

R-16-200

TOWNSHIP OF MONTCLAIR

RESOLUTION CONSENTING TO THE FILING OF AN APPLICATION FOR DEVELOPMENT BY BSREP II WELLMONT DEVELOPMENT JV LLC WITH THE PLANNING BOARD OF THE TOWNSHIP OF MONTCLAIR

October 18, 2016

WHEREAS, the Township Council, by Resolution R-15-116, in accordance with N.J.S.A. 40A:12A-6, 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 3106, Lot 13
Block 3106, Lot 17
Block 3106, Lot 10.01
Block 3105, Lot 9
Block 3105, Lot 1
Block 3105, Lot 2
Block 3205, Lots 26 and 27
Block 3205, Lot 19.02
Block 3205, Lot 21
Block 3206, Lot 15
Block 3206, Lot 14
Block 3208, Lot 1
Block 3213, Lot 2
Block 4202, Lot 4 (a/k/a Lot 4.02)
Block 4202, Lot 4.01
and

WHEREAS, by Resolution R-16-035, approved February 16, 2016, the Township Council, based upon a finding that the water and sewer infrastructure is at least 50 years old and in need of substantial maintenance, designated Block 3106, Lot 10 as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14; and

WHEREAS, Resolution R-15-116 further stated that the Township intends 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 above-designated properties, except that the Township does

not retain the right to exercise the power of eminent domain for Block 3213, Lot 2 and Block 4202, Lot 4 (aka Lot 4.02); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Township Council on September 6, 2016 adopted Ordinance O-16-025, “AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE SEYMOUR STREET REDEVELOPMENT,” 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, Resolution R-16-185 adopted on October 4, 2016 by the Township Council designated BSREP II Wellmont Development JV LLC as the redevelopment entity to redevelop the Seymour Street Redevelopment Area for the purposes set forth in the Plan, subject to the following conditions:

1. A development application for Preliminary and Final Site Plan Approval is submitted to the Planning Board no later than 90 days from the date of this resolution; and
2. A Redevelopment Agreement is executed by all parties no later than 45 days after the Resolution granting Final Site Plan Approval is adopted by the Planning Board; and

WHEREAS, BSREP II has requested the Township consent to their filing of the site plan application that concerns property owned by the Township namely Block 3105, Lot 2, Block 3106, Lot 17, Block 3205, Lot 26 and Block 3205, Lot 27 and the Seymour Street right-of-way; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Township hereby consents to the filing of an application for development by BSREP II with the Planning Board of the Township of Montclair.

RECORD OF COUNCIL VOTE											
	YES	NO	ABS	N.V.	AB		YES	NO	ABS	N.V.	AB
Councilor Baskerville						Councilor Schlager					
Deputy Mayor Hurlock						Councilor Spiller					
Councilor McMahon						Mayor Jackson					
Councilor Russo											
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 Council of the Township of Montclair, in the County of Essex, at its meeting held on October 18, 2016.

 Linda S. Wanat
 Clerk of the Township of Montclair, N.J.