

**TOWNSHIP OF WEST CALDWELL, NEW JERSEY**

**ORDINANCE NO. 1807**

**By: Councilman Hladik**

**AN ORDINANCE TO ADOPT AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR BLOCK 1504, LOTS 1 AND 2, BLOCK 1901, LOT 13 BLOCK 1903, LOTS 1, 2, 3, 4, 5 AND 6 AND BLOCK 2100, LOT 8 ALONG BLOOMFIELD AVENUE AND KIRKPATRICK LANE, WEST CALDWELL ESSEX COUNTY, NEW JERSEY.**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AS FOLLOWS:

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"), sets forth the procedures for the Township of West Caldwell ("Township") to determine whether certain properties are areas in need of rehabilitation, along with the development and effectuation of a redevelopment plan for such properties; and

**WHEREAS**, in accordance with the provisions of the Redevelopment Law, the Township Council of the Township of West Caldwell authorized the preparation of a redevelopment plan for Block 1504, Lots 1 and 2, Block 1901, Lot 13 Block 1903, Lots 1, 2, 3, 4, 5 and 6 and Block 2100, Lot 8 along Bloomfield Avenue and Kirkpatrick Lane ("the Property"); and

**WHEREAS**, on September 5, 2017, the Township Council approved a redevelopment plan for the Property by Ordinance No. 1801; and

**WHEREAS**, an amendment to the Redevelopment Plan, a redlined copy of which is annexed hereto as Exhibit A, for Block 1504, Lots 1 and 2, Block 1901, Lot 13, Block 1903, Lots 1, 2, 3, 4, 5 and 6, and Block 2100, Lot 8, dated February 20, 2018 (the "Amended Redevelopment Plan") has been prepared. A copy of the Amended Redevelopment Plan shall be maintained in the offices of the Township Clerk; and

**WHEREAS**, the Planning Board having reviewed and reported pursuant to N.J.S.A. 40A:12A-7 regarding the Amended Redevelopment Plan's consistency with the Master Plan prior to the final adoption of the within Ordinance; and

**WHEREAS**, the Township Council hereby finds that the amendment to the Redevelopment Plan is limited to the changes set forth in Exhibit A hereto and hereby determines that the amendment is appropriate to delineate the zoning regulations that apply if a redeveloper elects to redevelop a portion of the Rehabilitation Area; and

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

**WHEREAS**, the Township Council hereby determines that the Amended Redevelopment Plan for the Property is necessary and appropriate and will result in the successful redevelopment of the subject properties that have been declared to be an "area in need of rehabilitation."

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of West Caldwell, County of Essex and State of New Jersey, as follows:

Section 1. The Amended Redevelopment Plan, a copy of which is annexed hereto as Exhibit B and made a part of this Ordinance, is adopted in accordance with N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. This Ordinance constitutes an amendment to the zoning district map included in the Township's zoning ordinance.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid; such adjudication shall apply only to such section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 5. This Ordinance shall take effect upon (i) filing with the Essex County Planning Board in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey law.

It is hereby certified that at a regular meeting of the Mayor and Council of the Township of West Caldwell, New Jersey being held on the 6<sup>th</sup> day of March, 2018, the foregoing Ordinance was duly adopted.

  
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 Mary S. Donovan, Township Clerk

The foregoing Ordinance, having been duly presented to me on March 6, 2018, I hereby approve the same.

  
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 Joseph Tempesta, Jr., Mayor

MEMBERS OF THE GOVERNING BODY	RECORDED VOTE			
	YES	NO	ABSTAIN	ABSENT
STANLEY HLADIK	X			
JOSEPH CECERE	X			
STEPHEN WOLSKY	X			
MICHAEL DOCTEROFF	X			
KATHY CANALE	X			
MICHAEL CRUDELE	X			
MAYOR TEMPESTA (IF TIE)				X

**Exhibit A**  
**Redevelopment Plan for Area in Need of Rehabilitation**

**7.3 Superseding Provisions**

**Effect of Plan**

Where a Redeveloper elects to develop a portion of the Rehabilitation Area in accordance with the RAO Rehabilitation Area Overlay Zone, the Redevelopment Plan shall supersede the applicable provisions of Chapter 18A Land Use Procedures, Chapter 19 Subdivision of Land, and Chapter 20 Zoning of the Township of West Caldwell Code. In all other instances, the Redevelopment Plan shall be inapplicable and the underlying B-2, B-3 and OS zoning shall apply. The Redevelopment Plan also incorporates Design Guidelines, including signage, landscaping and architectural standards, which shall not change regardless of subsequent amendments, revisions, additions or deletions to the West Caldwell Code. All other provisions of the Township Code not superseded by this Redevelopment Plan shall remain in effect.

Final adoption of this Redevelopment Plan by the Township shall be considered an amendment to the Township Zoning Map as it relates to the RAO Rehabilitation Area Overlay Zone and OSO Open Space Overlay Zone within the Rehabilitation Area.