

**LAND USE BOARD OF THE
BOROUGH OF PROSPECT PARK
PASSAIC COUNTY, NEW JERSEY**

RESOLUTION #2017-4

**RESOLUTION OF THE LAND USE BOARD'S REPORT AND REVIEW TO
THE MAYOR AND COUNCIL OF THE BOROUGH OF PROSPECT PARK OF
THE PROPOSED REDEVELOPMENT PLAN PURSUANT TO NJSA 40A:14A-7E**

WHEREAS, the New Jersey Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.* (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located within the municipality constitute areas in need of non-condemnation redevelopment; and

WHEREAS, to determine whether the quarry constitutes an area in need of redevelopment, the Borough Council of the Borough of Prospect Park, by way of a Resolution No. 2013-146, amended by Resolution No. 2015-39, authorized and directed the Prospect Park Land Use Board (the "Land Use Board") to conduct a preliminary investigation pursuant to the Redevelopment Law to determine whether the properties identified as Block 13, Lot 9; Block 14, Lot 1; Block 15, Lot 1; Block 16, Lot 8; Block 21, Lots 9; Block 27, Lot 39; Block 67, Lot 5; Block 73, Lot 51; Block 83, Lot 1; and Block 93, Lot 1, commonly and previously known as the Prospect Park Quarry, the Tilcon Quarry, the Sowerbutt Quarry, the Vandermade Quarry, and the Warren Brothers Quarry (the "Study Area"), constitute an area in need of non-condemnation redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, by way of Resolution No. 13-08, the Land Use Board appointed Paul Ricci, AICP, PP (the "Planning Consultant"), as a consultant to conduct an investigation to determine whether the Study Area, or any portion thereof, constitutes an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law, and to prepare a preliminary investigation report of the Study Area (the "Study"); and

WHEREAS, the Redevelopment Law requires the Land Use Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of non-condemnation redevelopment, at which hearing the Land Use Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, on March 26, 2015, the Land Use Board held a public hearing where Paul Ricci, AICP, P.P., presented the findings of his preliminary investigation, and his study; and the Board voted (5-0) that the area in question was in need of redevelopment, meeting criteria NJSA 40A:12A-5(a)(b)(h); and

WHEREAS, after review and consideration of the Land Use Board's recommendation, including all documents submitted therewith, the Borough Council agreed with the conclusion of the Land Use Board that the Study Area met the aforementioned criteria for redevelopment area designation, the Borough Council designated the Study Area, collectively, as an area in need of non-condemnation redevelopment, pursuant to *N.J.S.A. 40A:12A-6*; and

WHEREAS, the Planning Consultant in consultation with the Borough Council prepared a Redevelopment Plan entitled "Prospect Park Quarry Redevelopment Plan" dated May 22, 2017 ("the Redevelopment Plan") and at its regular public meeting on May 22, 2017, the Borough Council introduced on first reading Ordinance 2017-7 adopting the Redevelopment Plan, and the Borough Council directed that a copy of the Borough's proposed Ordinance and Redevelopment Plan be forwarded to the Land Use Board of the Borough pursuant to *N.J.S.A. 40A:12A-7(e)* for the Land Use Board's review, report and recommendations relating to the Redevelopment Plan and to identify any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan of the Borough and to make any recommendations concerning, these inconsistencies, if any, and any other matters as the Land Use Board deems appropriate.

WHEREAS, on June 22, 2017, at the time and date of the noticed public meeting, Paul Ricci, AICP, P.P., Planning Consultant, being sworn and qualified as an expert in professional planning, made a presentation of the proposed Redevelopment Plan of the Study Area concerning Block 13, Lot 9; Block 14, Lot 1; Block 15, Lot 1; Block 16, Lot 8; Block 21, Lots 9; Block 27, Lot 39; Block 67, Lot 5; Block 73, Lot 51; Block 83, Lot 1; and Block 93, Lot 1, commonly and previously known as the Prospect Park Quarry, the Tilcon Quarry, the Sowerbutt Quarry, the Vandermade Quarry, and the Warren Brothers Quarry to the Land Use Board; and Mr. Ricci also submitted a Master Plan consistency review letter dated June 22, 2017; and

WHEREAS, the Land Use Board has reviewed the proposed Redevelopment Plan along with the correspondence from the Borough Planner relating to the same and agrees with and accepts and adopts the findings and opinions of the Borough Planner relating to the Redevelopment Plan and has determined that the within Resolution along with the Borough Planner's correspondence shall be its report of its review and recommendations pertaining to the Redevelopment Plan to the Mayor and Council pursuant to *N.J.S.A. 40A:12A-7(e)*.

WHEREAS, at the conclusion of the public meeting, the Land Use Board found that the proposed Redevelopment Plan was consistent with the Master Plan of the Borough of Prospect Park; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Prospect Park, in the County of Passaic, and State of New Jersey, as follows:

1. The Land Use Board hereby finds and reports to the Mayor and Council that the proposed Redevelopment Plan is consistent with the current Master Plan of the Borough of Prospect Park.
2. This Resolution shall immediately take effect pursuant to law.
3. The Land Use Board Secretary shall forward a copy of this Resolution to the Mayor and Council of the Borough of Prospect Park in accordance with N.J.S.A. 40A:12A-7(e).

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Mayor and Council of the Borough of Prospect Park.

I hereby certify that this resolution, consisting of 1 page(s), was adopted at a meeting of the Land Use Board of the Borough of Prospect Park, held this 22nd day of June 2017.

	Moved	Second	Ayes	Nayes	Abstain	Absent
Aiello			✓			
Booth	✓		✓			
English		✓	✓			
Hayek						✓
Khairullah						✓
Khan			✓			
Roberts			✓			

Robert Aiello
Board President

Heidy Amaral
Board Secretary

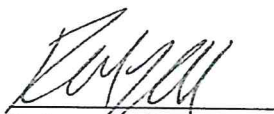
This vote by the Land Use Board of the Borough of Prospect Park at its meeting of June 22, 2017, upon the motion of Booth and seconded by English and upon the roll call as follows:

BOARD MEMBER	YES	NO	ABSTAIN	ABSENT
LUB MEMBER AIELLO	☒			
LUB MEMBER BOOTH	☒			
LUB MEMBER ENGLISH	☒			
LUB MEMBER HAYEK				☒
LUB MEMBER KHAIRULLAH				☒
LUB MEMBER KHAN	☒			
LUB MEMBER ROBERTS	☒			
LUB ALT. MEMBER EDIPOV				

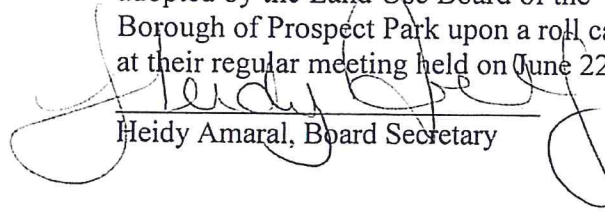
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Mayor and Council of the Borough of Prospect Park.

Adopted this 22nd day of June, 2017 by a majority of the members of the Board present at such meeting who voted for the action taken on this date.

Decided: June 22, 2017
Memorialized: June 22, 2017


Robert Aiello, Board President

I certify that the above resolution is a true and correct copy of a Resolution adopted by the Land Use Board of the Borough of Prospect Park upon a roll call vote at their regular meeting held on June 22, 2017.


Heidy Amaral, Board Secretary