

**RESOLUTION OF THE
TOWNSHIP OF BLOOMFIELD
PLANNING BOARD**

RESOLUTION IN THE MATTER OF THE ADOPTION
OF AN AMENDMENT TO THE TOWNSHIP OF BLOOMFIELD'S
2008 MASTER PLAN UPDATE PURSUANT TO N.J.S.A.
40:55D-28.

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1, *et. seq.* ("MLUL"), and specifically N.J.S.A. 40:55D-28, establishes the process for adopting and amending a municipal Master Plan; and

WHEREAS, in July, 2002, the Board adopted a Master Plan pursuant to the MLUL; and

WHEREAS, at its meeting of October 14, 2008, the Planning Board adopted as an amendment to the 2002 Master Plan the "Update of the 2002 Master Plan for the Township of Bloomfield", dated September 26, 2008, and the "Addendum to the Update of the 2002 Master Plan", dated October 2008, prepared on behalf of the Board by the firms of CMX and the Nishuane Group, respectively; and

WHEREAS, the Board, pursuant to the Municipal Land Use Law, held a public hearing to consider an amendment to the 2008 Master Plan Update at its May 5, 2020 meeting, which was held remotely due to the COVID-19 pandemic and Executive Orders issued in response thereto;

WHEREAS, the Township's Professional Planner, Bonnie N. Flynn, prepared a report which was circulated to the Board Members and made available to public, and supplemented the report with sworn testimony detailing the proposed amendment; and

WHEREAS, the proposed amendment would recommend a zone change for four tax parcels identified as Block 224, Lots 7, 9, 10 and 11, located at 113-119 Washington Street, which would facilitate the expansion of a PSE&G Substation located on Lot 11 onto lots 7, 9 and 10; and

WHEREAS, the May 5, 2020, meeting was duly noticed in accordance with the provisions of N.J.S.A. 40:55D-13 by publishing notice at least 10 days in advance in the official newspapers of the Township and by providing notice, by certified mail, return receipt requested, to the Essex County Planning Board and the New Jersey State Office of Planning Advocacy; and

WHEREAS, no members of the public participated in the hearing on the proposed Master Plan amendment; and

WHEREAS, at the conclusion of the public hearing, the Planning Board unanimously voted to adopt the proposed amendment to the 2008 Master Plan Update.

NOW, THEREFORE, be it resolved by the Planning Board of the Township of Bloomfield that the Board, by a vote of nine (9) in favor and none opposed, be and hereby does adopt the amendments to the 2008 Master Plan Update as set forth beginning on the bottom of Page 3 and continuing onto Page 4 of the attached report entitled "Amendment to the 2008 'Update of the 2002 Master Plan.'" As detailed in the Report, Lot 11 is currently improved with a PSE&G Substation and is located in the PI, Private Institutional District, where the use is permitted. Lot 11 abuts Toney's Brook, and a portion of the property is in a flood plain. Lots 7, 9 and 10 are improved with a variety of commercial and residential uses, none of which conform with the uses permitted in the R-1B, Single-Family Residential District, where the properties are located. PSE&G is under contract to purchase Lots 7, 9 and 10 for the purpose of expanding the Substation and making other improvements which will increase capacity to serve the energy needs of Township residents and improve flood control and aesthetics. Together, the four lots would measure approximately 1.3 acres.

The proposed amendment to the 2008 Master Plan Update recommends placing all four lots in the M-1, Industrial District, which also includes public utilities among its

permitted uses but has a one acre minimum lot area instead of the 10 acre minimum lot area required in the PI Zone, and other bulk standards more appropriate to the current layout of Lot 11 than the current zoning. Thus, a zone change for all four tax lots would facilitate a needed expansion of the PSE&G Substation while placing the property in a more appropriate zoning district.

IN FAVOR OF ADOPTING THE AMENDMENT TO THE TOWNSHIP'S
2008 MASTER PLAN UPDATE:

Mr. Babula	Yes
Dr. Hill	Yes
Mr. LaForte	Yes
Chairman LaQuaglia	Yes
Mr. Lasek	Yes
Ms. Richardson	Yes
Councilman Rockwell	Yes
Mr. Watkins	Yes
Mr. Zitka	Yes

(9) Yes

OPPOSED TO ADOPTING THE AMENDMENT TO THE TOWNSHIP'S
2008 MASTER PLAN UPDATE:

None

(0) No

The undersigned, a member of the Bloomfield Planning Board, certifies that the foregoing is a true copy of the Resolution adopted on the 5th day of May, 2020 to reflect the action taken by said Board on that same date.



Alan LaQuaglia, Chairman

**AMENDMENT TO THE LAND USE PLAN ELEMENT OF THE
TOWNSHIP OF BLOOMFIELD MASTER PLAN**

**AMENDEMENT TO THE 2008 "UPDATE OF THE 2002
MASTER PLAN"
REGARDING BLOCK 224, LOTS 7, 9, 10 and 11**

**Township of Bloomfield
County of Essex
State of New Jersey**

Prepared for the Township of Bloomfield Planning Board



Prepared by: Bonnie N. Flynn, PP, AICP, CFM
NJ Professional Planner License #: 6053

Bloomfield Township Planning Director
Community Development Department
1 Municipal Plaza, Room 105
Bloomfield, New Jersey 07003

Recommendations Adopted by the Planning Board of the Township of Bloomfield
on May 5, 2020

Township of Bloomfield Planning Board Members

Michael Venezia, Mayor, Class I Member
Matthew Watkins, Mayor's Designee, Class I Member
Paul Lasek, Class II Member
Councilman Richard Rockwell, Class III Member
Alan LaQuaglia, Chairman, Class IV Member
John Zitka, Vice Chairman, Class IV Member
Greg Babula, Class IV Member
SamuelLaForte, Class IV Member
Diane Hill, Class IV Member
Marvette Richardson, Class IV Member
Zeke Harvey, Alternate #1 Member
Ilan Stern, Alt #2

Planning Board Staff

Michael Rubin, Esq., Board Attorney
Anthony Marucci, PE, Board Engineer
Nicole Cosenza, Board Secretary

Introduction

The Township of Bloomfield has recently experienced an increase in development with a number of built and approved projects within the Township and more particularly, within the Bloomfield Center area. The Township has designated nine (9) redevelopment areas throughout the municipality, with five (5) in close proximity to the Bloomfield Center and the Bloomfield train station. With increased residential and commercial square footage, the need to address infrastructure maintenance, upgrade and/or expansion has become key. Additionally, the impact of Superstorm Sandy in 2012 to various areas of the Township has made upgrading and fortifying certain infrastructure elements important.

This document recommends amendments to the “Update of the 2002 Master Plan” done in 2008 and is not meant to be a full or partial re-exam report. This is a limited analysis based on the Mayor and Council’s request to review the land use and zoning for four (4) specific parcels near Bloomfield Center. As such, only the following documents were reviewed:

2002 Master Plan
2008 Update of the 2002 Master Plan
2014 Master Plan Reexamination Report
Chapter 315 of the Township Code

Property Description

The following parcels were considered in this amendment recommendation:

Block	Lot	Address	Acreage	Current Zone	Current Use
224	7	119 Washington Street	9,975 sf	R-1B	Mixed-Use
224	9	117 Washington Street	4,924 sf	R-1B	Mixed-Use
224	10	115 Washington Street	5,000 sf	R-1B	2-family
224	11	113 Washington Street	.868 acre	PI	PSE&G Substation

R-1B – Single-family medium density
PI – Private Institutional

The above parcels, totaling 1.32 acres, are located along the north side of Washington Street, west of the NJ Transit Montclair-Boonton commuter line and east of Toney’s Brook (aka Second River). The triangular-shaped area is surrounded by mature foliage with a range of impervious coverage of 68%-92%. The parcels are located in the Special Flood Hazard Area per Flood Insurance Rate Map panel number 34013C0112C with effective date 4/3/20.

The R-1B zone permits single-family detached dwellings. Lots 7, 9 and 10 contain existing non-conforming uses with Lots 7 and 9 consisting of mixed-use buildings

with 2 dwelling units each and Lot 10 consisting of a 2 dwelling unit home. There are also various bulk standards that further the non-conformity of the lots.

Lot 11 is in the PI or Private Institutional zone which does permit public utilities and therefore the PSE&G substation located there is conforming but the bulk standards of the zone render the property non-conforming.

The Township has been made aware that PSE&G is in contract to purchase Lots 7, 9 and 10 for the purpose of upgrading and expanding the Toney's Brook substation on Lot 11. The substation was originally built in 1965 with no significant work or upgrade to the site since then. PSE&G has requested a review of the land use standards, which is the subject of this report.

Master Plan Review

The 2002 comprehensive Master Plan included the requisite Land Use Plan element as well as a Utilities Plan element. The existing substation was not referenced in the document but was included in the Land Use Plan Map as "Public/Semi-Public" space. The Utilities Plan focused on public utilities related to wastewater treatment, stormwater conveyance, potable water supply and solid waste disposal. A "High Technology" section was included anticipating the "benefits from fiber optic infrastructure." Although electricity supply was not included in the element as it is not a Township-controlled utility, a recommendation was included to look for opportunities to bury overhead utility lines when roadway or streetscape improvements are done. Recommendations in general included preventative maintenance of the wastewater and storm sewer systems, increase and enhance water supply, "in order to support future growth," and consideration for the installation of fiber optics as part of roadway reconstruction. The intent is an ongoing tracking of growth to ensure that utilities and infrastructure keep in step with the needs of any new development.

Both the 2008 "Update of the 2002 Master Plan" and the 2014 Master Plan Reexamination do not specifically reference any PSE&G substations nor the possibility of their expansion.

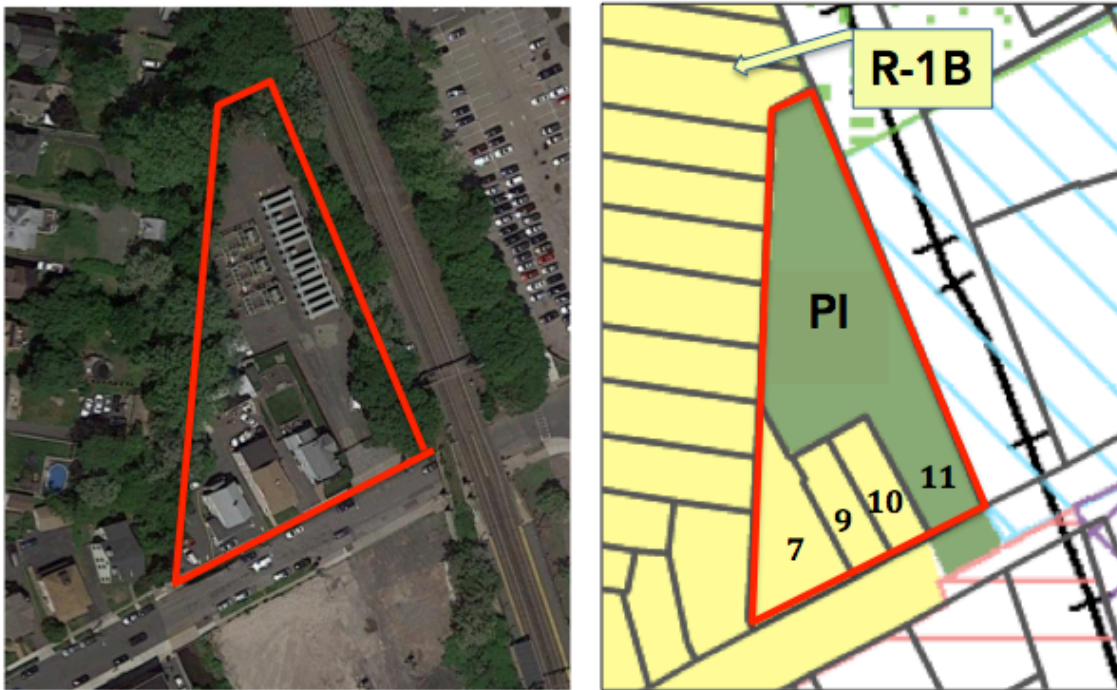
Recommendation

In light of the fact that PSE&G needs to upgrade and expand their facility due to increased usage and safeguarding from future flood events, the 2008 "Update of the 2002 Master Plan" should be amended to incorporate the subject lots into one zone that will allow for the expanded use and utilize effective bulk standards.

The following recommendation is made to allow for a thorough review by the Planning Board of this unique development project. Since the 4 parcels in question are non-conforming based on their uses, size and/or configuration of the built structures, it is recommended that all lots be placed in the M-1 zone. The M-1 Zone

is considered the general industrial zone and includes public utilities as a permitted use along with other non-industrial uses.

The bulk standards of the M-1 Zone more closely match the smaller scale of the area since the M-1 zone has a minimum lot area of 1 acre versus the PI zone minimum lot area of 10 acres. The current code permits public utilities in six (6) zones, each with various bulk standards. There is no need to create a new zone or change the standards of the existing PI zone as the M-1 zone would enable any future expansion without the need for variances.



Block 224, Lots 7, 9 and 10 – R-1B Zone
Block 224, Lot 11 – PI Zone

The following modifications to the 2008 “Update of the 2002 Master Plan” are recommended:

1. On page 35, add the following paragraph:

“5. PSE&G Substation/Washington Street – M1 Zone. The 1.32-acre area bounded by the NJ Transit Montclair-Boonton Commuter line, the Toney’s Brook section of the Second River and Washington Street currently contains four (4) lots the are non-conforming based on their uses, size and/or configuration of the built structures. It is recommended that the zoning of the lots be changed from R-1B (Block 224, Lots 7, 9 and 10) and PI (Block 224, lot 11) to the M1 zone in anticipation of any expansion or upgrade of the existing PSE&G substation located on lot 11.”

2. On page 35, change paragraph “5. Zone P Expansion:” to be a stand-alone paragraph as it is not a continuation of M1 Zone recommendations which numbering started on page 32.

3. On page 37, insert a new paragraph #9 as follows and change the numbering thereafter:

“The triangular-shaped area (Block 224, Lots 7, 9, 10 and 11) bounded by the NJ Transit Montclair-Boonton commuter line, the Toney’s Brook section of the Second River and Washington Street should be rezoned to M-1 to recognize the existing non-conformity and the anticipated expansion/upgrade of the PSE&G substation located on Lot 11.”