

TOWNSHIP OF ROCHELLE PARK

PLANNING BOARD

**RESOLUTION TO THE GOVERNING BODY OF THE TOWNSHIP OF ROCHELLE PARK
DETERMINING NOT TO RECOMMEND BLOCKS 87, 88, 89 90, 91.01 and 91.02 AS A NON-
CONDEMNATION AREA IN NEED OF REDEVELOPMENT**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law” or “LRHL”) provides at Sections 4b and 6, that the municipal planning board, when authorized by resolution of the governing body, shall conduct a preliminary investigation and hearing to determine whether a proposed area is in need of redevelopment pursuant to the criteria set forth in Section 5 of the LRHL; and

WHEREAS, on July 27, 2022, the Township Committee of the Township of Rochelle Park adopted Resolution 2022-141 requesting and authorizing the Planning Board of the Township of Rochelle Park to conduct a study of 29 properties located in Blocks 87, 88, 89 90, 91.01 and 91.02 on the on the Tax Map of the Township of Rochelle Park (the “Study Area”) to determine if the property meets the criteria as a "Non-Condemnation Area in Need of Redevelopment" in accordance the requirements of N.J.S.A. 40A-12A-5 of the Local Redevelopment and Housing Law; and

WHEREAS, the Township Committee’s Resolution authorized the Township’s Planner, John Barree, PP, AICP of Heyer, Gruel & Associates (the “Planning Consultant”) to conduct a preliminary investigation and opine as to whether the Study Area should be designated a Non-Condemnation Area in Need of Redevelopment; and

WHEREAS, the Planning Consultant conducted such an investigation and prepared a report, dated October 24, 2022, entitled “West Passaic Street Area in Need of Redevelopment Study, Township of Rochelle Park, Bergen County, New Jersey,” memorializing its findings and recommendations; and

WHEREAS, to consider this matter and make appropriate recommendations to the Township Committee, the Planning Board conducted a public hearing on November 17, 2022, during which the Planning Board, among other things, heard the presentation of the Planning Consultant and provided an opportunity to hear all persons who were interested in or would be affected by the determination that the Study Area is a redevelopment area; and

WHEREAS, at the public hearing, the Planning Consultant gave a description of the Study Area which consists of a mix of residential and commercial properties, with a few vacant lots. Blocks 87, 88, 89 and 90 are developed with various commercial uses including office buildings, restaurants, a salon, and parking lots. The Study Area also includes 9 residential properties fronting on Blocks 91.01 and 91.02, Fairfield Drive, which are developed with one-and-a-half-story and two-story single-family homes. There are a total of 11 residential properties fronting on Fairfield Drive with numbers 21 and 29 Fairfield Drive having been previously designated as areas in need of rehabilitation; and

WHEREAS, at the public hearing, the Planning Consultant explained the statutory criteria to determine if the property is in need of redevelopment. The Planning Consultant stated that the investigation showed that based upon an analysis of the Study Area, the properties meet redevelopment criteria “d” of the LRHL which covers “Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack

of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout or any combination of these or other factors are detrimental to the safety, health, morals or welfare of the community.” A certain property, Block 87, Lot 10.01 known as 433 Rochelle Avenue, meets criterion “b” which provides that “(t)he discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.”

In response to questions raised by Board members and the public as to the intended future use of the property, Mr. Barree stated that there is no specific plan at this time and explained that pursuant to statute, the first step is the Redevelopment Study to determine if the area is in need of redevelopment. If the property meets the statutory criteria, the second step is the preparation of a Redevelopment Plan which would become the new zoning requirements for the area;

WHEREAS, after considering the Redevelopment Study and the presentation of the Planner, the Board had a number of questions and concerns, including the value of the Fairfield Drive property and its potential for being improperly utilized to the detriment of the Township in light of the major redevelopment projects planned for Westfield Garden State Plaza, the longstanding and new businesses in the Study Area which provide numerous jobs, and the impact of the loss of those jobs, the loss of tax revenue as a result of the loss of those affected businesses, the increase in taxes for property owners in the Township, flooding issues from new development projects, the lack of a correlation between police reports merely associated with a property address on a police log (e.g., a car crash, a traffic stop, downed wire, a death, an ambulance call, alarm set off by motion detector) and the conclusion that those properties are therefore detrimental to the

safety, health, morals, or welfare of the community and the change in the general feel of the Township if this area is redeveloped;

WHEREAS, in addition to comments and concerns expressed by the Board, fifteen members of the public spoke at the hearing and expressed opposition to a determination that the Study Area be designated as an area in need of redevelopment; and

WHEREAS, the members of the public that spoke in opposition to the designation included business owners in the Study Area as well as residents. The comments were directed toward the criteria that the properties were in disrepair, had limited circulation, were overcrowded, had police calls, had unstriped parking lots, and were not maintained; and

WHEREAS, the hearing was opened to the public and the following persons appeared:

George Lopusnak, 15 Fairfield Drive- he does not want to move and has realtors knocking on his door trying to buy his house.

Bill Coleman, 58 Schlosser- noted that issues about non-maintenance of properties identified in the Study should be addressed by enforcement by the Township and the issuance of summons if necessary; inquired whether Tulfra is interested in buying the property area and whether there have been any meetings with the developer

Nancy Grabusnik, 9 Fairfield Drive- had renovated her home and she does not want to leave it and thinks Fairfield Drive should be removed from consideration as an area in need of redevelopment

Bob Verhasselt, 40 Forest Place, was concerned the residents' concerns would not be heard and asked whether there will there be any condemnation of property in this study area.

Gregory Carpenter, 42 W. Passaic Street, owns American Beauty Landscaping and clarified the issues raised in the study regarding his property. He opposes the designation of his business as an area in need of redevelopment and is concerned about the impact on employees.

Minnie Kang, owns the car wash on West Passaic Street, and stated that tries to clean the cars as fast as she can and also tries not to create traffic back up on Passaic Street. She was never advised of a problem with traffic backing up on Passaic Street.

Gianna Montalbano, owns the hair salon next to the car wash. She has worked hard to build her business and is worried that she will lose it.

Bob Davidson, 86 Lexington Avenue suggested the planning and zoning board discuss the redevelopment and zoning issues, perhaps have public meetings prior to any redevelopment studies being conducted and suggested that action be delayed pending further study.

Diane Verhasselt, 40 Forest Place, inquired as to the process if the Board does not recommend the area to be in need of redevelopment. She also asked the Board to consider the possible job losses and loss of tax revenue, the increase in taxes for property owners and the change in the look and feel of the Township with redevelopment.

Jamie Ouellette, 22 Crescent St., is a planner and inquired whether the Planner was directed to study this specific area of the Township or whether there is a holistic plan to determine if other area would be more beneficial to redevelopment.

Francine Pascarella, 32 Thiem Ave. suggested that other areas in town should be addressed first, and that redevelopment of this area will result in a loss of jobs.

Marisa Gonzales, 9 Overlook, owns the Body Shop, and stated that she has worked very hard to build her business which provides jobs. She does not want to lose her business and asked not to be part of this redevelopment study.

Christine Holtz, 82 Forest Place, asked about the cost of the Study and asked the Board to remember the sense of community

Christine Mueller, 123 Forest Place, questioned why this Study cannot be stopped. The Board attorney stated that pursuant to state statute, if the Governing Body adopts a Resolution asking the Planning Board to conduct a preliminary investigation and hearing to determine whether a proposed area is in need of redevelopment, as it has here, the Board must comply with the request of the Governing Body and does not have authority to stop the process.

Heather Lum, 46 Terrace Avenue, questioned how many businesses and homeowners were considered for this study. Ms. Lum also raised concerns about the newspaper notice.

WHEREAS, after consideration of the Planner's presentation and report and the comments of the members of the public, the Planning Board considered the evidence and testimony presented and the criteria set forth in the LRHL and following Board discussion, does not recommend that the Study Area be designated as an Area in Need of Redevelopment and recommends that the Township Committee exercise its discretion and consider the following observations, concerns and recommendations of the Planning Board:

1. Vibrant existing businesses will be lost if the area is redeveloped.
2. Job losses will occur as to the existing businesses in the proposed Redevelopment Area.

3. Pause in proceeding with the designation of Study Area as an area in need of redevelopment at this time.

4. Consider alternative areas in the Township that may be in need of redevelopment.

5. Consider the goals and objectives of redevelopment.

6. Consider code enforcement on specific properties to address issues raised in the Study about non-maintenance, traffic and overcrowding, instead of area redevelopment.

7. Consider designating only part of the Study Area as an Area in Need of Redevelopment and/or proceed in phases rather than including the entire Study Area as an Area in Need of Redevelopment.

8. Consider excluding the residential properties on Fairfield Drive from Redevelopment.

NOW, THEREFORE, BE IT RESOLVED, on motion duly made and seconded, that the Planning Board hereby finds that the Study Area, taken as a whole, does not meet the criteria of an Area in Need of Redevelopment and recommends that the Township Committee consider the recommendations set forth herein; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board hereby directs the Secretary to forward a copy of this Resolution to the Township Committee of the Township of Rochelle Park.

Notice of adoption of this Resolution shall be published in the official newspaper of the Township.

VOTE ON ROLL CALL ON THE RESOLUTION:

IN FAVOR: Mr. Kaniewski, Mr. Miller, Mr. Santiago, Mr. Zotollo,
Mr. Marut

OPPOSED:

ABSTAINED:

RECUSED: Deputy Mayor Artola

DATE APPROVED: November 17, 2022

DATE RESOLUTION APPROVED: December 15, 2022

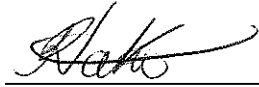
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chairman and Secretary of the Board are hereby authorized to affix their signatures to this Resolution.



Edward Kaniewski, CHAIRMAN
PLANNING BOARD

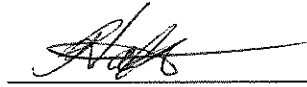


ATTEST:



Rosalba Nako,
PLANNING BOARD SECRETARY

The undersigned certifies that the within Resolution was adopted by the Board and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on December 15, 2022.



Rosalba Nako
PLANNING BOARD SECRETARY