

RESOLUTION 2018-009

RESOLUTION OF THE LAND USE BOARD OF THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, NEW JERSEY RECOMMENDING THE ADOPTION OF THE WEST WEBSTER AVENUE AREA 1 REDEVELOPMENT PLAN BLOCK 506, LOTS 2, 3, 4 AND 5

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 in the municipality constitute areas in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, the Council (the "**Borough Council**") of the Borough of Roselle Park, in the County of Union, New Jersey (the "**Borough**") by Resolution #184-17, adopted July 20, 2017, authorized and directed the Land Use Board of the Borough (the "**Land Use Board**") to undertake a preliminary investigation to determine if a specific area located at Block 506, Lots 2, 3, 4 and 5 on the tax map of the Borough (the "**Study Area**") constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and

WHEREAS, the aforesaid resolution authorized the Land Use Board to investigate the Study Area as a Condemnation Redevelopment Area (as defined in *N.J.S.A. 40A:12A-6(a)* of the Redevelopment Law), within which the Borough may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and

WHEREAS, the Redevelopment Law requires the Land Use Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Land Use Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Land Use Board properly noticed a public hearing on the preliminary investigation of the Study Area which conformed to the Redevelopment Law; and

WHEREAS, on December 11, 2017, the Land Use Board, conducted a public hearing in accordance with the Redevelopment Law and by resolution, after due consideration of the preliminary investigation and the comments and objections from the public made part of the public record and after consulting appropriate municipal departments and counsel, adopted a resolution recommending the Borough Council designate the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law, including the power of eminent domain; and

WHEREAS, on December 21, 2017, the Borough Council adopted Resolution #347-17 designating the Study Area as an area in need of redevelopment under the Redevelopment Law, such designation authorizing the Borough and Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (the "**Redevelopment Area**"); and

WHEREAS, Neglia Engineering Associates prepared a redevelopment plan for the Redevelopment Area entitled: "West Webster Avenue Area 1 Redevelopment Plan Block 506, Lots 2, 3, 4 & 5" (the "**Redevelopment Plan**") providing the development standards for the Redevelopment Area; and

WHEREAS, on October 18, 2018, the Borough Council adopted Resolution #308-18 directing the Land Use Board to review the Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan to the Borough Council in accordance with the provisions of *N.J.S.A. 40A:12A-7(e)*.

WHEREAS, on November 5, 2018 the Land Use Board, presented the Redevelopment Plan and allowed all those present who wished to comment to be heard; and

WHEREAS, the Land Use Board has determined that the adoption of the Redevelopment Plan is necessary and desirable in order to accomplish the effective redevelopment of the Redevelopment Area, and that such redevelopment would be in the best interests of the Borough and its residents and recommends adoption of the Redevelopment Plan; and

WHEREAS, the Land Use Board will send a letter under separate cover with recommendations to the Borough Council based on comments from the hearing on November 5, 2018.

NOW THEREFORE, BE IT RESOLVED BY THE LAND USE BOARD OF THE BOROUGH OF ROSELLE PARK, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Land Use Board hereby affirms that the Redevelopment Plan is consistent with the Borough's Master Plan and recommends to the Mayor and Borough Council that the Redevelopment Plan attached hereto as Exhibit A is adopted by the Borough Council in order to accomplish the effective redevelopment of the Redevelopment Area.

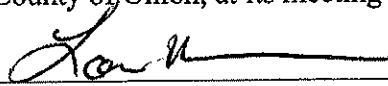
Section 3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. The Land Use Board Clerk is hereby directed to transmit a copy of this Resolution to the Mayor and Borough Council.

Section 5. This Resolution shall take effect immediately.

Board Members	Yes	No	ABS	N.V.	AB	Board Members	Yes	No	ABS	N.V.	AB
Joe DeLorio					X	Carl Hokanson			ABS		
Loren Harms	X					Jerry Vitale	X				
Albert Nitche	X					Owen Iungerman	X				
John Stephens					X	Greg Delano					X
Glen Costello	X										
John Kennedy					X						
Jay Robaina	X										
Pete Picarelli					X						
Paul Baiamonte					X						
X – Indicate Vote ABS – Abstain N.V. – Not Voting AB - Absent											

I HEREBY CERTIFY the foregoing to be a true copy of a resolution adopted by the Land Use Board of the Borough of Roselle Park, in the County of Union, at its meeting held on November 5, 2018.



Loren Harms
Municipal Land Use Board Chairperson



THE BOROUGH OF ROSELLE PARK

N E W J E R S E Y

110 EAST WESTFIELD AVENUE, ROSELLE PARK, NJ 07204

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MUNICIPAL LAND USE BOARD

TO: Andrew Casais
FROM: Loren Harms – MLUB Chairperson
DATE: November 16, 2018
RE: M & C Resolution 308-18
Resolution of the Borough Council of the Borough of Roselle Park, in the County of Union, New Jersey Directing the Land Use Board to Review the West Webster Avenue Area 1 Redevelopment Plan Block 506, Lots 2, 3, 4 and 5 - Response

On November 5, 2018, the Land Use Board, presented the Redevelopment Plan and allowed all those present who wished to comment to be heard. Thereafter the Land Use Board determined that the adoption of the Redevelopment Plan is necessary and desirable in order to accomplish the effective redevelopment of the Redevelopment Area and that such redevelopment would be in the best interests of the Borough and its residents and recommends adoption of the Redevelopment Plan. Further, the Land Use Board affirms that the Redevelopment Plan is consistent with the Borough's Master Plan and recommends to the Mayor and Borough Council that the adopt said plan (Resolution 2018-009).

Notwithstanding the above however the Land Use board suggests the Borough review the following:

1. Shared parking should not be automatically allowed in this Plan. The Board suggests the issue of shared parking to remain an issue for the Board's consideration and something to be determined on a case by case basis;
2. The Plan should provide more clarity as to who maintains the lighting at the premises forth in the plan;
3. The Plan should (if appropriate) add language addressing affordable housing;
4. The Plan seems to use Shall, should and strongly encouraged interchangeably or otherwise haphazardly. This Board would like the Borough to review same and ensure that the usage is deliberate.

Regards,


Loren Harms – MLUB Chairman