

O-16-022

TOWNSHIP OF MONTCLAIR
PENDING ORDINANCE
AN ORDINANCE ADOPTING
A REDEVELOPMENT PLAN FOR THE
HUMC/MOUNTAINSIDE HOSPITAL REDEVELOPMENT AREA

July 12, 2016
date of introduction)

WHEREAS, the Council of the Township of Montclair (the “Council”), pursuant to N.J.S.A. 40:A:12A-4, authorized the Montclair Planning Board (the “Board”), by Council Resolution dated July 22, 2014 (R-14-107), to conduct a preliminary investigation to determine whether Block 4215, Lot 1 [Property 20] (Walnut Crescent & Roswell - Nursing School) should be designated as an area in need of redevelopment ; and

WHEREAS, the Council authorized the Board, by Council Resolution dated March 10, 2015 (R-15-056), pursuant to N.J.S.A. 40:A:12A-4, to conduct a preliminary investigation to determine whether the following properties should be designated as an area in need of redevelopment and, pursuant to N.J.S.A. 40A:12A-14, to review whether the following properties should be designated as an area in need of rehabilitation. These properties are:

Block 4207 Lot 1 [Property 2] - Bay Street (Surface Parking)
Block 4207 Lot 2 [Property 3] - Sherwood Street (Deck & Surface Parking)
Block 4207 Lot 30 [Property 4] - 34 Sherwood Street (Dwelling)
Block 4207 Lot 31 [Property 5] - 32 Sherwood Street (Dwelling)
Block 4213 Lot 1 [Property 6] - 2 Walnut Crescent (Vacant Land)
Block 4213 Lot 2 [Property 7] - 4 Walnut Crescent (Vacant Land)
Block 4213 Lot 3 [Property 8] - 6 Walnut Crescent (Vacant Land)
Block 4213 Lot 4 [Property 9] - 8 Walnut Crescent (Vacant Land)
Block 4213 Lot 5 [Property 10] - 12 Walnut Crescent (Vacant Land)
Block 4213 Lot 6 [Property 11] - 14 Walnut Crescent (Vacant Land)
Block 4213 Lot 7 [Property 12] - 16 Walnut Crescent (Dwelling)
Block 4213 Lot 8 [Property 13] - 18 Walnut Crescent (Dwelling)
Block 4213 Lot 9 [Property 14] - 20 Walnut Crescent (Dwelling)

Block 4213 Lot 10 [Property 15] - 22 Walnut Crescent (Dwelling)
Block 4213 Lot 11 [Property 16] - 8 Claremont Avenue (Dwelling)
Block 4213 Lot 12 [Property 17] - 12 Claremont Avenue (Dwelling)
Block 4213 Lot 22 [Property 18] - 4 George Street (Dwelling)
Block 4213 Lot 23 [Property 19] - 2 George Street (Vacant Land); and

WHEREAS, the Township retained H2M Associates, Inc., 119 Cherry Hill Road, Suite 200, Parsippany, New Jersey 07054 to assist the Board in this effort by conducting and preparing a review and analysis of such considerations as land use, zoning, master plan policy, building conditions, site conditions, police activity, traffic accidents and similar planning criteria to determine whether any, some, or none of the subject properties meet any of the conditions of Section 5 of the LRHL for a designation of redevelopment or Section 14 of the LRHL for a designation of rehabilitation; and

WHEREAS, H2M Associates, Inc. produced the study report entitled “HUMC/Mountainside Hospital Study Area - Area in Need of Redevelopment and Area in Need of Rehabilitation Preliminary Investigation Report” (the “Study”), dated April 2015, copies of which were circulated to the members of the Board and provided to the public in accordance with the time requirements and other provisions of the LRHL; and

WHEREAS, in connection with the Study, a map was prepared outlining the subject properties and showing the boundaries of the proposed redevelopment area and which set forth the basis for the preliminary investigation; and

WHEREAS, the Board held its hearing on May 18, 2015, commencing at 7:30 p.m., at the Montclair Fire Headquarters, located at 1 Pine Street, Montclair, New Jersey, for which notice and publication was provided in accordance with all statutory requirements; and

WHEREAS, said hearing was conducted as a joint hearing with the Glen Ridge Planning Board with respect to additional properties located within the Borough of Glen Ridge which would be included in the redevelopment area; and

WHEREAS, the Board recommended to the governing body in accordance with LRHL (i.e., N.J.S.A. 40A:12A-6[b](5)(a)) that the following properties be classified as an area in need in redevelopment:

Block 4207 Lot 1 [Property 2] - Bay Street (Surface Parking)
Block 4207 Lot 2 [Property 3] - Sherwood Street (Deck & Surface Parking)
Block 4207 Lot 30 [Property 4] - 34 Sherwood Street (Dwelling)
Block 4213 Lot 1 [Property 6] - 2 Walnut Crescent (Vacant Land)
Block 4213 Lot 2 [Property 7] - 4 Walnut Crescent (Vacant Land)
Block 4213 Lot 3 [Property 8] - 6 Walnut Crescent (Vacant Land)
Block 4213 Lot 4 [Property 9] - 8 Walnut Crescent (Vacant Land)
Block 4213 Lot 5 [Property 10] - 12 Walnut Crescent (Vacant Land)
Block 4213 Lot 6 [Property 11] - 14 Walnut Crescent (Vacant Land)
Block 4213 Lot 7 [Property 12] - 16 Walnut Crescent (Dwelling)
Block 4213 Lot 8 [Property 13] - 18 Walnut Crescent (Dwelling)
Block 4213 Lot 9 [Property 14] - 20 Walnut Crescent (Dwelling)
Block 4213 Lot 10 [Property 15] - 22 Walnut Crescent (Dwelling)
Block 4213 Lot 11 [Property 16] - 8 Claremont Avenue (Dwelling)
Block 4213 Lot 23 [Property 19] - 2 George Street (Vacant Land)
Block 4215 Lot 1 [Property 20] - Walnut Crescent & Roswell (Nursing School);

and that the following properties be classified as an area in need of rehabilitation:

Block 4207 Lot 31 [Property 5] - 32 Sherwood Street (Dwelling)
Block 4213 Lot 12 [Property 17] - 12 Claremont Avenue (Dwelling)
Block 4213 Lot 22 [Property 18] - 4 George Street (Dwelling);

and further recommended that the following conditions be given due and proper consideration in connection with the subsequent preparation of a redevelopment plan: (A) the residential nature of Claremont Avenue be preserved to the full extent possible; (B) the scale, density and open space of the neighborhood while maximizing redevelopment of the area; and (C) provide affordable housing alternatives where possible within the redevelopment area of the Study; and

WHEREAS, by Resolution R-15-117, adopted July 21, 2015, based upon the facts and findings contained in the Study, and the findings of the Planning Board, all made in accordance with N.J.S.A. 40A:12A-6, the Township Council declared the following parcels of land known and described on the Tax Maps of the Township of Montclair to be an area in need of redevelopment:

Block 4207 Lot 1
Block 4207 Lot 2
Block 4207 Lot 30
Block 4213 Lot 1
Block 4213 Lot 2
Block 4213 Lot 3
Block 4213 Lot 4
Block 4213 Lot 5
Block 4213 Lot 6
Block 4213 Lot 7
Block 4213 Lot 8
Block 4213 Lot 9
Block 4213 Lot 10
Block 4213 Lot 11
Block 4213 Lot 23
Block 4215 Lot 1

and further declared the following parcels of land known and described on the Tax Maps of the Township of Montclair to be an area in need of rehabilitation:

Block 4207 Lot 31
Block 4213 Lot 12
Block 4213 Lot 22;

and

WHEREAS, Resolution R-15-117 requested and authorized the Planning Board to produce a redevelopment plan for the afore-mentioned properties; and

WHEREAS, by Resolution R-15-147, adopted September 29, 2015, the Township Council engaged H2M Associates, Inc. to prepare a redevelopment plan for the afore-mentioned properties that had been declared either an area in need of redevelopment or an area in need of

rehabilitation, now known as HUMC/Mountainside Redevelopment Area, for review and consideration by the Planning Board; and

WHEREAS, H2M Associates, Inc. prepared and submitted a draft redevelopment plan to the Planning Board, which undertook extensive review of the plan, and made revisions and additions thereto; and

WHEREAS, by resolution adopted June 13, 2016 (the "Resolution"), a copy of which is attached hereto as Exhibit A, the Planning Board forwarded the HUMC/Mountainside Redevelopment Plan (the "Plan") to the Township Council, with recommendation for approval pursuant to N.J.S.A. 40A:12A-7(f); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Plan shall be approved by ordinance, upon a finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in N.J.S.A. 40A:12A-5 or N.J.S.A. 40A:12A-14, as appropriate; and

WHEREAS, the Township Council has reviewed the Plan; has conducted a public hearing on the same; and has considered the findings and recommendations of the Planning Board, the public and the professional planners engaged by the Township;
now, therefore, be it

ORDAINED, by the Township Council of the Township of Montclair, in the County of Essex that

1. The Council finds that the HUMC/Mountainside Redevelopment Plan's (the "Plan") specifically delineated project area is located in both an area in need of redevelopment and in an area in need of rehabilitation, according to criteria set forth in N.J.S.A. 40A:12A-5 or N.J.S.A. 40A:12A-14, as appropriate.

2. The Council finds that the Plan meets all of the requirements of N.J.S.A. 40A:12A-7.
3. The Council finds that no housing units affordable to low and moderate income households, as defined pursuant to N.J.S.A. 52:27D-304, are to be removed by the Plan.
4. In connection with the implementation of the Plan, the Township reserves the right to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain with respect to the properties above-designated as an area in need of redevelopment.
5. The HUMC/Mountainside Redevelopment Plan, as filed in the Office of the Township Clerk and attached hereto as Exhibit B, is hereby approved and adopted with the modification referenced in paragraph 1 of the Resolution (Exhibit A), and without the modification referenced in paragraph 2 of the Resolution for the reasons set forth in the Township Council's minutes.
6. The Official Zoning Map of the Township of Montclair is hereby amended as shown on Exhibit C, to incorporate the provisions of the Plan and delineate the boundaries of the property; and be it further

ORDAINED, that this ordinance shall take effect 20 days after final passage and publication as provided by law.

The foregoing ordinance was introduced at the meeting of the Council of the Township of Montclair on July 12, 2016 and was ordered to a second reading to take place at the Regular Meeting on July 26, 2016 at 7:00 P.M. at which time the Township Council will meet in the Council Chamber in the Municipal Building, 205 Claremont Avenue, Montclair, New Jersey to consider final action thereon. At the

time and place so stated all persons interested will be given an opportunity to be heard concerning such ordinance and copies are available in the Municipal Clerk's Office.

LINDA S. WANAT
MUNICIPAL CLERK

Publish: 6/14, IT