

**ORDINANCE OF THE TOWNSHIP OF WEST ORANGE, IN THE
COUNTY OF ESSEX, STATE OF NEW JERSEY ADOPTING AN
AMENDMENT TO THE HARVARD PRESS REDEVELOPMENT PLAN**

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

WHEREAS, after referral to and investigation by the Planning Board of the Township in accordance with the Act, on March 18, 2008, the West Orange Township Council, acting by resolution, designated the following area as an area in need of redevelopment in accordance with the Act: Block 9, Lot 1, commonly known as 9 Mitchell Street; Block 9, Lot 7, commonly known as 15 Mitchell Street; Block 9, Lot 44, commonly known as 22-24 Central Avenue; Block 9, Lot 50, commonly known as 24-26 Central Avenue; and Block 9, Lot 56, located on Central Avenue (collectively, and together with any roads, right-of-ways or other public lands encompassed therein or appurtenant thereto, the “Redevelopment Area”); and

WHEREAS, on April 29, 2008, after review of a proposed redevelopment plan for the Redevelopment Area by the Planning Board of the Township in accordance with the Act, and after reviewing the recommendations of the Planning Board with respect to the same, the Township Council finally adopted Ordinance # 2168-08 implementing the proposed redevelopment plan together with the Planning Board’s recommendations, as reflected in the Ordinance (the “Redevelopment Plan”); and

WHEREAS, acting by Resolution adopted June 25, 2013, the Township referred certain proposed amendments to the Redevelopment Plan as set forth at Exhibit A attached hereto (the “Proposal”) to the Planning Board for its review and comment in accordance with *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, on July 9, 2013, the Planning Board conducted a public meeting regarding the Proposal, recommended the adoption of the Proposal and resolved to transmit its recommendation to the Mayor and Council (such resolution of the Planning Board attached hereto as Exhibit B); and

WHEREAS, the Township desires to adopt the Proposal,

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF
THE TOWNSHIP OF WEST ORANGE AS FOLLOWS:**

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. ADOPTION OF PLAN AMENDMENT

The Proposal, as filed in the Office of the Township Clerk and attached hereto as Exhibit A, is hereby approved.

III. AMENDMENT OF ZONING ORDINANCE

The zoning ordinance and map of the Township is hereby amended to incorporate the provisions of the Proposal.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

V. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

VI. EFFECTIVE DATE

This Ordinance shall take effect as provided in law.

Honorable Susan McCartney
Council President

Honorable Robert Parisi
Mayor

Introduced: July 16, 2013

Adopted: August 20, 2013

Approved as to form on the basis of the facts provided:

Karen J. Carnevale, Municipal Clerk

Introduction and First Reading:

COUNCIL	YES	NO	ABS	N.V.	AB	COUNCIL	YES	NO	ABS	N.V.	AB
McCartney, Pres.						Krakoviak					
Cirilo						Spango					
Guarino											
X – Indicate Vote ABS – Abstain N.V. – Not Voting AB – Absent											

Second Reading, Public Hearing and Final Adoption:

COUNCIL	YES	NO	ABS	N.V.	AB	COUNCIL	YES	NO	ABS	N.V.	AB
McCartney, Pres.						Krakoviak					
Cirilo						Spango					
Guarino											
X – Indicate Vote ABS – Abstain N.V. – Not Voting AB – Absent											

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance finally adopted by the West Orange Township Council, in the County of Essex, at its meeting held on August 20, 2013.

Karen J. Carnevale, Township Clerk

Exhibit A

PROPOSAL

On page 17 of the Redevelopment Plan, strike the following language:

Permitted uses in the MUBR zone shall be limited to multi-family residential uses and those uses allowed in the B-1 zone. The residential units shall be condominium type units that are individually sold in the general real estate market place and not rented. This use provision may need to be amended upon completing the research of the remaining properties located in Block 9 and along Central Avenue. Any use not expressly permitted in the MUBR zone shall be prohibited, including rental units.

And insert the following language in its place:

Permitted uses in the MUBR zone shall be limited to multi-family residential uses and those uses allowed in the B-1 zone. Any use not expressly permitted in the MUBR zone shall be prohibited.

Exhibit B

Planning Board Resolution