

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

**DATE** July 8, 2020

**NUMBER** 292-2020

**TITLE:** **A RESOLUTION ACCEPTING THE PLANNING BOARD'S RECOMMENDATION AND DESIGNATING A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AN AREA IN NEED OF REHABILITATION IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, the City Council of the City of Orange Township (the "City"), by Resolution No. 112-2020 adopted March 3, 2020, authorized the City of Orange Planning Board (the "Planning Board") to conduct a preliminary investigation to determine if the below-described area (the "Study Area"), satisfies criteria for designation as a non-condemnation area in need of redevelopment and/or an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 et seq. (the "LRHL"):

- Block 1901 Lots** 2, 3, 4, 14, 15, 16, 17
- Block 1902 Lots** 2, 3, 5, 6, 7
- Block 2001 Lots** 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38
- Block 2003 Lots** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
- Block 2004 Lots** 2, 3, 4, 5, 6, 7, 9, 10, 11, 12
- Block 2101 Lots** 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27
- Block 2102 Lots** 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31; and

**WHEREAS**, the Planning Board prepared a map of the study area and undertook a preliminary investigation in accordance with the requirements of N.J.S.A. 40A:12A-6 to determine whether the properties qualify as a non-condemnation area in need of redevelopment as provided under N.J.S.A. 40A:12A-5; and

**WHEREAS**, the City's referral satisfied the requirements of N.J.S.A. 40A:12A-14 with respect to soliciting the Planning Board's recommendations with respect to designation as an area in need of rehabilitation; and

**WHEREAS**, the Planning Board conducted a public hearing on May 27, 2020, where the Planning Board, provided an opportunity to hear all persons who were interested in or would be affected by the determination that the delineated area is a redevelopment area; and

**WHEREAS**, a quorum was established with at least five members present; and

**WHEREAS**, at the public hearing the Planning Board reviewed the findings of the "North Main Street Area in Need of Redevelopment and/or Rehabilitation Investigation" for the study area prepared by the City's Planning Consultant, Nishuane Group, LLC, dated May 27, 2020 (the "Study"), and presented by Simran Riari, Urban Designer & Associate at The Nishuane Group, and received public comment; and

**WHEREAS**, following the public hearing, on May 27, 2020 the Planning Board, by unanimous vote of its members, concluded that each and every property within the Study Area is characterized by at least one of those conditions set forth in the LRHL as "criteria a", "criteria b", "criteria c", "criteria d", "criteria e", "criteria g" and "criteria h" and/or the "section 3 criteria", with respect to

*John Parchment on behalf of  
the City Attorney*  
  
CITY ATTORNEY

a non-condemnation area in need of redevelopment, and in addition is characterized by at least one of those conditions set forth in the LRHL as “criteria 1”, “criteria 2”, “criteria 3”, “criteria 4”, “criteria 5”, and “criteria 6” with respect to an area in need of rehabilitation, as set forth in the Study, and recommended that the City Council designate the entire Study Area as a non-condemnation area in need of redevelopment and as an area in need of rehabilitation; and

**WHEREAS**, on June 24, 2020 at the regular Planning Board Meeting, the Planning Board unanimously voted to memorialize its actions taken on May 27, 2020, and a copy of said resolution has been transmitted to the City Council;

**WHEREAS**, the City Council accepts the findings and recommendations of the Planning Board that the condition of each and every property within the Study Area satisfies at least one of the LRHL “criteria a”, “criteria b”, “criteria c”, “criteria d”, “criteria e”, “criteria g” and “criteria h” and/or the “section 3 criteria” with respect to a non-condemnation area in need of redevelopment, and in addition satisfies at least one of the LRHL “criteria 1”, “criteria 2”, “criteria 3”, “criteria 4”, “criteria 5” and “criteria 6” with respect to an area in need of rehabilitation, and endorses and incorporates those findings by reference, and concludes that the entire study area may be and should be declared a non-condemnation area in need of redevelopment and area in need of rehabilitation as provided under the LRHL.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Orange Township in the County of Essex, New Jersey, that the findings, conclusions and recommendations of the Planning Board are accepted, and the Study endorsed, and that the area, encompassing properties known as

**Block 1901 Lots 2, 3, 4, 14, 15, 16, 17**

**Block 1902 Lots 2, 3, 5, 6, 7**

**Block 2001 Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38**

**Block 2003 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17**

**Block 2004 Lots 2, 3, 4, 5, 6, 7, 9, 10, 11, 12**

**Block 2101 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27**

**Block 2102 Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31**

on the City’s tax map, is hereby determined to be and is designated as a non-condemnation area in need of redevelopment and an area in need of redevelopment and rehabilitation, all in accordance with the LRHL.

**BE IT FURTHER RESOLVED**, the City Council hereby also authorizes and directs the Planning Board to prepare a Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-7(f) and transmit the proposed plan to the Governing Body for its adoption.

Adopted:

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Joyce L. Lanier  
City Clerk

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Kerry J. Coley  
Council President

DRAFT

# NORTH MAIN STREET REDEVELOPMENT AND REHABILITATION PLAN



Prepared for:



Prepared By:



# NORTH MAIN STREET REDEVELOPMENT AND REHABILITATION PLAN

City of Orange Township, New Jersey

Presented: June 24, 2020

Prepared For:



Prepared By:

A handwritten signature in black ink, appearing to read "Mrunmayee".

Mrunmayee Atre, PIT, AICP Candidate,  
LEED Green Associate  
(PIT) License#: PT-006

A handwritten signature in black ink, appearing to read "Michele S. Delisfort".

Michele S. Delisfort, PP, AICP  
New Jersey Professional Planner  
(PP) License#: 33L100615500



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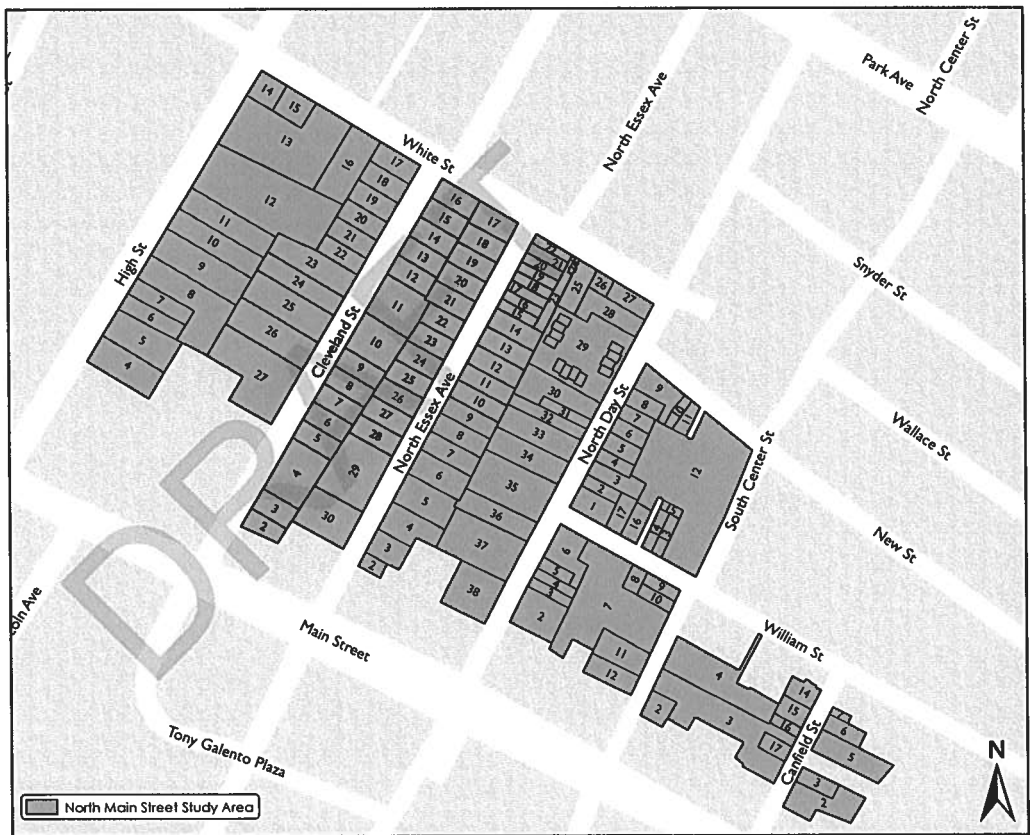
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# I. INTRODUCTION

## I.1 REDEVELOPMENT AREA

Under statutory powers instituted by the State of New Jersey (C.40A:12A-5) and City Council Resolution: 112-2020 dated March 3, 2020, the City of Orange Township Council authorized the Planning Board to conduct a preliminary investigation of parcels and subsequently, to prepare a Redevelopment Plan for the area, known as the "North Main Street Study Area". It consists of 130 parcels located within portions of Block 1901, Block 1902, Block 2001, Block 2003, Block 2004, Block 2101 and Block 2102, as shown in Map 1.

An assessment of the land area and vision for the community was prepared to determine the highest and best use of the subject parcels. This Plan includes bulk regulations, design standards and administrative procedures required to implement the proposed steps to revitalize the area.

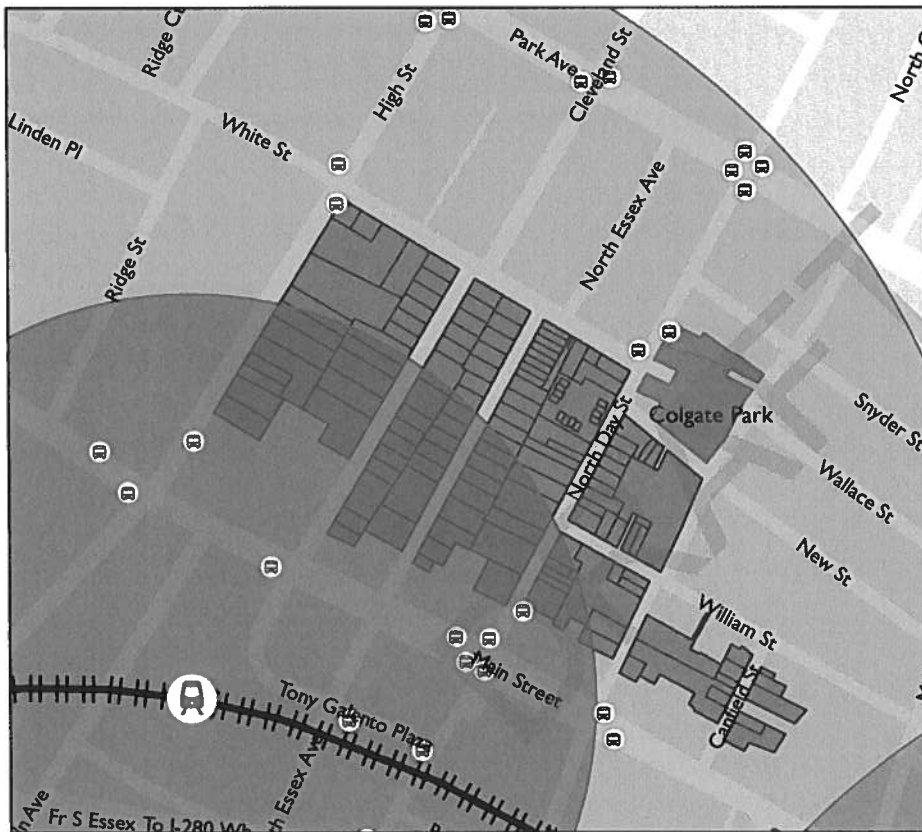


North Main Street Study Area

MAP 1: STUDY AREA



1.2 CONTEXT



- North Main Street Study Area
- Park
- Area within 5 minute walk from the train station
- Area within 10 minute walk from the train station

MAP 2: CONTEXT

The City of Orange Township has a total area of 2.2 square miles and is located in the center of Essex County, in northwestern New Jersey, approximately 15.6 miles from New York City. Seven municipalities border Orange: East Orange to the east, Glen Ridge to the north, Montclair to the northwest, West Orange to the west, and South Orange to the south. The study area is spread out between the City's North and East Wards.

Majority of the area consists low density residential buildings, chiefly one to four family. The small one to four family homes between High Street and North Day Street make up most of the area's aging housing stock, with many of the buildings being from the 19th century and showcasing the architectural styles from that period. The buildings with ground floor retail describe the few, but operational, mixed-use buildings that help contribute to both the commercial and residential stock of the study area.

A range of land uses and the proximity to a multitude of transit options has made the City of Orange Township ideal for redevelopment projects aimed at leveraging these assets. Location of the area within a designated Urban Enterprise Zone and Opportunity Zones in the City are further incentives for redevelopment and rehabilitation.

## 2. DISTRICT OVERVIEW

### 2.1 PLANNING AREA BOUNDARY



As shown on Map 3 Redevelopment Plan Boundary, the Redevelopment Area is bounded by White Street to the North, High street to the West, Main Street Redevelopment Area to the South and Canfield Street to the East.

North Main Street Study Area

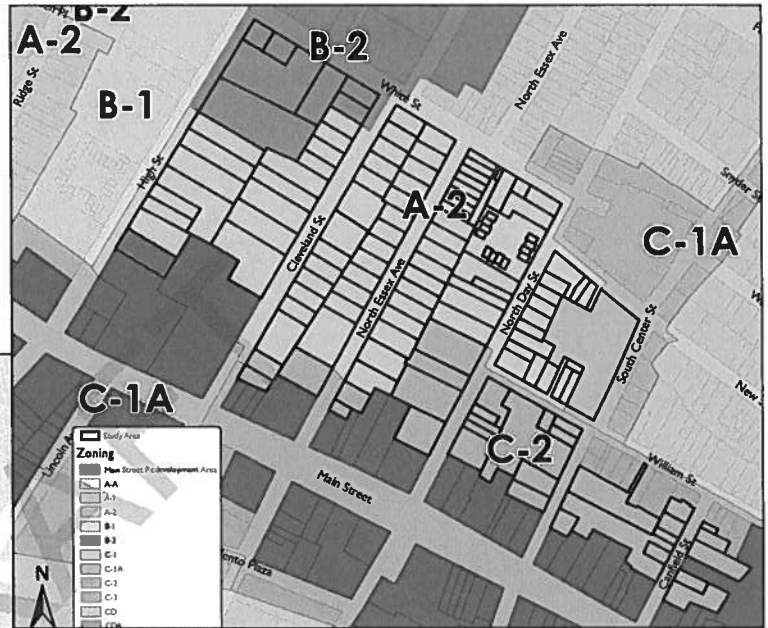
MAP 3: PLAN AREA BOUNDARY



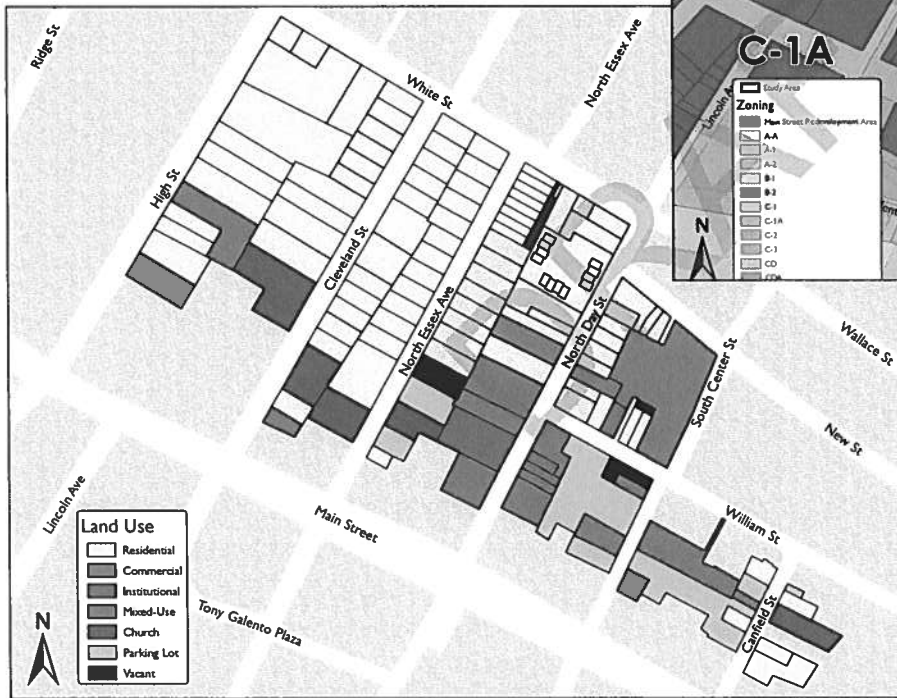


### 2.2 EXISTING ZONING AND LAND USE

This section tabulates the existing zoning for parcels within the redevelopment area. It is accompanied by a land use map illustrating the location of existing residential, commercial, institutional and mixed uses in the area. The importance of this section is to understand the intended classification of the area and compare and assess the actual activity on parcels within the district. The underlined zones for the North Main Street Redevelopment Area include A-2 (One, Two & More Residential), B-2 (Apartment), and C-2 (Central Business).



MAP 4: EXISTING ZONING



MAP 5: EXISTING LAND USE

## 3. THE REDEVELOPMENT PLAN

### 3.1 PURPOSE

The Plan serves as zoning regulations for future development/redevelopment within the Redevelopment Area. It sets forth a framework of statutory guidelines and design standards that will enhance and revitalize the Redevelopment Area.

### 3.2 GOALS AND OBJECTIVES

The Redevelopment Area presents an opportunity to attract new development that will catalyze activity around the Train Station, City Hall, and Main Street shopping district. The proposed uses and amenities can provide added benefits to residents of the adjacent neighborhoods. This Redevelopment Plan therefore intends to satisfy the following policy goals and objectives for development in the North Main Street Redevelopment Area:

#### **Promote A Variety of Housing Options**

- Promote a variety of housing types to serve as a transition between proposed high density housing along Main Street and one-three family homes in the area.
- Enhance existing neighborhood identity while creating new places and neighborhood anchors.
- Leverage the City's assets to optimize neighborhood development and increase pedestrian activity within the area.

#### **Stimulate Economic Development**

- Diversify employment opportunities for residents.
- Incentivize resources for continuing education and job training.
- Formulate zoning incentives to assemble parcels such that the economic return is significantly higher than parcels developed individually.

#### **Develop Vacant and Underutilized Properties**

- Eliminate vacant parcels and improve underused properties which inevitably lead to nefarious activity, depreciation of land values.

#### **Improve Public Utilities**

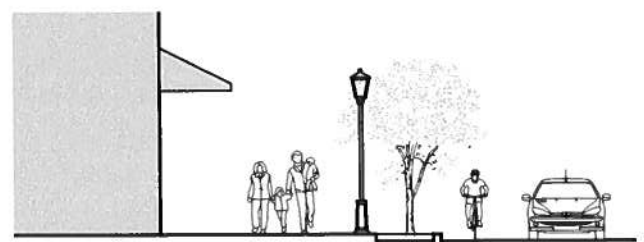
- All the public utility infrastructure in the area is at least 50 years old. Upgrade utility infrastructure to accommodate new development.

#### **Create a Civic District**

- Promote civic uses in the area around the City Hall by creating a civic district to accommodate the municipal uses in the same area.

#### **Incorporate Principles of Sustainability**

- Promote appropriate development in the areas that are in close proximity to the transit options.
- Encourage the implementation of LEED standards in new building construction.
- Minimize vehicular miles traveled by providing opportunities for walking, biking and non-motorist or active modes of transportation.
- Reduce the heat island effect through the planting of street trees, vegetated corridors, and green roofs.
- Encourage use and reuse of energy efficient materials.



Improved Streetscape

City of Orange Township, New Jersey

### 3.3 COMPATIBILITY WITH STATE AND LOCAL PLANS

This Redevelopment Plan satisfies the goals and policies of the State Development and Redevelopment Plan (SDRP) that promotes planned development within the Metropolitan Planning Area (MPA), an area that is targeted for growth. More specifically, it permits commercial and related uses and promotes economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements.

#### 2018 MASTER PLAN

The 2018 City of Orange Township Master Plan sets forth the recommendations to guide future development in the City. Specific to the context of the North Main Street Area, the recommendations that support redevelopment and rehabilitation area are as follows:

- Increase Homeownership Opportunities through infill development and multifamily condominium and townhouse development.
  - Identify and assess vacant/abandoned contiguous parcels for potential use as public open space
  - Create a system of trails, pedestrian pathways and bicycle routes that would provide links to significant historic sites.
  - Update the 2004 Orange Open Space & Recreation Plan, and assess whether the recommendations made there were met and determine a hard deadline and funding options for implementing incomplete items
  - Incorporate the use of green buildings and water conservation technologies to reduce energy and water consumption in buildings rehabilitations using public funds.
  - Incorporate green buildings design strategies into municipal facilities and infrastructure as upgrades and renovations become necessary.
- Orange, for the most part, is completely developed. There are, however, many vacant and abandoned parcels that provide infill opportunities. Infill development has inherent sustainability since it does not rely upon new streets or the extension of infrastructure.

#### MAIN STREET REDEVELOPMENT PLAN

In 2019, the City Council adopted the Main Street Redevelopment Plan. The Main Street Redevelopment Plan consists of a vision for that area of the City and provides a framework for development and redevelopment. The Main Street Redevelopment Plan Area consists parcels on both sides along main street between Ridge Street and East Orange border. The goals of the Plan are to:

- Promote Transit-Oriented Development and Activity.
- Incentivize and spur economic growth.
- Promote Main Street as a 'destination place'.
- Better leverage the area's proximity to the Brick Church train station, located just across the municipal border.
- Promote occupancy of the vacant and underutilized space above the ground floor commercial.
- Increase sustainability.
- Increase the presence of arts and public entertainment.
- Preserve and protect the historic characteristics of existing buildings along Main Street.

**3.4 STATUTORY BASIS FOR THE REDEVELOPMENT AND REHABILITATION PLAN**

This Plan is prepared on the basis that the City Council designated the North Main Street Area as "An Area in Need of Redevelopment and Rehabilitation" pursuant to the New Jersey Local Housing and Redevelopment Law (LRHL) on \_\_\_\_\_, 2020, Resolution Number \_\_\_\_\_. The purpose of this Redevelopment Plan is to guide future development and redevelopment within the Redevelopment Area as well as set forth a framework for design standards to achieve revitalization. The regulatory and design standards in this Plan shall supersede the City's Land Use Ordinance once adopted.

**STATUTORY BASIS FOR THE REDEVELOPMENT PLAN**

This area is a **non-condemnation** area; meaning that the City **will not** exercise its police power by enforcing eminent domain. This Plan establishes a redevelopment and rehabilitation plan that will serve as a guide future development and redevelopment within the Plan Area.

The Plan sets forth a framework for design standards and guidelines that will invigorate this area. The regulatory and design standards in this plan shall supersede applicable provisions of the City's current Land Use Procedures Ordinance, Land Subdivision (site plan) Ordinance, and Zoning Ordinance as codified under Section 210, of the City's Revised General Ordinances as amended where applicable.

**STATUTORY BASIS FOR THE REHABILITATION PLAN**

The general purpose for designating a rehabilitation area is to encourage the renovation or reconstruction existing structures; to eliminate substandard structural or housing conditions; and arrest the deterioration of the area and potentially offer tax abatements on improvements for a period of 5 years.

Once designated as a rehabilitation area, tools to encourage rehabilitation can be put into place, including reconstruction design standards and potentially a property tax abatement program on improvements.



# 4. PROPOSED LAND USE PLAN

## 4.1 LAND USE PLAN



This section describes the proposed land use plan and provides a framework to implement the City's vision for this area. The subsequent zoning regulations (found in Section 4.2 of this Plan) lay the foundation and provide guidelines for any development that occurs in the area.

This Plan proposes the following three districts for the North Main Street Area:

### **Residential District**

As the name suggests, residential is the main land use in this district with a variety of housing options.

### **Mixed Use District**

This district proposed a mix of land uses. It acts as a transitional area between high intensity commercial uses on Main Street and the residential uses in the Redevelopment Area and adjacent neighborhoods.

### **Civic /Commercial District**

This district provides an opportunity to create a civic district around the City Hall. Additionally, it also permits commercial and other appropriate land uses.

Residential District

Civic/Commercial District

Mixed Use District

**4.2 DISTRICT STANDARDS**

The district standards reflect the City’s vision for the proposed North Main Street Redevelopment and Rehabilitation Plan; more specifically they define the permitted and accessory uses; bulk standards; and other regulatory requirements specific to the area. The general design standards identified in the redevelopment and rehabilitation plan apply to this redevelopment area. Landscaping, Buffer and Screening and Signage shall comply with the City’s Ordinance Chapter 210.

**BULK STANDARDS**

Regulation	Residential District	Mixed Use District	Civic/Commercial District
<b>Redevelopment Area</b>			
Minimum Lot Area	2,500 Sq. Ft.	5,000 Sq. Ft.	5,000 Sq. Ft.
Minimum Lot Frontage	25 Ft.	50 Ft.	50 Ft.
<b>Minimum Setbacks</b>			
Front yard	5 Ft.	5 Ft.	10 Ft.
Rear Yard	5 Ft.	10 Ft.	10 Ft.
Side Yards	5 Ft.	5 Ft.	5 Ft.
Side Yard along a street	5 Ft.	5 Ft.	10 Ft.
<b>Other Standards</b>			
Maximum Building Coverage	75%	80%	75%
Maximum Impervious Coverage	90%	95%	95%
Maximum Height	70 Ft.	80 Ft.	80 Ft.
Maximum Number of Stories	6	7	7
Floor Area Ratio	3.0	4.0	3.5
Density (Maximum Number of Units)	120/acre	90/ acre	60/acre
<b>Minimum Number of Parking Spaces</b>			
For Studio, 1 Bedroom, 2 Bedroom	0.5 spaces per unit	0.5 spaces per unit	0.5 spaces per unit
For 3 Bedroom or more	1 space per unit	1 space per unit	1 space per unit
For Retail	-	1 space per 300 Sq. Ft	-
Restaurant/ Tavern	-	1 space per 3 seats	-
For All Other Commercial uses	-	1 space per 300 Sq. Ft.	1 space per 300 Sq. Ft.
For Civic Uses	-	-	1 space per 300 Sq. Ft.



**PERMITTED USES****Residential District**

- One-Three Family Homes
- Townhouses
- Condominiums
- Multi-family Apartments (upto max. 8 stories)
- Garden Apartments
- Parks, Open Spaces

**Mixed Use District**

- Townhouses
- Multi-family Apartments
- Retail establishments
- Personal and commercial service establishments
- Vertical Mixed Use:
  1. Mixed-use: Residential over Commercial
  2. Mixed-use: Residential over Retail
  3. Mixed-use: Offices over Commercial
- Offices
- Restaurants
- Banks
- Funeral homes
- Health and fitness clubs
- Taverns
- Structured Parking

**Civic/Commercial District**

- Townhouses
- Multi-family Apartments
- Civic Uses
- Municipal Buildings
- Institutional Uses
- Offices

- Banks
- Parks, Open Spaces
- Schools
- Structured Parking

**ACCESSORY USES****Residential District**

- All uses customarily incidental and subordinate to primary permitted uses are permitted in the Redevelopment Area as accessory uses.

**Mixed Use District**

- All uses customarily incidental and subordinate to primary permitted uses are permitted in the Redevelopment Area as accessory uses.
- Surface Parking
- Structured parking as a part of a mixed use building
- Electric Vehicle charging station
- Green infrastructure

**Civic/Commercial District**

- All uses customarily incidental and subordinate to primary permitted uses are permitted in the Redevelopment Area as accessory uses.
- Surface Parking
- Structured parking as a part of a building
- Electric Vehicle charging station
- Green infrastructure

**ADDITIONAL STANDARDS**

- If a development site is at least double the minimum required area, then the maximum permitted density would increase by an additional 10 units per acre, 0.5 FAR and one additional story in the **Residential District**.
- First floor parking areas shall be appropriately screened with a faux wall. The faux wall shall consist of architectural feature and facade materials that are compatible with ground floor uses.
- Access to all commercial areas in a mixed-use structure shall be oriented toward the street front of the property, unless facing a pedestrian alley or plaza in the side yard.
- Excluding structured parking (separate or as a part of the primary building such as basement) all other parking areas shall be located in the rear and/or side yard of the property.
- There shall be no more than 300 feet of a continuous building facade on a single property. Diversifying building facades every 50 feet is required to visually break up these buildings.
- Loading docks, solid waste and recycling facilities and other service areas shall be to the rear or side of buildings in visually unobtrusive locations.

**RESIDENTIAL USE**

- No more than 20% of the total residential use in a stand alone residential building or mixed use building, shall be studio apartments.
- Studio, one-bedroom and two-bedroom units shall be a minimum of 450 square feet, 650 square feet, and 950 square feet, respectively.

**PHASING**

Development within the redevelopment area may occur in phases, however, individual/ common open space or park shall be provided during the Phase I of the development.

**OPEN SPACE**

A minimum of 5% of the total site area shall be reserved as open space. If two or more lots are developed together, each lot shall not have a separate open space. A combined open space can be designed to serve the entire development.

This mandatory open space shall be situated on the ground and/ or roof top garden. Refer to sustainability standards in this plan to design open space.





## SUSTAINABILITY

- A roof-top garden or landscaped roof area may be provided on a newly constructed building in the plan area. The green roof area should cover a minimum of 50% of the roof.
- A green roof shall consist of four layers: a waterproof membrane, a layer of insulation, a drainage layer, and the growing medium (substrate). Additionally, a protective layer of PVC or other suitable material may be placed beneath the growing medium to protect against roots penetrating the waterproofing layer.
- Roof-top garden or landscaped area may be made accessible to the residents of the building.
- Where roof decks are provided, a minimum of 50% of the deck area should be landscaped. This area may be made accessible to the general public.
- Where building setbacks create terraces, landscaping is encouraged.
- Sustainable design practices and LEED certifiable buildings are strongly encouraged.
- Other rooftop appurtenances, including but not limited to radio or television antennas, elevator or stair bulkheads, mechanical equipment, alternative energy installations, water tanks and cooling towers, shall be permitted.
- Roof appurtenances may not exceed a height of 10 feet above the main roof slab and shall not be affixed to the roof of an elevator or stair bulkhead.
- Required minimum open space is encouraged to be a landscaped area that includes water retention, rain gardens etc.
- Minimize impervious surface area as much as possible.
- Use of sustainable building materials, solar panels etc. is highly encouraged.



Example: Rain Garden



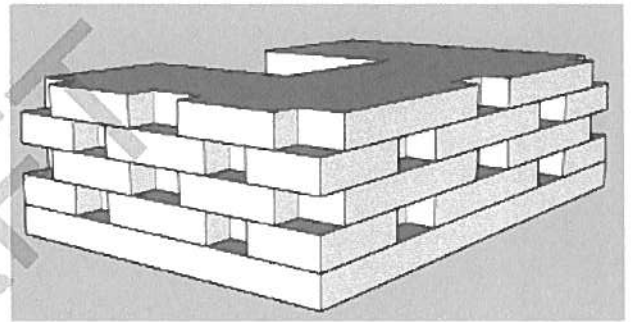
Example: Green infrastructure along a street

### 4.3 DESIGN STANDARDS

The City of Orange Township envisions a vibrant and attractive setting for this neighborhood. The City recognizes that a number of urban design improvements are necessary in order to achieve this vision. These improvements include pedestrian and parking upgrades to new developments; all aiming at increasing the desirability of this area as a place to live, work and play. The key elements of the design standards are listed below:

#### BUILDING, MASS AND FORM

1. Variation in architectural massing is encouraged. Architectural massing is the arrangement of forms of a building. Massing refers to the structure in a three-dimensional form.
2. Shared driveways and shipping and receiving points are encouraged to reduce the number of curb openings to enhance the streetscape and promote traffic safety.
3. Buildings with expansive blank walls are prohibited. Only blank walls adjacent to through-block sidewalks are permitted; however these must be treated with landscaping, artwork, or other treatment.
4. Parking lot and other services areas shall be appropriately screened with a landscape buffer.
5. Building massing should be context sensitive. Some setbacks, punctures shall be introduced to pacify the massing effect of mid rise buildings in single family zone.



### ARCHITECTURAL STANDARDS AND FACADE TREATMENT

Structures should be designed to encourage architectural variety within an overall framework of design continuity.

1. Architectural features are to be provided when using a flat roof; these features are to include a parapet wall accented with a cornice and frieze. Capped roof or sloping roof structures are encouraged.
2. Spatial gaps created in the street wall by parking or other non-pedestrian areas should be minimized.
3. Upper floors may be coordinated with ground floors through common materials and colors.
4. Design emphasis shall be placed on primary building entrances. They should be vertical in character, particularly when there is the need to provide contrast with a long linear building footprint, and such details as piers, columns, awnings and framing should be utilized to reinforce verticality.
5. If a parking deck/ structure is constructed, the facade elevations shall receive architectural treatment that complement the principal building.
6. The building design is to incorporate to the greatest extent practicable green design techniques and promote energy efficiency through the choice of materials and major systems.
7. Buildings on corner lots may be required to incorporate an architectural or pedestrian-oriented feature at the corner. Many options are possible including plazas, artwork, turrets, curved corners, etc.
8. First floor can vary in size, color and texture, and enable the provision of a decorative pattern or band. Brick masonry or cladding is encouraged to be similar with the surrounding buildings.



## 5. PROJECT REVIEW PROCESS AND AMENDMENTS OF THE PLAN

### 5.1 SITE PLAN AND SUBDIVISION APPLICATIONS

In the execution of this Plan, it should be noted that development and subdivision within the area shall be governed by the requirements set forth under the applicable development regulations of the City of Orange Township. Redevelopment activities shall be in conformance with this Redevelopment Plan which may be amended from time to time in accordance with law. Site plan review, as may be required, shall be conducted by the Planning Board of the City of Orange Township, pursuant to the provision of the Municipal Land Use Law N.J.S.A. 40:55D-1 et. seq.

All leases, agreements, deeds, and other instruments from, or between, the City, and to, or with a redeveloper, shall comply with the applicable provisions of Title 40, Chapter 37A.

### 5.2 POWERS OF THE PLANNING BOARD

The City Planning Board may grant deviations from the regulations contained within this Redevelopment Plan as part of site plan review where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the

benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. The Planning Board shall not grant any deviation from standards of this Redevelopment Plan that results in a "D" variance pursuant to N.J.S.A. 40:55D-70d.

The Zoning Board of Adjustment does not have jurisdiction to hear applications for development or deviation under this Plan.

### 5.3 RELIEF FROM OR APPLICABILITY OF OTHER REGULATIONS

All other uses shall be required to comply with the Residential Site Improvement Standards parking regulations. For all other regulations not addressed in this plan Chapter 210 - The Land Use Ordinance of the City of Orange Township shall apply.



## 6. IMPLEMENTATION OF THE PLAN

### 6.1 SELECTION OF REDEVELOPERS

This Plan is to be implemented in accordance with the procedures of the Local Redevelopment and Housing Law. Only the redeveloper formally designated by the City Council of the City of Orange Township and/ or its designee can undertake redevelopment activity in the Redevelopment Area to which this Plan relates. Redevelopers will be selected based on qualifications including, but not limited to, the following:

- Experience with constructing comparable projects generally;
- Capability to finance the acquisition and construction of proposed improvements;
- Capability to perform given resources committed to other projects;
- Demonstration of ability to observe project schedules; and
- Ability to provide references for verification.

The City may conditionally designate a redeveloper to negotiate a redeveloper agreement.

### 6.2 CERTIFICATION OF COMPLETION

A redevelopment project will be certified as being completed by the City upon final inspection and issuance of a certificate of occupancy by the construction official for all buildings and the release of all performance and maintenance bonds for improvements by the City Council. The redevelopment entity will issue a certificate of completion to the redeveloper, which will release the redeveloper from any further obligations under the redeveloper agreement for that project.

### 6.3 STATUTORILY PERMITTED ACTIONS

Upon the adoption of a redevelopment plan pursuant to section 7 of P.L. 1992, c. 79 (C.40A: 12A-7), the municipality or redevelopment entity designated by the governing body may proceed with the clearance, re-planning, development and redevelopment of the area designated in that plan. In order to carry out and effectuate the purposes of this act and the terms of the redevelopment plan, the municipality or designated redevelopment entity may:

- Undertake redevelopment projects, and for this purpose issue bonds in accordance with the provisions of section 29 of P.L. 1992, c. 79 (C.40A:12A-29) and issue bonds.
- **The North Main Street Redevelopment area in need study is a non-condemnation study.** Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to subsection i. of Section 22 of P.L. 1992, c. 79 (C:40A-12 through 22).
- Acquire any condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the "Eminent Domain Act of 1971," P.L. 1971, c. 361 (C. 20:3-14) Clear any area owned or acquired and install or reconstruct infrastructure. **This is a non-condemnation area.**
- Prepare or arrange by contract for the provision of professional services and the preparation of plans by licensed professionals and/or other consultants for the carrying out of redevelopment projects.
- Arrange or contract with public agencies or redevelopers.
- Lease or convey property or improvements without public bidding.

## NORTH MAIN STREET REDEVELOPMENT PLAN

- Enter upon buildings or property for conduct of investigations or surveys.
- Provide for relocation assistance.
- Carry out a voluntary rehabilitation program and develop plans for the enforcement of codes and regulations relating to use and occupancy, rehabilitation, demolition, and removal of buildings or improvements.
- Request the designation of particular areas as areas in need of redevelopment or rehabilitation. The North Main Street Redevelopment area in need study was prepared on May 27, 2020 and adopted on \_\_\_\_\_, 2020.

### 6.4 AGREEMENTS WITH REDEVELOPER

Agreements with redevelopers shall note that only those uses established in the redevelopment plan shall be constructed, and prohibit, without approval of the redevelopment entity, the sale, leasing, or transferring of the redevelopment project, or portion thereof, without written consent. Agreements will also specify that the redeveloper is responsible for the performance of a Phase I Environmental Site Assessment to be conducted the designated district's need for redevelopment has been fulfilled in accordance with American Section of the International Association for Testing Materials (ASTM) International Standards. Based upon information obtained from the Phase I study, testing will be performed at the discretion of the City. The redeveloper will bear the cost of needed environmental testing and required remediation, and will provide a guarantee to ensure said work in the form found acceptable to the City.

### 6.5 EQUAL OPPORTUNITY

The land within the project Redevelopment Area shall not be restricted on the basis of race, creed, color, or national origin in the sale, use, lease, or occupancy thereof.

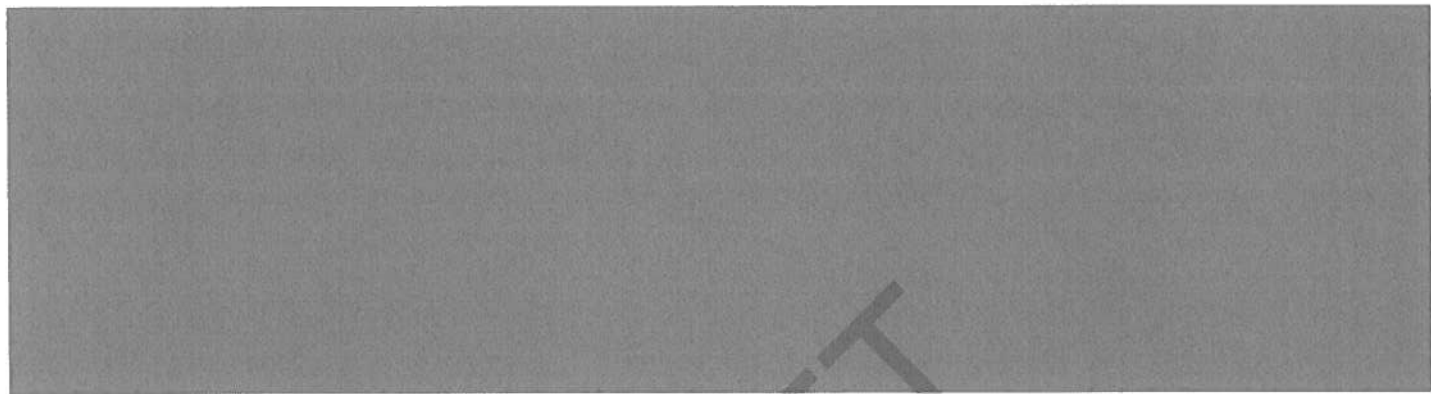
### 6.6 PERIOD OF APPLICABILITY

The provisions of this Plan, specifying the redevelopment plan for the Redevelopment Area and requirements and restrictions with respect thereto, shall be in effect for a period yet unspecified until such time as the purpose of the Plan has been satisfied and the designated district's need for redevelopment has been substantially alleviated.

### 6.7 RELOCATION ASSISTANCE

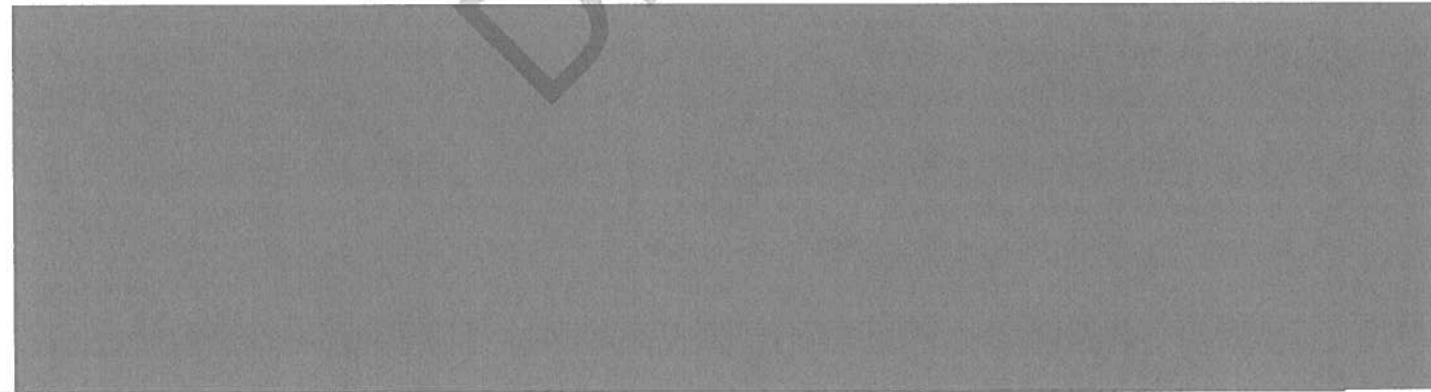
The City shall undertake all appropriate relocation measures as required by law pursuant to the Relocation Assistance Law of 1967, P.L. 1967, C. 79 (c. 52:31B-1 et. seq.) and the Relocation Assistance Act, P.L. 1971, C. 362 (c. 20:4-1 et. seq.) in the event of displacement of any resident from the Condemnation Redevelopment Area. **North Main Street Area is a Non-Condemnation Area.**





# **NORTH MAIN STREET REDEVELOPMENT AND REHABILITATION PLAN**

City of Orange Township, New Jersey



DRAFT

**CITY OF ORANGE TOWNSHIP PLANNING BOARD**

**MEMORIALIZATION RESOLUTION NO: 10-2020 FOR THE NORTH MAIN STREET AREA INVESTIGATION CONCERNING VARIOUS BLOCKS AND LOTS IN THE CITY OF ORANGE TOWNSHIP, NEW JERSEY**

**WHEREAS**, by Resolution No. 112-2020 adopted March 3, 2020, the City of Orange Township Municipal Council (the “Council”) authorized the City of Orange Township Planning Board (the “Planning Board”) to conduct a preliminary investigation of North Main Street Study Area, the subject area specifically being identified as follows according to the City’s tax records (the “Study Area”):

- Block 1901 Lots** 2, 3, 4, 14, 15, 16, 17
- Block 1902 Lots** 2, 3, 5, 6, 7
- Block 2001 Lots** 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38
- Block 2003 Lots** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
- Block 2004 Lots** 2, 3, 4, 5, 6, 7, 9, 10, 11, 12
- Block 2101 Lots** 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27
- Block 2102 Lots** 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31; and

**WHEREAS**, the City’s referral satisfied the requirements of N.J.S.A. 40A:12A-14 with respect to soliciting the Planning Board’s recommendations with respect to designation as an area in need of rehabilitation; and

**WHEREAS**, the Planning Board authorized Nishuane Group, LLC (the “Planning Consultant”) to conduct an investigation to determine whether the Study Area, or any portion thereof, constitutes a non-condemnation area in of redevelopment and/or an area in need of rehabilitation in accordance with the Local Redevelopment and Housing Law (“LRHL”), and to prepare a preliminary report of the Study Area (the “Study”); and

**WHEREAS**, the Planning Consultant prepared a Study entitled “North Main Street Area in Need of Redevelopment and/or Rehabilitation Investigation” dated May 27, 2020 (the “Report”), which details the findings and recommendations relevant to whether the Study Area should be designated as a non-condemnation area in need of redevelopment and/or an area in need of rehabilitation; and

**WHEREAS**, the Planning Board, having provided the requisite notices and all jurisdictional requirements of the LRHL having been met, conducted a public hearing on May 27, 2020, where Simran Riar, Urban Designer, an Associate with Nishuane Group, made a presentation of the Study to the Planning Board; and

**WHEREAS**, in addition to the presentation of the Planning Consultant, at the public hearing the



Planning Board heard testimony and evidence from members of the general public, who were given an opportunity to cross-examine the Planning Consultant and address questions to the Planning Board concerning the potential designation of the Study Area as a non-condemnation area in need of redevelopment and/or an area in need of rehabilitation; and

**WHEREAS**, the Planning Consultant concluded that each and every property located within the Study Area satisfies at least one of the LRHL Criteria A, B, C, D, E, G and H, and/or Section 3, for designation as a non-condemnation area in need of redevelopment, and in addition satisfies at least one of the LRHL Criteria 1, 2, 3, 4, 5 and 6 for designation as an area in need of rehabilitation; and that the entire Study Area should be deemed a non-condemnation area in need of redevelopment and an area in need of rehabilitation; and

**WHEREAS**, the Planning Board incorporates herein by reference all testimony, written submissions and discussions set forth in and made a part of the record of the Planning Board's meeting held on May 27, 2020; and

**WHEREAS**, based on the evidence presented, the Planning Board accepted the Study and concluded that there was sufficient credible evidence to support the findings that the designation of the entire Study Area as a Non-Condensation Area in Need of Redevelopment and an Area in Need of Rehabilitation, specifically

**Block 1901 Lots** 2, 3, 4, 14, 15, 16, 17

**Block 1902 Lots** 2, 3, 5, 6, 7

**Block 2001 Lots** 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38

**Block 2003 Lots** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17

**Block 2004 Lots** 2, 3, 4, 5, 6, 7, 9, 10, 11, 12

**Block 2101 Lots** 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27

**Block 2102 Lots** 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31,

is a non-condemnation area in need of redevelopment and an area in need of rehabilitation in accordance with and in satisfactions of the statutory requirements as set in the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*;

**NOW THEREFORE, IT IS HEREBY RESOLVED** as reflected in the vote below, the Planning Board of the City of Orange Township hereby accepts the entire Study Area as a non-condemnation area in need of redevelopment and an area in need of rehabilitation, and recommends that the Municipal Council of the Township determine that the properties identified in the Study Area be designated as a Non-Condensation Area in Need of Redevelopment and an Area in Need of Rehabilitation, all in accordance with the LRHL.

**Date of motion to approve Study: May 27, 2020**

Motion By:

Seconded By:

Vote for approval of application:

<b>Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Not Voting</b>	<b>Absent</b>	<b>Excused</b>
Dwight Holmes Chairperson	X				
Antoinette Jones Vice-Chairperson	X				
Hon. Dwayne Warren, Esq. Mayor	X				
Hon. Tency Eason Council President	X				
Christopher Mobley	X				
Hans Tanis	X				
Callistus Onyiuke	X				
Enock Faustin	X				

**Date of motion to approve resolution: June 24, 2020**

Motion By:

Seconded By:

Vote to approve resolution:

Members	Aye	Nay	Not Voting	Absent	Excused
Dwight Holmes Chairperson					
Antoinette Jones Vice-Chairperson					
Hon. Dwayne Warren, Esq. Mayor					
Hon. Tency Eason Council Member					
Christopher Mobley					
Hans Tanis					
Callistus Onyiuke					
Enock Faustin					

*Dwight Holmes*

Dwight Holmes (Jun 29, 2020 16:43 EDT)

Dwight Holmes  
Planning Board Chairperson

*Laquana Best*

Laquana Best (Jun 30, 2020 08:29 EDT)

Laquana Best  
Planning Board Secretary

Approved as to Form and Legality by:

*Gracia Monfilius*

Gracia Monfilius (Jun 29, 2020 20:18 EDT)

Planning Board Attorney

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

**DATE** March 3, 2020

**NUMBER** 112-2020

(Amended)

**TITLE: RESOLUTION AUTHORIZING THE PLANNING BOARD TO CONDUCT AN INVESTIGATION PURSUANT TO N.J.S.A. 40A:12A-6 FOR DESIGNATION OF CERTAIN PROPERTIES AS A NON-CONDEMNATION REDEVELOPMENT AREA AND/OR AN AREA IN NEED OF REHABILITATION, DIRECTING THE PLANNING BOARD TO HOLD THE PUBLIC HEARING AND REPORT TO THE CITY COUNCIL, AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR ANY PROPERTIES SO DESIGNATED BY THE CITY COUNCIL FOR THE NORTH MAIN STREET AREA OF THE CITY OF ORANGE TOWNSHIP**

**WHEREAS**, the City of Orange Township (the "City") seeks to identify areas in need of redevelopment and areas in need of rehabilitation, as such terms are defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), and to develop plans for the redevelopment of such areas and to undertake or oversee the redevelopment of such areas, all as part of an overall comprehensive city-wide redevelopment initiative; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, no area of a municipality shall be determined to be an area in need of redevelopment unless the governing body of the municipality, by resolution, authorizes the planning board of the municipality to undertake a preliminary investigation to determine whether the proposed area meets the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the City seeks to investigate whether certain properties, identified on the City's tax map as:

**Block 1901 Lots 2, 3, 4, 14, 15, 16, 17**

**Block 1902 Lots 2, 3, 5, 6, 7**

**Block 2001 Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38**


**Block 2003 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17**

**Block 2004 Lots 2, 3, 4, 5, 6, 7, 9, 10, 11, 12**

**Block 2101 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27**

**Block 2102 Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31;**

(collectively, the "North Main Street Study Area") meet the statutory criteria warranting designation as an area in need of redevelopment without condemnation powers in accordance with the procedures and requirements of the Redevelopment Law specifically N.J.S.A. 40A:12A-5, and/or designation as an area in need of rehabilitation in accordance with the requirements of the Redevelopment Law, specifically N.J.S.A. 40A:12A-14; and

*Vaughn Parchment on behalf of the City Attorney*  


**WHEREAS**, as shown on the City's tax map sheets, the above-listed properties comprising the North Main Street Study Area have the following street addresses:

**Canfield Street** – Nos. 12-14, 20, 21, 27, 30, 31, 32, 36  
**Cleveland Street** – Nos. 14, 18, 24, 36, 44, 47, 48, 52, 53, 58, 61, 62, 66, 67, 71, 76, 79, 82, 83, 88, 89, 92, 93, 98, 99, 104  
**High Street** – Nos. 34, 42, 46, 50, 58, 64, 70, 76, 82, 98, 108  
**Main Street** – Rear  
**McChesney Alley** – No. 60  
**New Street** – Nos. 276, 280, 282  
**North Center Street** – Nos. 14, 17, 23, 24-32, 37, 41  
**North Center Street – Main Street** – Rear  
**North Day Street** – Nos. 21, 26, 28, 29, 30, 32, 36, 37, 39-49, 48, 51-53, 54, 56, 57, 60, 63, 64-66, 65, 69, 70, 74, 78, 81 (#1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, #12), 91, 97,  
**North Essex Avenue** – Nos. 16, 20, 26, 29-37, 36, 42, 43, 47, 48, 53, 54, 58, 59, 62, 63, 66, 69, 70, 75, 76, 79, 82, 84, 85, 86, 87-89, 90, 92, 94, 95, 96, 98, 99, 100  
**White Street** – Nos. 310, 314-318, 364, 376, 394  
**William Street** – Nos. 228, 261, 269, 271, 277, 279-81

**WHEREAS**, pursuant to N.J.S.A.40A:12A-6 the City Council of the City has determined that any designation of all or part of the North Main Street Study Area as an area in need of redevelopment shall authorize the City to use all of those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (i.e., a Non-Condensation Redevelopment Area), and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, any designation by the City of a Non-Condensation Redevelopment Area shall be made after public notice has been given, and a public hearing has been held, by the Planning Board of the City, as provided in the Redevelopment Law; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Orange Township, New Jersey, as follows:

1. The Planning Board is hereby authorized pursuant to N.J.S.A. 40A:12A-6(a) to undertake a preliminary investigation to determine whether the above-listed properties comprising the Study Area are a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5 and/or are an area in need of rehabilitation according to the criteria set forth in N.J.S.A. 40A:12A-14, and to report such determination to the City Council after public notice and public hearing as provided in the Redevelopment Law. Any designation of all or part of the North Main Street Study Area as an area in need of redevelopment shall authorize the City to use all of those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (i.e., a Non-Condensation Redevelopment Area).


2. In connection with such investigation, the Planning Board is hereby directed to give such notice(s), to hold such public hearing(s) and to make such report(s) as may be required under the Redevelopment Law in connection therewith.

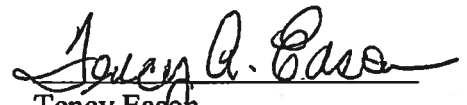
3. The Planning Board is hereby directed pursuant to N.J.S.A. 40A:12A-7(f) to prepare a redevelopment plan for any properties in the North Main Street Study Area that may be designated by the City Council as an area in need of redevelopment and/or an area in need of rehabilitation.

4. A copy of this resolution shall be filed in the Office of the City Clerk.

ADOPTED BY THE MUNICIPAL COUNCIL March 3, 2020

Adopted: March 3, 2020

  
Joyce L. Lanier  
City Clerk

  
Tency Eason  
Council President

**RESOLUTION NO. 112-2020**

**CONSENT AGENDA**

**REGULAR MEETING— MARCH 3, 2020**

**MOTION TO ADOPT: Williams**

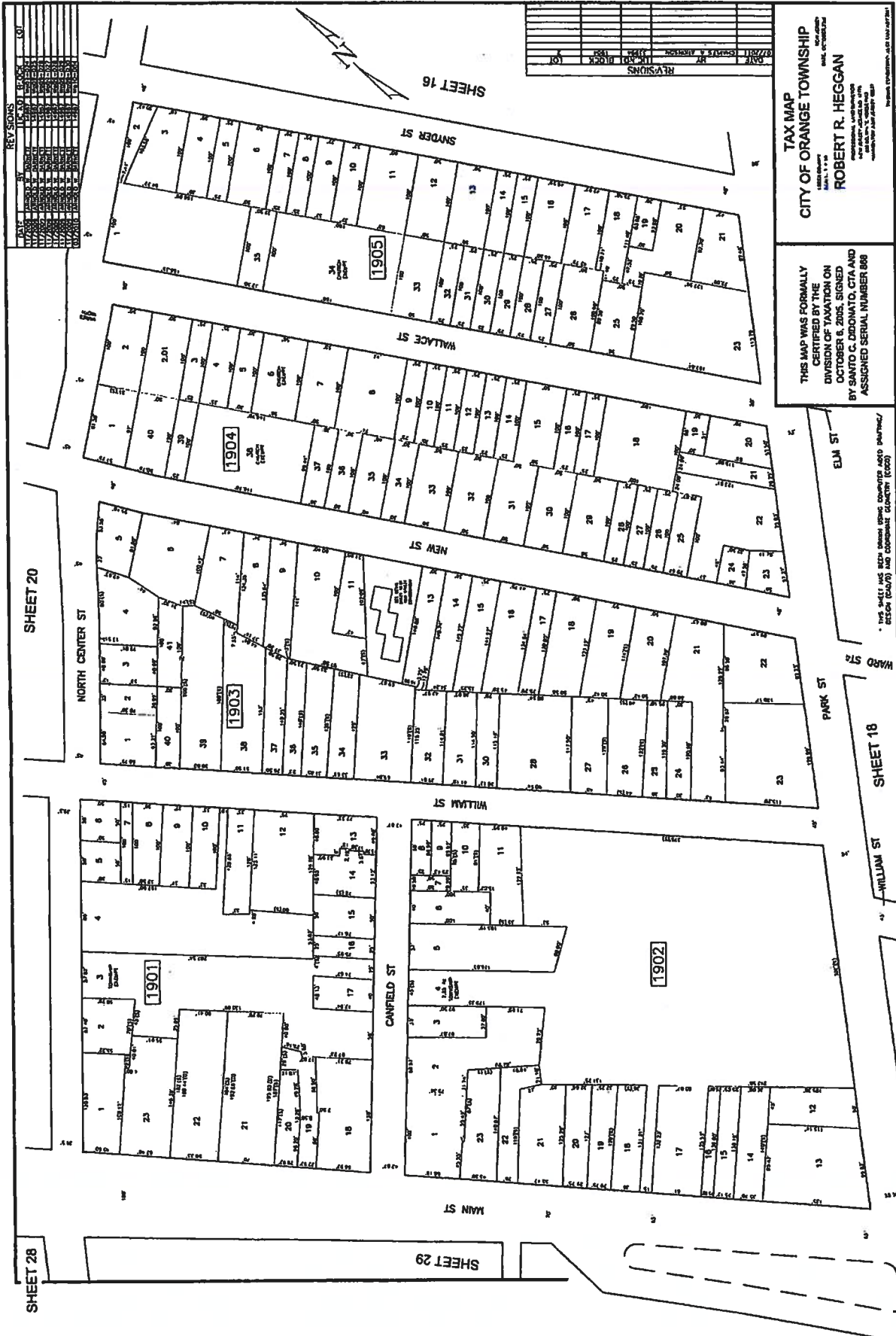
**SECOND: Johnson, Jr.**

**YEAS: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams & Council President Eason**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: Wooten**



DATE	BY	REVISIONS

DATE	BY	REVISIONS

**TAX MAP**  
 PREPARED BY  
**CITY OF ORANGE TOWNSHIP**  
 TAX MAPS  
 MAP 17-08  
**ROBERT R. HEGGAN**  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF CONNECTICUT  
 LICENSE NUMBER 7314

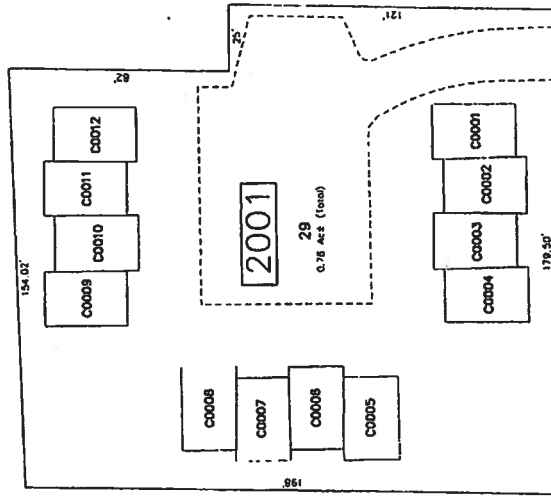
THIS MAP WAS FORMALLY  
 CERTIFIED BY THE  
 DIVISION OF TAXATION ON  
 OCTOBER 6, 2005. SIGNED  
 BY SANTO C. DIDONATO, CTA AND  
 ASSIGNED SERIAL NUMBER 868

\* THIS SHEET HAS BEEN CHECKED AGAINST THE MASTER COPY OF THE MAP FOR THIS SHEET (17-08) AND SUBSEQUENT SHEETS (17-09)



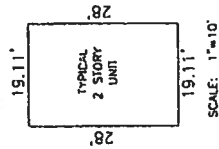


"CONCORD COURT" CONDOMINIUM  
BLOCK 2001 LOT 29



N DAY ST

SCALE: 1"=20'



SCALE: 1"=10'

UNIT #	SQ. FT.
C0001	1,050
C0002	1,050
C0003	1,050
C0004	1,050
C0005	1,050
C0006	1,050
C0007	1,050
C0008	1,050
C0009	1,050
C0010	1,050
C0011	1,050
C0012	1,050

REVISIONS	
DATE	DESCRIPTION
10-1-03	BLOCK
10-1-03	BLOCK

\* THIS SHEET HAS BEEN REVIEWED USING CONFORMING ALSO PARTIAL/ OTHER (LAW) AND COMPLIANT (CONDO)

**TAX MAP**  
CITY OF ORANGE TOWNSHIP  
MAIL STOP 0888  
ROBERT R. HEGGAN  
TOWNSHIP CLERK  
155 N. STATE ST., SUITE 1000  
ORANGE, NJ 07067  
PHONE: 908-860-1111  
FAX: 908-860-1112

THIS MAP WAS FORMALLY CERTIFIED BY THE DIVISION OF TAXATION ON OCTOBER 6, 2005, SIGNED BY SANTO C. DIDONATO, CTA AND ASSIGNED SERIAL NUMBER 888

