Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 07/27/20 06:30 PM

2020 ORDINANCE NEW ORDINANCE

ORDINANCE AMENDING CHAPTER 315, ARTICLE V. ZONING, § 315-34 "ESTABLISHMENT OF ZONES" OF THE TOWNSHIP OF BLOOMFIELD CODE, REVISING THE ZONING MAP TO PLACE BLOCK 224, LOTS 7, 9, 10 AND 11 IN THE M-1 ZONE

WHEREAS, Chapter 315, Article V. Zoning, § 315-34 "Establishment of Zones", of the Township of Bloomfield Code **(the "Code")** acknowledged in §315-34(B) that the Zoning Map of the Township of Bloomfield was adopted on July 25, 2005, and that the Map depicts the location and boundaries of the 17 zones, two overlay districts and the designated redevelopment areas within the territory of the Township of Bloomfield **(the "Township")**; and

WHEREAS, following a reexamination of the Township Master Plan, the Township adopted an amended Zoning Map on October 6, 2014; and

WHEREAS, §315-34 (A) (15) of the Code established the M-1 Zone - General Industrial **("M-1 Zone")** within the Township, which is reflected on the 2014 Zoning Map; and

WHEREAS, §315-38 (K) of the Code sets forth the intent of the M-1 Zone is to establish areas within which industrial uses may be established and expanded under suitable controls; and

WHEREAS, PSE&G operates their Toney's Brook Substation located at Block 224 Lot 11 in the Township's PI or Private Institutional Zone; and

WHEREAS, PSE&G has advised the Township of its needs to upgrade and expand their facility due to increased usage and safeguarding from future flood events. The substation was originally built in 1965 with no significant work or upgrade to the site since then; and

WHEREAS, the Township has been made aware that PSE&G is under contract to purchase Lots 7, 9 and 10 for the purpose of upgrading the Toney's Brook Substation on Lot 11, with the four lots totaling 1.32 acres; and

WHEREAS, PSE&G has requested the Township review its land use standards; and

WHEREAS, Lots 7, 9 and 10 are in the R1B Zone and contain existing non-conforming uses, with Lots 7 and 9 consisting of mixed-use buildings with two dwelling units each and Lot 10 consisting of a two dwelling unit home; and

WHEREAS, Lot 11 is in the PI Zone, which does permit public utilities, but the bulk standards of the zone render the property non-conforming; and

WHEREAS, the M-1 Zone is considered the general industrial zone and includes public utilities as a permitted use along with other non-industrial uses; and

WHEREAS, the bulk standards of the M-1 Zone more closely match the smaller scale of the area, as the M-1 Zone has a minimum lot area of 1 acre versus the P1 Zone minimum lot area of 10 acres; and

WHEREAS, the M-1 Zone includes public utilities as a permitted use and the bulk standards would enable any future expansion without the need for variances; and

WHEREAS, it is recommended that the triangular-shaped area (Block 224, Lots 7, 9, 10 and 11) should be rezoned to M-1 to recognize the existing non-conformity and the expansion/upgrade of the PSE&G Toney's Brook Substation located on Lot 11; and

WHEREAS, pursuant to N.J.S.A. 40:55D-26 and the Municipal Land Use Law ("MLUL"), all ordinances constituting a development regulation must be referred to the Planning Board for review to determine whether there are any inconsistencies between the proposed ordinance and the Township Master Plan and for any other recommendations the Board may deem necessary.

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

Section 1.   The Zoning Map of the Township of Bloomfield dated October 6, 2014 and adopted pursuant to §315-34(B) of the Code, shall be amended to include Block 224, Lots 7, 9, 10 and 11 within the Township of Bloomfield's M-1 Zone.

Section 2.   If any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3.   All ordinances and resolutions or parts thereof inconsistent with this Ordinance are hereby rescinded.

Section 4.   This Ordinance shall take effect in accordance with applicable law.

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Approved as to form and procedure on basis of facts set forth.
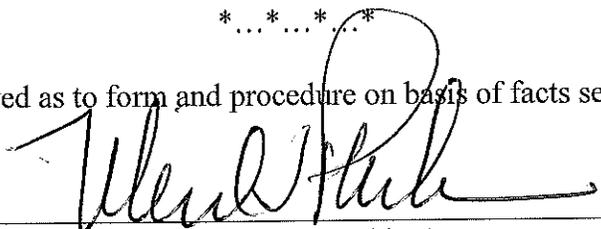
Director of Law-Township Attorney

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 July 27, 2020.

Municipal Clerk of the Township of Bloomfield
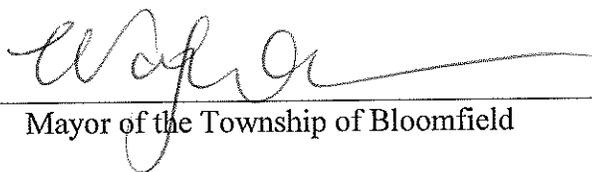
Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance			Yes/Aye	No/Nay	Abstain	Absent
☐ Adopt						
☐ Deny ☐ Withdrawn	Jenny Mundell		☑	☐	☐	☐
☐ Table	Nicholas Joanow		☑	☐	☐	☐
☐ Not Discussed ☐ First Reading	Sarah Cruz		☑	☐	☐	☐
☐ Table with no Vote	Wartyna Davis		☑	☐	☐	☐
☐ Approve ☐ Veto by Mayor	Ted Gamble		☑	☐	☐	☐
☐ Discussion	Richard Rockwell		☑	☐	☐	☐
☐ Defeated ☐ Discussion No Vote	Michael J. Venezia		☑	☐	☐	☐

✓ Vote Record - Ordinance

			Yes/Aye	No/Nay	Abstain	Absent
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☐ Deny						
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☐ Discussion No Vote						