

11-40

2011 ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY APPROVING AN AMENDMENT TO BLOOMFIELD CENTER REDEVELOPMENT PLAN PHASE II

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), the Township of Bloomfield (the "Township"), by way of Resolution approved on August 10, 2009, designated the entire Township as an "area in need of rehabilitation"; and

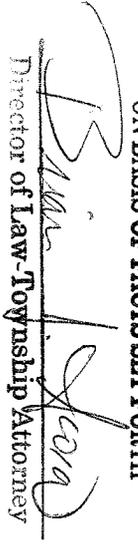
WHEREAS, by way of ordinance approved on November 9, 2009, the Township adopted a redevelopment plan for certain properties within the Township (the "Redevelopment Plan Area"), entitled the "Bloomfield Center Redevelopment Plan Phase II" (as the same may be amended and supplemented, the "Redevelopment Plan") pursuant to the Redevelopment Law; and

WHEREAS, on July 11, 2011, the Township Mayor and Council approved a Resolution which, among other things, directed the Township Planning Board (the "Board") to review the Redevelopment Plan and propose amendments to the Township Mayor and Council for their consideration pursuant to N.J.S.A. 40A:12A-7(f); and

WHEREAS, in an effort to encourage and stimulate development of the Redevelopment Plan Area during these strained economic times and fulfill the primary goal of the Redevelopment Plan to "revitalize Downtown Bloomfield," the Township Mayor and Council have determined that it is necessary to take immediate action pursuant to N.J.S.A. 40A:12A-7(e) to amend the Redevelopment Plan to permit the granting of exceptions and design waivers from the requirements of the Redevelopment Plan; and

WHEREAS, on July 25, 2011, the Township Mayor and Council referred this amendment to the Redevelopment Plan to the Board for review and recommendation in accordance with the N.J.S.A. 40A:12A-7(e); and

APPROVED AS TO FORM AND PROCEDURE
ON BASIS OF FACTS SET FORTH


Director of Law-Township Attorney

WHEREAS, the Board held a public hearing to consider public comments, review the proposed amendment to the Redevelopment Plan and make recommendations to the Township Mayor and Council concerning the same; and

WHEREAS, the Township Mayor and Council approved a Resolution on August 8, 2011 outlining its determinations with regard to the recommendations of the Board; and

WHEREAS, the Township Mayor and Council have determined that it is in its best interests to approve an amendment to the Redevelopment Plan which would permit the granting of exceptions and design waivers from the requirements of the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Bloomfield, New Jersey, as follows:

Section 1. The above WHEREAS paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

Section 2. The last paragraph of Section 8.5 located on page 66 of the Redevelopment Plan shall be deleted and replaced with the following:

The Planning Board shall be permitted to grant deviations from the terms and requirements of the Redevelopment Plan in the form of exceptions, design waivers and bulk ("c") variances. The Planning Board shall be permitted to grant such deviations upon an affirmative showing by the applicant that the requirements of N.J.S.A. 40:55D-70(c) have been met, that the granting of the deviations will advance and not violate the intent and purpose of the Redevelopment Plan or applicable redevelopment agreement and are not otherwise prohibited by law. The Planning Board shall not be permitted to grant variances pursuant to N.J.S.A. 40:55D-70(d).

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

Section 4. All ordinances and resolutions or parts thereof inconsistent with the ordinance are hereby rescinded.

Section 5. This ordinance shall take effect in accordance with applicable law.

* * *

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on *Aug 8, 2011*

Luise M. Palopano

 Municipal Clerk of the Township of Bloomfield

I hereby approve the above ordinance.

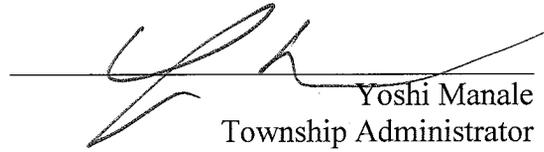
Raymond M. ...

 Mayor of the Township of Bloomfield

ROLL CALL VOTE

MAYOR & COUNCIL	Y	N	ABSTAIN	ABSENT	Y	N	ABSTAIN	ABSENT
				✓				
LITTERIO					✓			
JOANOW	✓				✓			
RUANE	✓				✓			
VENEZIA	✓				✓			
DUNIGAN	✓				✓			
HAMILTON	✓				✓			
McCARTHY	✓				✓			

I hereby approve / disapprove of the passage of the attached Ordinance.


Yoshi Manale
Township Administrator

If the Township Administrator disapproves of the attached Ordinance the reasons are as follows:

I hereby approve / disapprove of the passage of the attached Ordinance.

Glenn Domenick
Director

If the Department Head disapproves of the attached Ordinance the reasons are as follows: