collectively the “Subject Parcels”), located in the Township of West Orange (the “Township”), Essex County, New Jersey, as shown in **Figure 2, USGS Topographic Map** and **Figure 3, Aerial Photograph of Project Site**. The subject parcels are located on the following block and lots:

- A. Block 9, Lots 11.01, 11.02, 11.03, 32, & 36
- B. Block 7, Lot 22

The Central Avenue Redevelopment Area is situated adjacent to the Harvard Press Redevelopment Area to its east. Harvard Press was designated as an Area in Need of Redevelopment due to being an abandoned industrial area subjected to a Brownfields remediation program due to environmental contamination. Furthermore, both a portion of the Central Avenue Redevelopment Area (Block 9, Lots 32 and 36) and the Harvard Press Redevelopment Area are part of the Central Valley Brownfield Development Area (the “CVBDA”) under the Office of Brownfield Reuse Brownfield Development Area Program. The CVBDA was established on December 5, 2005.

The Township recognizes that the Central Avenue Redevelopment Area parcels suffer from one or more of the following conditions: substandard and dilapidated conditions, vacancy for at least 10 years, environmental contamination, use in conflict with modern land use standards and practice, and a lack of proper utilization. The Township supports its redevelopment pursuant to the criteria referenced in this Redevelopment Plan.

This document is intended to provide a coordinated Redevelopment Plan for the Central Avenue Redevelopment Area that will facilitate the redevelopment of the Subject Parcels in a manner consistent with Township objectives while maximizing development flexibility given the existing environmental constraints.

On October 5, 2016, the Township of West Orange Planning Board (the “Planning Board”) adopted Resolution Number 16-03, Appendix A, which set forth a recommendation to the Township Council that the Subject Parcels be designated as a Condemnation Area in Need of Redevelopment. The recommendations are based upon the findings outlined in the “Area in Need of Redevelopment Study” dated July 11, 2016, prepared by the authors of this Plan, on behalf of the Township Planning Board, to determine whether the Subject Parcels meet the statutory criteria to be designated as an Area in Need of Redevelopment. Based upon the Planning Board’s recommendation, on October 26, 2016, the Township Council adopted Resolution Number 228-16, Appendix B, which designated the Subject Parcels as a Condemnation Area in Need of Redevelopment.

The Township Council authorized the preparation of this Redevelopment Plan through the adoption of Resolution Number, 120-16 on May 3, 2016, Appendix C. Pursuant to the Local Redevelopment and Housing Law, a redevelopment plan may be adopted (N.J.S.A. 40A:12A-7) and implemented (N.J.S.A. 40A:12A-15). This Redevelopment Plan specifically replaces and supersedes any and all previous zoning that governs this Redevelopment Area.

1.2 REDEVELOPMENT AREA BOUNDARIES

The Central Avenue Redevelopment Area is comprised of six parcels having an area of approximately 2.5 acres, identified on the Township Tax Maps as shown in **Figures 1A & 1B, Tax Map**. Each lot is identified below, including its street address and property owner, as follows:

-
- A. Block 9, Lot 11.01 – 25 Mitchell Street, German & Graciela Montesdeoca
 - B. Block 9, Lot 11.02 – 29 Mitchell Street, Anthony Dennis
 - C. Block 9, Lot 11.03 – 27 Mitchell Street, James Dezao
 - D. Block 9, Lot 32 – 8-10 Central Avenue, 8 Central Ave Properties, LLC (the “Biddleman Site”)
 - E. Block 9, Lot 36 – 18 Central Avenue, Selecto-Flash, Inc. (the “Selecto-Flash Site”).*
 - F. Block 7, Lot 22 – 4 Tompkins Street, Selecto-Flash, Inc. (the “Selecto-Flash Lot”).*
- * Township of West Orange (owner pending)

The parcels listed above include a range of residential, commercial, industrial, and vacant properties

The topography of the Redevelopment Area is relatively flat, as confirmed on the USGS Topographic Map as shown in **Figure 2, USGS Topographic Map**. The Redevelopment Area is delineated in **Figure 3, Aerial Photograph of Project Site**.

The Subject Parcels are located in the I Industry District and the R-M Multi-family Residences District as shown on **Figure 4, Zoning Map**. Block 9, Lots 11.01, 11.02, 11.03, 32 and 36 are located within the I Industry District and Block 7, Lot 22 is located within the R-M Multi-family Residences District. Residential uses are not a permitted use in the I Industry District, under Chapter 25 of the West Orange Zoning Regulations; however, three of the lots located in the I Industry District, Block 9, Lots 11.01, 11.02, and 11.03, are developed with residential uses as well as the southwestern portion of Block 9 along Mitchell Street. Furthermore, the R-M Multi-family Residences District includes the vacant site of Block 7, Lot 22, which is within the Redevelopment Area. To the west of the Redevelopment Area is the B-1 Retail Business District. This Redevelopment Plan establishes a new zoning that replaces and supersedes the previous zoning including residential uses among the permitted uses within the Redevelopment Area.

A review of New Jersey Department of Environmental Protection (the “NJDEP”) database reveals that the Selecto-Flash Site is a known contaminated site. Additionally, the Biddleman Site was previously subjected to the Industrial Site Recovery Act (the “ISRA”) until the case was withdrawn on May 15, 2006. However, the soil and groundwater contamination at the Biddleman Site appear to remain above the applicable NJDEP standards. Contamination consists of petroleum hydrocarbons associated with a heating oil underground storage tank (“UST”) and chlorinated volatile organic compounds (“VOCs”) associated with spills on site and an aboveground storage tank (“AST”) dating back to 1988. An ISRA General Information Notice (“GIN”) was submitted in 2005.

An initial Receptor Evaluation (“RE”) was due 1 year after discharge was discovered or remediation initiated. Based on the presence of chlorinated VOCs in the groundwater, a well search was to be completed 90 days following the discovery of groundwater contamination. Based on contaminated groundwater, a vapor intrusion (“VI”) investigation may be required considering old groundwater data exceeds the current VI Groundwater Screening Levels. According to NJDEP Dataminer, there was an obligation to acquire a Licensed Site Remediation Professional (“LSRP”) due November 4, 2009 and a LSRP Retention Form was to be completed 45 days after discharge or initiation of remediation. Based upon the information reviewed, it appears that an LSRP was not retained.

As existing documentation indicates that groundwater and soil contamination still exist on this property, NJDEP requires that a preliminary assessment and/or site investigation report be prepared for this property and that the site be fully remediated in accordance with the findings and recommendations of those reports. An **Environmental Constraints Map** is included as **Figure 5**.

1.3 REDEVELOPMENT GOALS AND OBJECTIVES

Through the adoption of this Redevelopment Plan, the Mayor, Township Council and Planning Board intend to achieve certain objectives for this Redevelopment Area as described below:

- A. To promote the environmental remediation of all properties in the CVBDA.
- B. To provide for the coordinated and orderly development of vacant Brownfield sites in a manner consistent with the Township Master Plan and the adjacent Harvard Press Redevelopment Plan, and State Development and Redevelopment Plan.
- C. To promote the revitalization of vacant and underutilized Brownfield sites and surrounding properties with opportunities for mixed-use development.
- D. To promote economic development opportunities that will generate private sector investment, produce new jobs, increase tax ratables, and expand income levels.
- E. To promote redevelopment that is compatible with the unique characteristics of the site including its location, passenger rail access, and a growing arts and cultural community.
- F. To improve the physical condition of the area by encouraging infrastructure improvements, including off-street parking, and providing for new development that will enhance the function of the area.
- G. To ensure high-quality redevelopment which minimizes nuisance impacts through appropriate buffering/screening, noise control, creative site plan layout, and access management.
- H. To ensure compliance with all applicable NJDEP and other governmental agency requirements and permits for Brownfields redevelopment.

1.4 PUBLIC UTILITIES AND INFRASTRUCTURE

The Central Avenue Redevelopment Area is served by the full spectrum of infrastructure necessary to support redevelopment including public water, storm sewers and sanitary sewers as well as private utility gas, electric and telephone service. It is anticipated that future utility improvements will be limited to connections and rehabilitation of any substandard utility segments located on-site. There will also be a need for site remediation associated with the past industrial use based upon future environmental investigation. If so, the installation, operation and maintenance of infrastructure for site remediation shall be factored into future redevelopment activity planned within the designated redevelopment area. The following utility improvement(s) shall be required as part of any designated redevelopment (the “Redeveloper”):

- A. The Redeveloper shall prepare a utility infrastructure plan for review and approval by the Township Engineer, New Jersey American Water (“NJAW”) and other agencies with jurisdiction. All drainage improvements shall comply with NJAW and NJDEP stormwater management rules and regulations.
- B. All sanitary sewer and storm water flows shall be directed as determined by NJAW and the Township Engineer.
- C. All utilities and cabling systems required to serve the redevelopment area shall be installed underground unless a particular utility component or system is required to be above ground by law. In that case, utility installations that are required to be aboveground shall be exempt from the minimum and maximum building height requirements. However, any required above ground utility installations shall be screened from view.

As the Central Avenue Redevelopment Area is currently serviced by public water, sewer, electric and gas utilities, the intent of the Redevelopment Plan is to re-use these existing service connections, and upgrade as required. All associated permit and connection fees will be paid by the Redeveloper as required.

2. DEVELOPMENT REGULATIONS

2.1 GENERAL REGULATIONS

2.1.1 Overview

Section 2, the Development Regulations, fulfills the requirement of N.J.S.A. 40A:12A-7a(2) to identify the land uses and building requirements of the Redevelopment Plan.

2.1.2 Definitions

The use and understanding of terms shall be consistent with the definitions listed at 40A:12A-3 of the Local Redevelopment and Housing Law, 40:55D-3 to 40:55D-7 of the Municipal Land Use Law and Section 25-4 of the Township Zoning Code.

2.1.3 Word Usage

- A. Words used in the present tense include the singular number as well as the plural.
- B. The word “lot” includes the word “plot.”
- C. The phrase “used” includes “arranged,” “designed,” “intended,” “constructed,” “altered,” “maintained,” “occupied,” “converted,” “rented,” “leased,” or “intended to be used.”
- D. The term “such as,” where used herein, shall be considered as introducing a typical or illustrative rather than an entirely exclusive or inclusive designation of permitted or prohibited uses, activities, establishments or structures.
- E. “Shall” and “will” are mandatory.
- F. “May” and “should” are permissive.
- G. The word “person” includes an individual, corporation, partnership or any other legal entity.
- H. Either gender shall include the other.
- I. The word “includes” or “including” shall not limit the term to the specified example; but is intended to extend its meaning to all other instances of like kind and character.
- J. Any word or term not defined or referenced herein in Section 2 of this Redevelopment Plan shall be used with a meaning of standard usage as defined in Webster’s New International Dictionary of the English Language, unabridged and latest edition.
- K. Whenever a term is used in this Section which is not defined, but which term is defined in the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), such term is intended to have the meaning as defined in the Municipal Land Use Law.
- L. The term “neighborhood commercial,” where used herein, shall be considered as a commercial area, usually located on an arterial or collector street, providing convenience goods and services for residents of the surrounding area.

2.2 LAND USE REGULATIONS

The Central Avenue Redevelopment Area permits the following uses:

Permitted Uses:

- A. Off-street surface parking for the use of parcels located in another redevelopment area abutting this redevelopment area that are developed or to be developed for multi-family residential use.
- B. Public open space.

- C. Multi-family Residential uses, including affordable housing units. The ground (first) floor of a multi-family building may include residential, commercial, and or parking. Development must be in accordance with Township and State requirements as they pertain to development in flood zones to the extent applicable.
- D. Neighborhood Commercial uses.
- E. Pocket park and/or other public amenity uses limited to Block 7, Lot 22.
- F. Warehouse, limited to parcels having frontage only on Central Avenue.
- G. Public Self-Storage Facility. In addition to other uses that may be permitted, Block 9, Lot 36 may be developed with up to 100,000 square feet for a public self-storage facility located above one level of parking. Said parking need not be enclosed or provided with a façade matching the building. Height, impervious coverage, building coverage, and other development standards shall be determined based on the engineering of the site to accommodate up to a 100,000 square feet public self-storage facility without the need for variances, exceptions, or waivers. In addition to other uses permitted on Lot 22 in Block 7, this lot may be used in conjunction with or accessory to the development of Block 9, Lot 36 as provided herein.

Accessory Uses: All customary accessory uses associated with the above permitted uses.

The following bulk requirements pertain to the permitted mixed-use multi-family residential, neighborhood commercial, and warehouse uses:

Item	Permitted
Mixed-Use Residential and Neighborhood Commercial	
Maximum Number of Residential Units Per Acre	70
Maximum Building Height	55 feet
Maximum Number of Stories	5, including parking facilities
Minimum Residential Unit Size	750 sf
Minimum Amount of Non-Buildable Area, including Open Space, Pedestrian Areas (excluding hard surface sidewalks), and Landscaped Areas	20 percent
Maximum Building Coverage	70 percent
Front Yard Setback	7 feet, from the public right-of-way
Side Yard Setback	4 feet, from adjoining property boundary, except that parking area may be built within the side yard
Rear Yard Setback	10 feet
Minimum Number of Parking Spaces: Residential	One parking space per residential unit.
Warehouse	
Maximum Building Height	40 feet
Minimum Lot Area	10,000 sf
Minimum Lot Width	No minimum
Minimum Front Yard	None required
Minimum Side Front Yard-Corner Lot	None required

Minimum Side Yards	None required but 6 feet when provided. 10 feet adjacent to residential lot line.
Minimum Rear Yard	30 feet
Maximum Building Coverage	60%
Maximum Lot Coverage	75%
Minimum Spacing Between Buildings	25 feet

2.2.1 Township Zoning Code

The requirements of Chapter 25, Land Use Regulations of the Township of West Orange Municipal Code shall control except as specifically altered or otherwise modified by the subject Redevelopment Plan.

2.3 ADDITIONAL REGULATIONS AND STANDARDS

The following requirements must be satisfied in conjunction with any new development within the Central Avenue Redevelopment Area:

2.3.1 Usage

All uses are subject to the performance standards of Section 25-7.1 of the Township Municipal Code.

2.3.2 General Parking Area Regulations

- A. Parking areas shall be built subject to an approved parking plan, as approved by the Planning Board.
- B. Shared Parking: Applicants proposing to use shared parking as a means of satisfying off-street parking requirements shall submit a shared parking analysis to the Board that clearly demonstrates the feasibility of shared parking. The shared parking analysis address, at a minimum, the size and type of the proposed development, the anticipated rate of parking turnover, the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces, and the times at which anticipated peak parking and traffic loads for all uses will occur.
- C. Any Redeveloper must work in cooperation with the Township to provide additional parking opportunities to serve the surrounding neighborhood. This can include the identification and development of additional off-street parking or through a financial contribution by a redeveloper to the Township to further the Township's parking objectives in the vicinity of any redevelopment project constructed as permitted herein.
- D. Any proposed parking area shall provide adequate lighting, ventilation, and security.
- E. Any proposed parking structure that is part of any permitted use, except for public self-storage facility, shall have the same façade as the building façade to the maximum extent practicable.
- F. Parking lot design shall consider pedestrian circulation. Pedestrian crosswalks shall be provided and linked to the wider pedestrian network. Pavement textures shall be required on pedestrian access ways, and strongly encouraged elsewhere in the parking lot, as surfacing materials, or when used as accents.
- G. Parking lots shall meet New Jersey Americans with Disabilities Act requirements for handicapped parking.
- H. Parking lots shall be built to provide shade and visual relief, subject to site plan review and approval.
- I. Parking lots having two or more drive aisles shall provide sufficient drive aisle width to permit the safe circulation of vehicles.

- J. Parking lots for all uses, including warehouse uses, shall be paved, contain parking space striping, appropriate wayfinding signage, and related improvements to ensure the safe and efficient operation of the parking area.
- K. The Redeveloper shall design any proposed improvements to comply with applicable flood hazard area regulatory requirements and shall demonstrate that the proposed improvements will operate safely during design storm events.

2.3.3 Residential Building and Site Design Standards

Buildings shall be designed to be attractive and aesthetically pleasing, as the West Orange Planning Board may deem appropriate, and using the following standards applicable to the Mixed Use Business Residential (MUBR) zone.

- A. Buildings shall have a defined base and cap. The base may align with the sill level of the first floor, the foundation edge, or the ground with foundation plantings. The cap of the building includes the building cornice, parapet or eaves at the top of the building wall. The roof may be of a “flat design”, but shall have decorative treatments such as “dormers” or false windows to add dimension and elegance to the building. A total “flat surface” type structure shall be avoided. Long, blank wall expanses are discouraged.
- B. Fire escapes are not permitted on the front facade (wall) of a building.
- C. All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications devices shall be screened from public view, by using walls, roof elements, penthouse-type screening devices or landscaping, designed to be architecturally compatible with the building’s style, materials, colors and details.
- D. Buildings where a portion of the structure is set back within four feet of the adjoining property boundary line shall have the stories above the first story recessed, or terraced, to provide an attractive side yard. The use of terraces and faux window treatments is encouraged to provide a unique architectural feel.
- E. Building(s) are encouraged to have an attractive and easily identifiable entry with a canopy or awning of an appropriate dimension as approved by the Planning Board.
- F. Buildings shall have quality brick, stone, or other materials so as to appear unique; promoting an “elegant, charming, quaint, or village-like” sense of place.
- G. Internally illuminated signs, particularly “lightbox” signs, are prohibited in the entire Central Avenue Redevelopment Area.
- H. Signs shall not obscure architectural elements such as clerestory windows nor span across structural bays or columns. Signs shall be subordinate to the building’s facade, not overwhelming, but rather in keeping with the building design.
- I. Buildings, including parking areas, shall be well illuminated, with the windows of residences screened from direct or harsh lighting. Building and sign illumination by bare floodlight, blinking or flashing bulbs is prohibited.
- J. Awnings are permitted, provided they add to the aesthetics of the building, as solely determined by the Planning Board.
- K. Way finding signage is permitted and shall be consistent with other streetscape elements.
- L. Decorative lighting fixtures shall be used on the building and along the street edge and within the private parking areas and walkways to establish a consistent lighting design theme. This requirement shall include building accent lighting.
- M. “Washing” the entire building facade in light is prohibited.

2.3.4 Landscaping

- A. A buffer strip at least five feet wide shall be located along any side or rear property line contiguous to a residential use. A buffer strip shall be planted and maintained in perpetuity with trees and shrubbery of such sizes and densities as to adequately screen the buildings from such abutting a use in a residential zone.
- B. All land areas not covered with buildings, parking, or other impervious surfaces shall be landscaped with suitable materials. Landscaping shall consist of trees, shrubs, ground cover, perennials, and annuals individually or in combination and may include inanimate materials such as rocks, water, sculpture, art, walls fences, and paving materials. The landscape plan and all planting shall be subject to Planning Board review and approval.
- C. The landscape plan and all plantings shall complement the building(s) and accentuate important features. Plants shall be chosen for year-round interest including color, flowers, bark interest or branching patterns. Hardy native plants shall be used where possible.
- D. Existing healthy and mature trees shall be retained and incorporated into the landscape plan where possible.
- E. The use of planters, window flower boxes and hanging baskets is encouraged to provide seasonal color.

2.3.5 Sidewalks and Pedestrian Pathways

- A. Sidewalks shall be wide enough to handle pedestrians and, together with the area within the front or rear yard setback, be sufficient to accommodate benches, planters and street tree lights where appropriate. Sidewalks along the perimeter of a residential building shall be a minimum of four feet (4') wide. Sidewalks shall have a similar design and material content as walkways.
- B. Pedestrian walkways, located within a residential project shall be raised and curbed along buildings and within parking areas where suitable. Scored or decorative concrete, having a limited number of raised areas, shall be the preferred material. All walkways and paved areas not within the public right of way shall use appropriately colored pavers, at the option of the redeveloper. All specific designs shall be subject to Planning Board approval.
- C. Barrier-free walkway systems and entrances to buildings shall be provided to allow pedestrian access to buildings, or uses, from parking lots and public sidewalks.

2.3.6 Loading and Service Areas

Trash receptacles, dumpsters, enclosure areas, and utility boxes shall be placed in the side or rear of the building(s) situated to be visually unobtrusive. Service areas shall be in or next to ground level parking areas and shall be located behind buildings or designed to fit into the streetscape. Screening of trash and other service areas shall be subject to review and approval of the Planning Board.

2.3.7 Fences and Walls

Fences and walls in public areas shall be constructed to match the architectural detail of the principal structure. Fences and screen walls shall have a maximum height of four feet, except that fences and screen walls may have a maximum height of six feet when used to screen service area enclosures.

2.3.8 Outdoor Storage

The storage of any materials, products, debris, signs, or any bulk item on any property or premises is prohibited.

2.3.9 Traffic Plan

A traffic circulation plan shall be submitted by the applicant to the Planning Board for their review and approval.

2.3.10 Shared Parking Analysis

If shared parking is proposed by the applicant, a shared parking analysis shall be submitted by the applicant to the Planning Board for their review and approval.

2.3.11 Signage

The Redeveloper will adhere to all signage requirements as listed in Section 25-15 of the Township Zoning Code.

2.3.12 Affordable Housing

Affordable housing units may be provided in the redevelopment area within a residential or mixed-use building. To the extent that a Redevelopment Project creates a requirement for affordable housing units subject to applicable State regulations, the Redeveloper shall be responsible for satisfying any such affordable housing requirement.

2.3.13 Utilities

Utilities servicing the site shall be approved and operated in accordance with all applicable regulations.

2.4 DEVELOPMENT PLAN AND REVIEW

2.4.1 Staff Employment

The Township may employ or contract for and fix compensation of such experts and other staff and services as it may deem necessary, including, but not limited to, architecture, economic, engineering, environmental, landscape architecture, legal, planning, and transportation consulting services. The Township, however, shall not authorize expenditures which exceed, exclusive of gifts, grants or escrow accounts, the amounts appropriated for its use.

2.4.2 Site Plan Review Advisory Board

The Site Plan Review Advisory Board (“SPRAB”) shall assist the Township and the Planning Board with the review and approval of applications requiring major site plan review. The SPRAB may review the technical merits of applications for development, including but not limited to, architectural design, engineering design, environmental protection, design of public infrastructure and amenities, site planning, design of the transportation system, conformance to law and other areas that are determined to lie within the expertise of the SPRAB.

2.4.3 Pre-Application Conference

The applicant shall be notified, in writing not less than seven days before, of the date on which the application shall be reviewed by the SPRAB. The applicant shall be invited to attend the review meeting, either alone or accompanied by an attorney and any other experts the applicant chooses. Recommendations shall be issued in writing, then filed with the Secretary of the proper Board and a copy shall be mailed to the applicant.

2.4.4 Application for Development

The Application for Development shall be submitted in such form, and accompanied by such maps, documents, and materials as are prescribed in Article 11 of Chapter 33 of the Township of West Orange Planning and Development Regulations and with the following additional submission requirements:

1. Design drawings for any portion of the facility to be constructed as part of the development application.
2. A copy of any protective covenants or deed restrictions applying or to be applied to the subject land, excepting concept plans.
3. Any existing or proposed easement or land dedicated or reserved for public use.
4. A list of all required regulatory approvals at the municipal, county, state, and federal level of government and their status.

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5. All accompanying professional reports determined necessary for a comprehensive review: engineering and fiscal impact should be submitted as part of the site plan application if not available at SPRAB.

2.4.5 Public Hearing & Notice

Any action towards the certification of consistency of a redevelopment project within this Redevelopment Plan by the Township shall be taken at a public hearing of the Township that is open to the public. The Redeveloper shall provide notice to the public in the official newspaper of the Township at least 10 days prior to said hearing.

2.4.6 Planning Board Review

1. Site plan review shall be conducted by the Planning Board pursuant to N.J.S.A. 40:55D-1 et seq. Site plan review shall consist of a preliminary site plan application and a final site plan application.
2. The Planning Board may grant deviations from the strict application of the regulations contained within this Redevelopment Plan, except those standards and regulations specified in paragraph 3 below, in accordance with the provisions of N.J.S.A. 40:55D-60 and -70c.
3. No deviations shall be granted that result in any of the following effects or conditions:
 - a. To allow a use not specifically permitted within this Redevelopment Plan
 - b. Alteration of the location, street type, right-of-way and cartway width of any street, except for minor adjustments to meet good engineering practice as determined by the Township Engineer.
 - c. Deviation from contractual obligations of the Redeveloper to the Township.

2.4.7 Escrow Fee

The Redeveloper seeking approvals pursuant to this Redevelopment Plan shall establish an escrow account with the Township from which any consultants necessary for the review of the redevelopment project shall be paid. Such escrow accounts shall be in accordance with N.J.S.A. 40:55d-53.2. The Township shall adopt a fee schedule by resolution and may amend it from time to time as circumstances warrant.

2.4.8 Performance Guarantee

Where the construction or extension of any utility improvements or right-of-way improvements are required in conjunction with the Central Avenue Redevelopment Area, performance guarantees for these improvements shall be posted prior to the issuance of any building permits for the Central Avenue Redevelopment Area. Such performance guarantees shall be in accordance with the procedures N.J.S.A. 40:55D-53 except that the Township shall substitute for the governing body.

3. PLAN IMPLEMENTATION

3.1 PLAN IMPLEMENTATION

3.1.1 Acquisition and Relocation Plan

The Redevelopment Plan is for the properties known as Block 9, Lots 11.01, 11.02, 11.03, 32 and 36 and Block 7, Lot 22 which are owned by those listed in Section 1.2 of this Redevelopment Plan. Five of the six subject parcels are currently utilized by commercial tenants and Township residents. Therefore, there may be a need for relocation of residents and businesses within the redevelopment area. As a Condemnation Redevelopment Area, the Township and redevelopment entity have the power to take or acquire the property through condemnation in furtherance of the Redevelopment Plan. This Redevelopment Plan and amendments, revisions, or modifications thereof shall be in full force and effect for a period of 20 years from the date of approval of the last amendment to this Redevelopment Plan.

3.1.2 Construction Timeline

Construction is to be determined per the Redeveloper's agreement with the Redeveloper and the Township.

4. RELATIONSHIP TO OTHER PLANS

4.1 RELATIONSHIP TO OTHER PLANS

Pursuant to N.J.S.A. 40A:12A-7.a (5), a Redevelopment Plan shall include a discussion that examines:

Any significant relationship of the Redevelopment Plan to:

- (a) the master plans of contiguous municipalities,
- (b) the master plan of the county in which the Township is located, and
- (c) the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act”, P.L.1985, c. 398 (C.52:18A-196 et. seq.) (the “State Planning Act”).

This section examines the relationship between this Redevelopment Plan and the Master Plans of contiguous municipalities, specifically the City of Orange, the City of Orange Central Valley Redevelopment Plan, and the State Plan, as defined herein. In each of these cases, this Redevelopment Plan is substantially consistent.

4.2 CONTIGUOUS MUNICIPALITIES

The Township of West Orange is a landlocked municipality bordered by several municipalities. For the purposes of this review, the Redevelopment Plan is closest to the City of Orange, which has adopted the Central Valley Redevelopment Plan adjacent to the municipal boundary. This redevelopment plan, the neighboring Harvard Press Redevelopment Plan adopted by the Township, and the City of Orange Master Plan and the Central Valley Redevelopment Plan all recommend the redevelopment of the CVBDA. This Redevelopment Plan is therefore substantially consistent with the master plan and redevelopment plans of contiguous municipalities.

4.3 NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN

The New Jersey State Development and Redevelopment Plan (the “State Plan”) provides a flexible framework for smart growth with an emphasis on promoting new development in designated centers, protecting environmentally sensitive environs, encouraging Brownfield redevelopment and revitalizing the State's cities. This Redevelopment Plan is a smart growth initiative that encourages redevelopment of already developed areas, specifically those more vulnerable areas that have suffered economic displacement from the elimination of previous industry. This Redevelopment Plan also advances the reuse of a vacant industrial Brownfield site and supports the Township's economic revitalization program. The State Plan incorporates multiple goals that are advanced by this Redevelopment Plan including:

1. Revitalize the State's Cities and Towns.
2. Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey.
3. Protect the Environment, Prevent and Clean Up Pollution.
4. Encourage Sound and Integrated Planning and Implementation Statewide.

It is also noted that the Township is in the Metropolitan Planning Area, PA1, under the State Plan, which describes the Area as follows, "Provides for much of the state's future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities." The Redevelopment Plan is consistent with the purpose of the Metropolitan Planning Area and State Plan, which designate the Township for growth.

4.4 TOWNSHIP OF WEST ORANGE MASTER PLAN

The Township of West Orange is currently engaged in several initiatives to promote the remediation and redevelopment of underutilized Brownfield sites. West Orange has an on-going partnership with State agencies to remediate vacant Brownfield properties and prepare sites for redevelopment. These include the implementation of a residential redevelopment plan for the adjacent Harvard Press Redevelopment Area and downtown Historic West Orange. This Redevelopment Plan is another prominent example of the Township's proactive approach to planning and reclamation of Brownfield sites. The subject Redevelopment Plan will facilitate this process and is consistent with the following Master Plan objectives and principles:

Objectives

- Guide appropriate long range development of lands within the Township in a manner which will promote the health, safety, and general welfare of present and future residents.
- Ensure compatibility with the development and general welfare of other jurisdictions.
- Encourage the preservation of neighborhoods and the environment.
- Provide sufficient space for balanced growth and development for residential, recreational, commercial/retail, industrial and open space uses in a manner that would provide balanced growth and development.
- Promote a desirable visual environment through creative development techniques and good civic design and arrangements.
- Provide for the housing needs of senior citizens and low and moderate income households.
- Improve and maintain existing residential neighborhoods by encouraging rehabilitation of existing dwellings and new residential construction at suitable densities.
- Coordinate public and private procedures and activities that influence land development in the Township.
- Encourage economic development and redevelopment that is compatible with the suburban character of the Township with particular sensitivity to existing residential neighborhoods. As commercial and industrial facilities become obsolete and outdated, efforts should be made to rehabilitate and revitalize these areas prior to, or in lieu of, the development of existing open space.
- Utilize available Federal, State and County level funding sources to improve and revitalize the community.

Principles

- Encourage appropriate residential development, whether single family or cluster housing, in locations and densities that are consistent with existing zoning and development patterns and that can be properly served.
- Properly locate public, commercial/retail, industrial, residential and service uses at sites and locations which are suitable for their use environmentally, economically, and geographically, and can be adequately serviced by public infrastructure.
- Protect natural features and environmental resources including, but not limited to, floodplains, wetlands, woodlands, steep slopes, ridgelines, and areas valuable as scenic, historical, cultural, or recreational resources.
- Maintain the existing scale of the community by limiting the intensity of commercial/retail, industrial and residential development to assure compatibility with existing neighborhood character.

This Redevelopment Plan is consistent with the Land Use Plan of the West Orange Master Plan which designates the site for residential/mixed use. The Master Plan also states “they should consider expanding the Harvard Press Redevelopment Area to include nearby properties in order “to promote the comprehensive redevelopment for new uses that would contribute to West Orange’s tax base, while taking advantage of proximity to the Highland Avenue railroad station. Provision of additional parking to support development in this area is also encouraged.”” (Township of West Orange 2010 Master Plan Reexamination Report, p. 35).

4.5 PERMITTED REDEVELOPMENT ACTIONS

The following actions may be taken to effectuate the Redevelopment Plan and address the conditions that contribute to its underutilization and need for redevelopment:

- A. Undertake redevelopment projects and for this purpose issue bonds in accordance with the provisions of section 29 of P.L. 1992, c.79 (C.40A:12A-29).
- B. Provide infrastructure improvements necessary to support new development including but not limited to roadway, bulkhead, water and sewer service, drainage and environmental controls.
- C. Undertake site remediation in compliance with NJDEP and requirements.
- D. Demolish existing structures, rehabilitate existing structures and construct new structures in furtherance of this redevelopment plan.
- E. Provide financial incentives in support of redevelopment implementation including short-term and long-term tax incentives.
- F. Other actions that may be necessary for implementation of the redevelopment plan subject to authorization of the approving authority.

4.6 ADMINISTRATION OF THE REDEVELOPMENT PLAN

The following administrative provisions shall apply to the adopted Redevelopment Plan:

- A. The Redevelopment Plan shall replace and supersede any and all previous zoning that governs this redevelopment area pursuant to N.J.S.A. 40A:12A-7(c) of the Local Redevelopment and Housing Law.
- B. All development within the Central Avenue Redevelopment Area shall be consistent with the provisions of the Redevelopment Plan including but not limited to permitted uses, bulk requirements, and special development requirements set forth herein.
- C. The Redevelopment Plan shall be implemented consistent with the requirements of N.J.S.A. 40A:12A-8 of the Local Redevelopment and Housing Law for the effectuation of redevelopment plans.
- D. The Township or its designated redevelopment entity may enter into agreements, leases, deeds and other instruments with a Redeveloper(s) for the purpose of effectuating the Redevelopment Plan consistent with the requirements of N.J.S.A. 40A:12A-9 of the Local Redevelopment and Housing Law.
- E. A site plan, subdivision plan, architectural plan and other information typically required as part of the Township’s development application checklist (Section 33-11 Township Zoning Ordinance) shall be submitted by the Redeveloper(s) for Planning Board review and approval prior to commencement of new construction, rehabilitation of existing structures or a change in use in order to determine compliance with the adopted redevelopment plan. Site Plan review shall be conducted by the Planning Board in accordance with the Municipal Land Use Law N.J.S.A. 40:55D-1 et seq. No permits shall be issued without prior review and approval of the Planning Board.
- F. The Planning Board may grant relief from the bulk, parking and sign requirements of the adopted Redevelopment Plan as well as other standards contained herein where there is a hardship or the granting of such relief will promote the purposes of said plan consistent with the standard established at N.J.S.A. 40:55D-70(c). In no event shall relief be granted by the Planning Board to provide a use or facility that is not permitted by the Redevelopment Plan.

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- G. All applications for development within the Redevelopment Area shall provide public notice in accordance with the Municipal Land Use Law N.J.S.A. 40:55D-12.
 - H. The designated Redeveloper(s) shall cover the cost of professional services incurred by the Township for administration, review of projects, preparation of the Redevelopment Plan and implementation of redevelopment projects including but not limited to: legal, engineering, planning, environmental, real estate, traffic/parking and urban design services. Said services shall be paid through escrow accounts established in accordance with Section 25-55 of the Township zoning ordinance and by agreement with the Township.
 - I. The Redevelopment Plan shall be in effect for a period of 20 years from the date of original adoption by the Township Council or its complete implementation, whichever the lesser. Said Redevelopment Plan may be amended from time to time upon authorization by the Township Council and review by the Planning Board in accordance with N.J.S.A. 40A:12A-7 of the Local Redevelopment and Housing Law.
 - J. A financial agreement may be prepared and executed upon the Township's or the redevelopment entity's selection and designation of a Redeveloper(s) for this Redevelopment Area. The Township shall designate a Redeveloper(s) to effectuate the Redevelopment Plan and no development may be undertaken by an entity other than the designated Redeveloper.
 - K. The terms and conditions of all prior approvals granted by the Planning Board or Zoning Board of Adjustment shall remain in full force and effect.

APPENDIX A
TOWNSHIP OF WEST ORANGE PLANNING BOARD RESOLUTION NO. 16-03

RESOLUTION OF THE PLANNING BOARD**TOWNSHIP OF WEST ORANGE**

WHEREAS pursuant to N.J.S.A. 40A:12A the Local Redevelopment and Housing Law (the "LRHL") the Planning Board was directed by the West Orange Township Council pursuant to Resolution #120-16 adopted on May 3, 2016, and Resolution 138-16 adopted on June 14, 2016, to conduct a preliminary investigation in order to investigate the area listed therein (Block 9, Lots 11.01, 11.02, 11.03, 32 & 36 and Block 7, Lot 22 i.e. the "Study Area") to determine if any or all of it should be designated a Condemnation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL"); and

WHEREAS the firm of Matrix New World Engineering was engaged to conduct a study and make recommendations as to whether any or all of the properties within the Study Area met the criteria as a Condemnation Area in Need of Redevelopment; and

WHEREAS Matrix New World Engineering did conduct a study and prepare a report dated July 11, 2016 (the "Report"); and

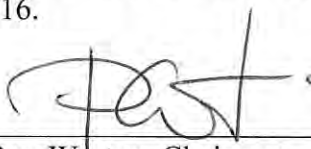
WHEREAS the Planning Board conducted a public hearing at a meeting held on September 7, 2016 after notice and hereby makes the following findings:

1. The Board having received the Report from Matrix New World Engineering and having heard testimony from Peter Van den Kooy, P.P., AICP, and having provided an opportunity for public comment, and having deliberated on the matter, hereby determines there are sufficient reasons to find that the Study Area meets the statutory criteria as a Condemnation Area in Need of Redevelopment

IT IS HEREBY RECOMMENDED:

That the Township Council authorize the preparation of a redevelopment plan for the Study Area.

IN WITNESS WHEREOF, the Board has caused this Resolution to be executed by its Chairman and Secretary on the 5th day of October, 2016.



Ron Weston, Chairman



Robin Miller, Secretary

APPENDIX B
TOWNSHIP OF WEST ORANGE COUNCIL RESOLUTION NO. 228-16

RESOLUTION

A Resolution Determining that the Properties Identified as Block 9, Lots 11.01, 11.02, 11.03, 32, and 36 and Block 7, Lot 22 Be Designated as An Area In Need of Redevelopment in Accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq.

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 constitutes a condemnation area in need of redevelopment; and

WHEREAS, on May 3, 2016, the Township Council for the Township of West Orange (the "Council") adopted Resolution 120-16 authorizing the Planning Board for the Township of West Orange (the "Planning Board") to conduct a preliminary investigation to determine whether certain properties, identified as Block 9, Lots 11.01, 11.02, 11.03, 32, and 36 on the Township of West Orange Tax Map, inclusive of any and all streets, "paper" streets, private drives and right of ways (the "Study Area") meet the criteria set forth as an appropriate condemnation area for consideration for the program of redevelopment; and

WHEREAS, the designation as a condemnation area did not, nor does not, reflect a decision to implement condemnation proceedings, but to reserve the right to utilize condemnation should the need arise; and

WHEREAS, on June 14, 2016, the Council adopted Resolution 138-16 to supplement 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 conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Condemnation Area In Need of Redevelopment in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, as part of the preliminary investigation, Matrix New World (“Matrix”) 26 Columbia Turnpike, Florham Park, New Jersey prepared an Area in Need of Redevelopment Study (the “Redevelopment Study”) and presented the Redevelopment Study to the Planning Board for its consideration in determining whether the Study Area should be designated as an Area in Need of Redevelopment; and

WHEREAS, in addition to the foregoing, Matrix prepared a map showing the boundaries of the Study Area and locations of the parcels of property included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and

WHEREAS, a public hearing was conducted by the Planning Board on September 7, 2016, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, after completing its investigation and public hearing on this matter, the Planning Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as a Condemnation Area in Need of Redevelopment and said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

WHEREAS, the Planning Board further concluded that there was sufficient credible evidence to support the finding that the designation of the Study Area as a Condemnation Area in Need of Redevelopment would authorize the municipality, if necessary, to exercise the power of eminent domain to acquire any property in the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as memorialized by Resolution 16-03, dated October 5, 2016, annexed hereto as Exhibit “**A**,” the Planning Board recommended to the Council that Block 9, Lots 11.01, 11.02, 11.03, 32, and 36 and Block 7, Lot 22 be designated as a Condemnation Area in Need of Redevelopment; and

WHEREAS, the Council considered the Planning Board's recommendation at its regularly scheduled public meeting on October 26, 2016 and held a public hearing with public comment; and

WHEREAS, on May 3, 2016, the Council adopted Resolution 121-16 which authorized the retention of Matrix to prepare a Redevelopment Plan as part of its appointment as the Licensed Site Remediation Professional ("LSRP") to assist the Township in its efforts regarding the investigation and cleanup of the an area which includes the Study Area; and

WHEREAS, in order to effectuate the Counsel's designation of the Study Area as a Condemnation Area in Need of Redevelopment, the preparation of a Redevelopment Plan and presentation to the Planning Board and Counsel is required.

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby accepts the recommendation from the Planning Board of the Township of West Orange and finds that Block 9, Lots 11.01, 11.02, 11.03, 32, and 36 and Block 7, Lot 22 as shown on the official tax map of the Township of West Orange be and are hereby deemed to be a Condemnation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

BE IT FURTHER RESOLVED, that the designation of Block 9, Lots 11.01, 11.02, 11.03, 32, and 36 and Block 7, Lot 22 as a Condemnation Redevelopment Area shall authorize the Township to exercise the power of eminent domain to acquire any property in the Study Area in the event it is determined that such acquisition is necessary; and

BE IT FURTHER RESOLVED, that the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law; and

BE IT FURTHER RESOLVED, that the Clerk of the Township of West Orange shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review; and

BE IT FURTHER RESOLVED, that within ten (10) days of the Township Council's adoption of the within Resolution, the Clerk of the Township of West Orange shall serve notice of the Township Council's determination and the within Resolution upon all record owners of property within the Condemnation Redevelopment Area, those whose names are listed on the Tax Assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commissioner of the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED, that Matrix, having been previously retained by the Township, is authorized and directed to prepare a Redevelopment Plan for the Study Area, including an outline for the planning, development and redevelopment of the Study Area pursuant to N.J.S.A. 40A:12A-7 and present same to the Planning Board and Township Council; and

BE IT FURTHER RESOLVED, that the Planning Board shall transmit a report containing its recommendation concerning the Redevelopment Plan to the Township Council. The Planning Board Report shall include an identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matters as the Planning Board deems appropriate; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Township Clerk, Chief Financial Officer and Township Planning Board and Planning Board Secretary; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be made available in the Clerk's office in accordance with applicable law.

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

Victor Cirilo
Council President

Adopted: October 26, 2016

4841-0059-0906, v. 1

APPENDIX C
TOWNSHIP OF WEST ORANGE COUNCIL RESOLUTION NO. 120-16

RESOLUTION

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Township of West Orange (the "Township") desires to explore whether the real properties located between Central Avenue and Mitchell Street and more commonly known as Block 9, Lots 11.01, 11.02, 11.03, 32, and 36 on the Township of West Orange Tax Map, inclusive of any and all streets, "paper" streets, private drives and right of ways (the "Study Area") may be an appropriate area for consideration for the program of redevelopment; and

WHEREAS, the Study Area currently has a high vacancy rate for retail stores located thereon and that has remained as such for an extended period of time; and

WHEREAS, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, prior to the Township making a determination as to whether the Study Area qualifies as an area in need of redevelopment, the Township Council must authorize the Planning Board, by resolution, to undertake a preliminary investigation to determine whether the Study Area meets the criteria of an area in need of redevelopment set forth in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Township Council wishes to direct the Township of West Orange Planning Board to undertake such preliminary investigation to determine whether the Study Area meets the criteria for designation as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5* and in accordance with the investigation and hearing process set forth at *N.J.S.A. 40A:12A-6*

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby directs the West Orange Township Planning Board to conduct the necessary investigation and to hold a public hearing to determine whether the Study Area defined hereinabove qualifies for designation as an area in need of redevelopment under the criteria and pursuant to the public hearing process set forth in *N.J.S.A. 40A:12A-1, et seq.*; and

BE IT FURTHER RESOLVED that the redevelopment area determination shall further authorize the municipality to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as "Condemnation Redevelopment Area").

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Township Council in the form of a Resolution with supportive documentation.

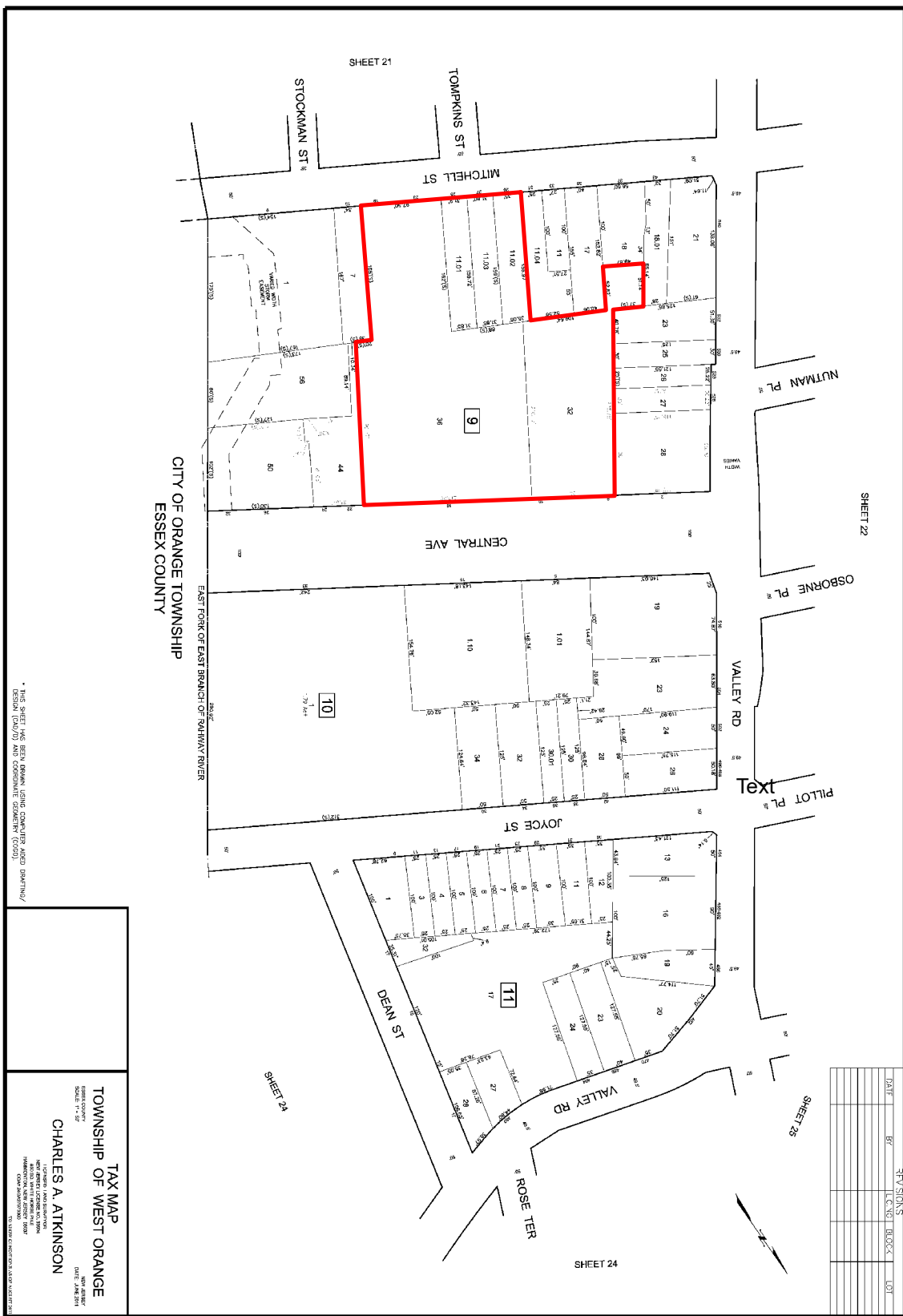
BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Township Clerk, Chief Financial Officer and Township Planning Board and Planning Board Secretary.

RESOLVED, that a copy of this Resolution shall be made available in the Clerk's office in accordance with applicable law.


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


Victor Cirilo
Council President

Adopted: May 3, 2016



THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/DESIGN (CAD/DWG) AND COORDINATE GEOMETRY (GCS/CG).

TAX MAP
TOWNSHIP OF WEST ORANGE
CHARLES A. ATKINSON
 DATE: 5/27/2016
 SCALE: 1"=100'

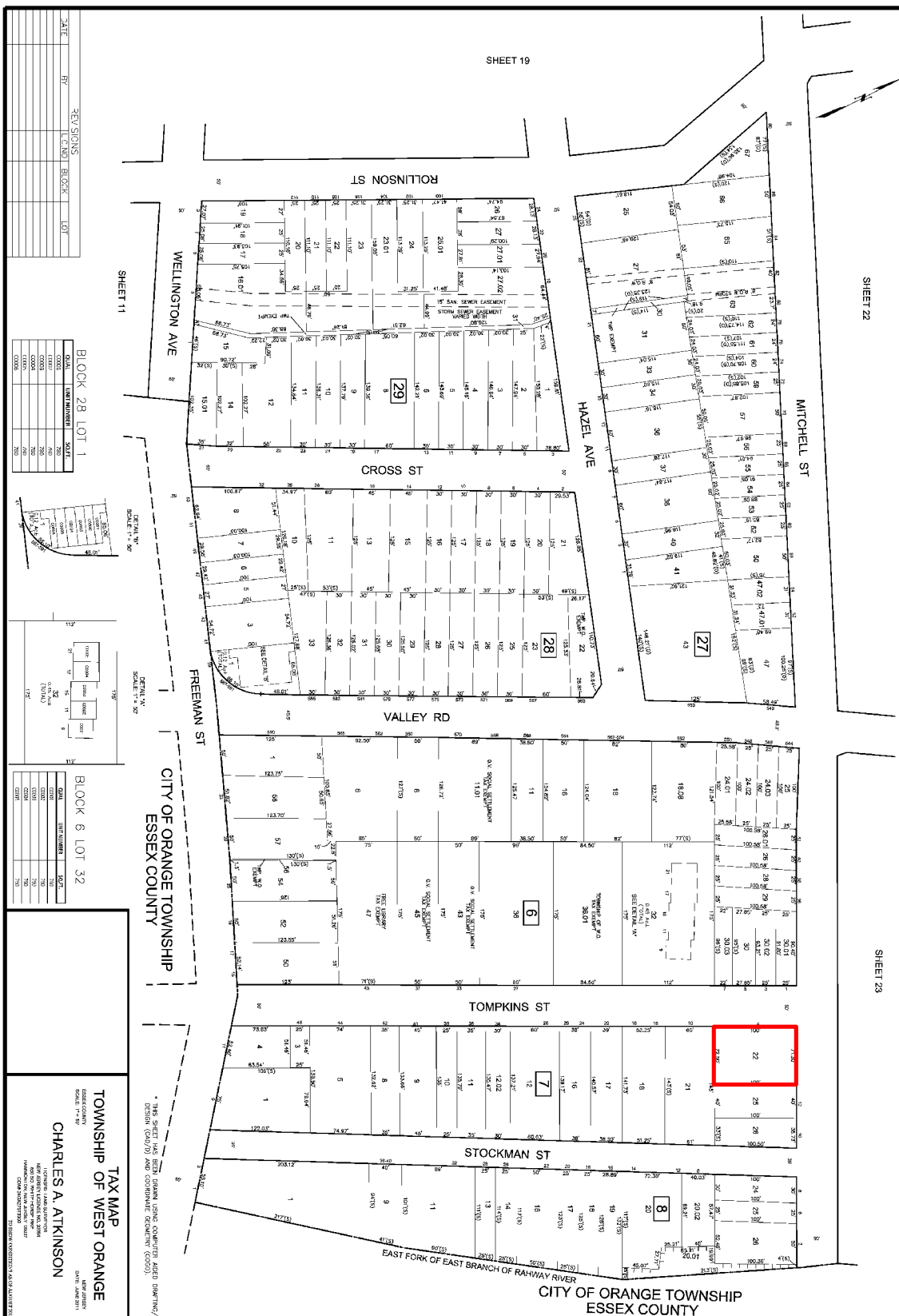
TAX MAP

MATRIXNEWORLD
 Engineering Progress

Matrix New World Engineering,
 Land Surveying and Landscape Architecture, P.C.
 26 Columbia Turnpike
 Florham Park, New Jersey 07932
 WBE/DBE/SBE
 Tel: 732-588-2999
 Fax: 973-240-1818
 www.matrixnewworld.com

AREA IN NEED OF REDEVELOPMENT
BLOCK 9, LOTS 11.01, 11.02, 11.03, 32, AND 36
AND BLOCK 7, LOT 22
TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY

SCALE: Not to scale	DATE: MAY 27, 2016	JOB NO.: 10560101	DRAWN BY: MM	FIGURE NO.: 1A
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TAX MAP (CONTINUED)

MATRIXNEWORLD
Engineering Progress

Matrix New World Engineering,
Land Surveying and Landscape Architecture, P.C.
26 Columbia Turnpike
Florham Park, New Jersey 07932
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ESSEX COUNTY, NEW JERSEY

SCALE:

Not to scale

DATE:

MAY 27, 2016

JOB NO.:

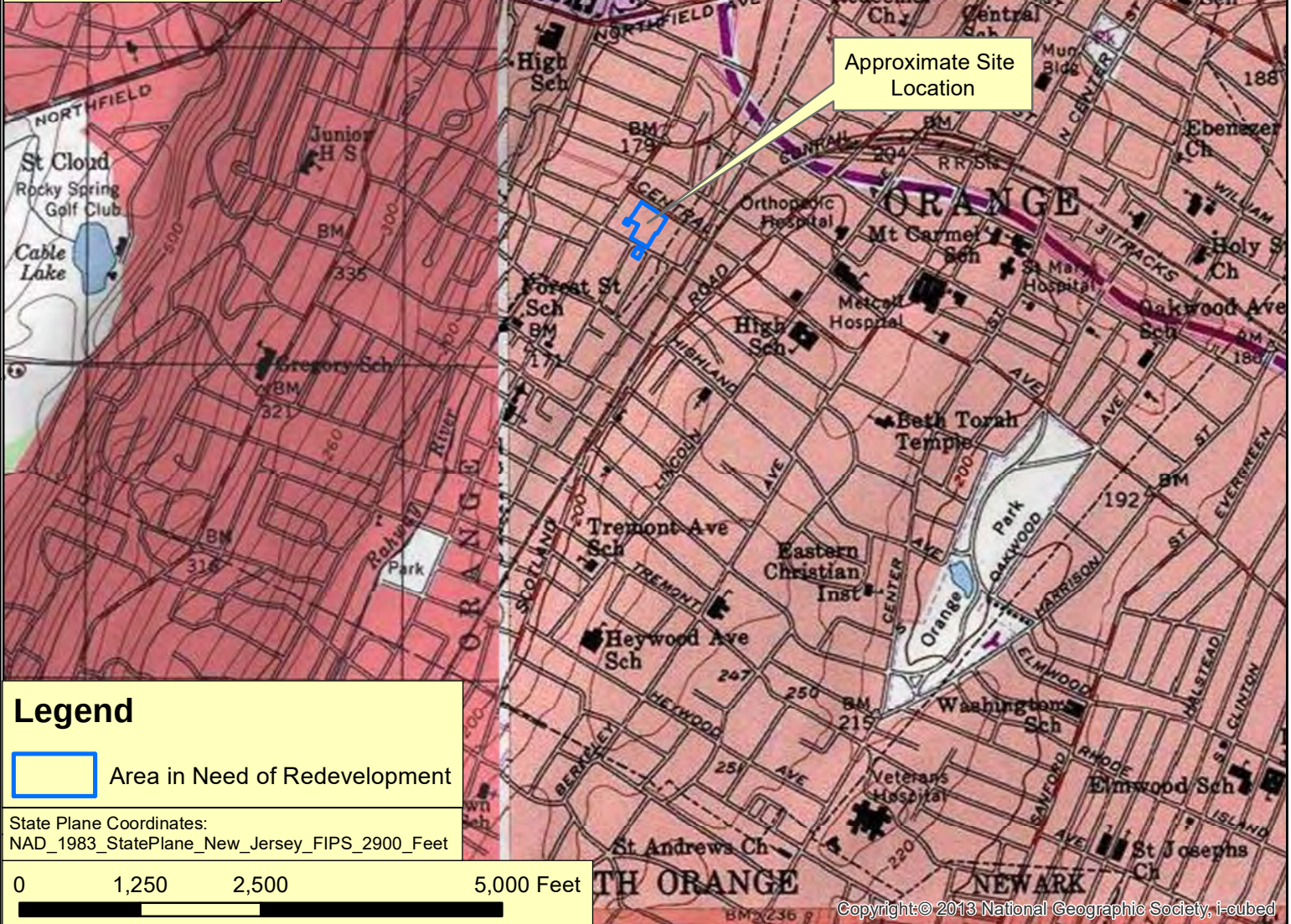
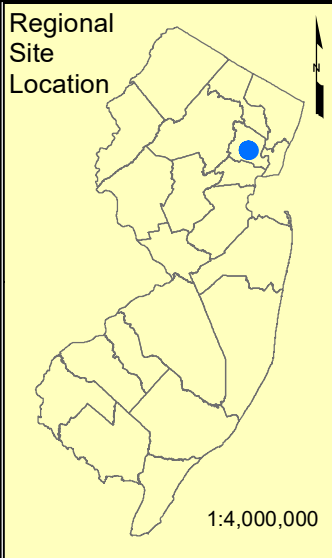
10560101

DRAWN BY:

MM

FIGURE NO.:

1B



USGS TOPOGRAPHIC MAP

MATRIXNEWORLD

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AND BLOCK 7, LOT 22
TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY

SCALE:

1:20,000

DATE:

MAY 27, 2016

JOB NO.:

10560101

DRAWN BY:

MM

FIGURE NO.:

2



AERIAL PHOTO OF PROJECT SITE

MATRIX**NEWORLD**

Engineering Progress

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26 Columbia Turnpike
Florham Park, New Jersey 07932
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AREA IN NEED OF REDEVELOPMENT
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TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY

SCALE: 1:1,000	DATE: MAY 27, 2016	JOB NO.: 10560101	DRAWN BY: MM	FIGURE NO.: 3
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Legend

 Area in Need of Redevelopment

 Known Contaminated Sites

 T&E

Notes:

1. The site is located in the Metropolitan Planning Area 1.
2. The site and all areas adjacent are located in the FEMA Flood Zone x.
3. No C-1 waterwats, streams, or wetlands were found on or adjacent to the site.

State Plane Coordinates:

NAD_1983_StatePlane_New_Jersey_FIPS_2900_Feet

0 137.5 275 550 Feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

ENVIRONMENTAL CONSTRAINTS MAP

MATRIXNEWORLD

Engineering Progress

Matrix New World Engineering, P.C.

26 Columbia Turnpike

Florham Park, New Jersey 07932

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AND BLOCK 7, LOT 22
TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY

SCALE:

1:2,000

DATE:

MAY 18, 2016

JOB NO.:

10560101

DRAWN BY:

MM

FIGURE NO.:

5

