

BOROUGH OF NORTH HALEDON

ORDINANCE #13-2018

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH HALEDON AUTHORIZING REVISIONS AND/OR AMENDMENTS TO THE BELMONT AVENUE REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7

WHEREAS, on August 15, 2012, the Borough Council adopted Resolution No. 171-2012 designating Block 30, Lots 9, 11, 12, 12.01, 13, 13.01, 13.02, 14, 15, 16, 27 & 27.02 and Block 31, Lots 10, 10.04, 11, 11.02, 11.03, 11.04 & 12 on the tax maps of the Borough of North Haledon as an area in need of redevelopment which has come to be known as the Belmont Avenue Redevelopment Area; and

WHEREAS, thereafter a redevelopment plan entitled "Belmont Avenue Redevelopment Plan, North Haledon, New Jersey" (the "Plan") was prepared by Kauker and Kauker, LLC for the Borough of North Haledon, and was the subject of public discussion at Borough Council meetings held on May 21, 2014, June 25, 2014 and July 9, 2014 after which, on July 9, 2014 the Borough Council (1) introduced Ordinance #16-2014 that would adopt the Plan and (2) adopted a resolution directing the Planning Board to review the Plan and transmit to the Borough Council a report containing the Planning Board's recommendations concerning the Plan pursuant to the requirements of N.J.S.A. 40A:12A-7; and

WHEREAS, on August 6, 2014, the Borough Council received the Planning Board's findings and recommendations regarding the Plan and the Borough Council adopted Resolution #142-2014 to address Planning Board's recommendations regarding the Plan; and

WHEREAS, on August 6, 2014, the Borough Council held its second and final reading and adopted Ordinance #16-2014 which adopted the Plan, dated May 20, 2014 and last revised August 6, 2014; and

WHEREAS, the Borough Council now wishes to revise and/or amend the Plan pursuant to N.J.S.A. 40A:12A-7, which certain amendments were proposed by the Redeveloper 920 Belmont Acquisition, LLC at the April 4, 2018 public meeting;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey as follows:

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

Section 2. The Planning Board is hereby directed to review the proposed revisions and/or amendments to the Plan as attached hereto and incorporated herein as **Exhibit A** pursuant to N.J.S.A. 40A:12A-7(e) and shall transmit to the Borough Council, within 45 days after referral, a report containing its recommendations. Failure of the Planning board to transmit its report within the required 45 days shall relieve the Borough Council from the requirements of this subsection with regard to the pertinent proposed redevelopment plan or revision or amendment thereof.

Section 3. Upon adoption of this Ordinance, the Plan shall be amended and supplemented to include the amendments attached hereto and incorporated herein as **Exhibit A**.

Section 4. The Plan shall supersede the provisions of the Borough's zoning ordinances except as noted within the Plan.

Section 5. The Plan shall be implemented in accordance with the provisions of N.J.S.A. 40A:12A-1 et seq.

Section 6. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 7. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

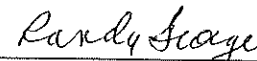
Section 8. This Ordinance shall take effect upon the final passage and publication in accordance with applicable law.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on April 18, 2018, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on July 18, 2018 at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 7:30 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity

NOTICE

Notice is hereby given that the above ordinance passed its second and final reading at the Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on September 19, 2018 at the Municipal Building, 103 Overlook Avenue, North Haledon, N.J., and is hereby declared a passed ordinance in accordance with law.



Randy George, Mayor

Passed first reading on
April 18, 2018

Passed second and final reading
September 19, 2018



Renate Elatab
Municipal Clerk



Renate Elatab
Municipal Clerk

**MASTER PLAN AMENDMENT
NORTH HALEDON, NEW JERSEY**

July 20, 2018

Revised: August 23, 2018

Prepared for:

The Borough of North Haledon

Prepared by:

 **Kauker
& Kauker, LLC**

Town Planning and Development Consultants

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ACKNOWLEDGEMENTS

Planning Board Members

Mayor Randy George
Frank Coscia – Chairman
Vincent Parmese – Vice Chairman
Gino Cammarota
Jerry Flach
Fred Nazare
Bruce Iacobelli
Jennie Bergstrom – Board Secretary
Keith Salviano – Council Representative
Phil Cheff - Construction Official
Trevor J. Nye - Alternate
Eric Winkler - Alternate
Michael J. Pasquale, Esq. - Board Attorney
Stephen Boswell - Engineer


Prepared by

Michael F. Kauker, PP

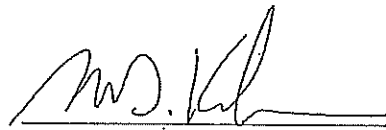
and

Michael D. Kauker, PP, AICP

This copy conforms to the original copy of this report which is stamped and signed by Michael D. Kauker, Professional Planner's License Number 5737 and Michael F. Kauker, Professional Planner's License Number 993, in accordance with N.J.S.A. 45:14A regulating the practice of Professional Planning in the State of New Jersey.



Michael F. Kauker, PP



Michael D. Kauker, PP, AICP

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INTRODUCTION

The following review, analysis and recommendation shall amend the Borough of North Haledon 2004 Master Plan. The purpose of this amendment shall incorporate the inclusion of four story residential structures into Chapter III Land Use Plan section of the Boroughs Master Plan.

The following Amendment to the 2004 Borough of North Haledon Master Plan dated May 10, 2004 is in response to the Planning Boards letter request, dated April 27, 2018 from Michael J. Pasquale, for an opinion regarding the current proposal to amend the Belmont Avenue Redevelopment Plan currently before the Borough of North Haledon Borough Council. This amendment request made by the applicant 920 Belmont LLC, includes an increase in the permitted height in the Redevelopment Zone from 43 feet to 49 feet and permit a total of 4 residential stories. There are also related amendments to the minimum required lot area standard, which will be 15 acres for the 920 Belmont Avenue site and additional adjustments in required setbacks.

In accordance with the Municipal Land Use Law and the Redevelopment and Housing Law, the Planning Board is required to identify provisions of the proposed Redevelopment Plan Ordinance that are inconsistent with the Boroughs 2004 and 2010 Master Plan. The proposed Ordinance introduces a new height classification of 49 feet and 4 stories, which has not been provided for both in the Boroughs Master Plan or Zoning Ordinance. It is my opinion, that such an amendment introduces a new Land Use requirement, which is not consistent with the Boroughs current Master Plan and therefore requires an amendment to the Boroughs Master Plan. This amendment would make the proposed revisions to the Belmont Avenue Redevelopment Plan dated March 12, 2018, consistent with the 2004 Master Plan

MASTER PLAN REVISION RECOMMENDATIONS

The 2004 Master Plan of the Borough of North Haledon provides for Single Family Townhome Development as contained in the Land Use Plan section of this Master Plan. It is recommended that the following paragraph be added after paragraph 2 on page III-2:

The 2004 Master Plan shall be amended to allow a maximum of four (4) story residential structures not to exceed 49 feet in height on sites with a minimum area of 15 acres.