

PLANNING BOARD
City of Orange Township
29 North Day Street
Orange, NJ 07050

MEETING MINUTES
FEBRUARY 23, 2022

Chairperson Dwight Holmes called the February 23, 2022 City of Orange Township Planning Board Meeting to order at 7:34 p.m. Salute to the Flag. Compliance with the "Sunshine Law" acknowledged. Meeting Notice. Roll Call.

Please note this meeting held remotely via Zoom Meeting and all login information is posted on the City of Orange Township website (www.ci.orange.nj.us) as well as the local newspaper "Transcript."

Board Members Present: Callistus Onyiuke, Enock Faustin , Chris Mobley, Sharanda Bennett, Council Vice-President Eason, Mayor Dwayne D. Warren (Arrived 7:38PM) , Chairman Dwight Holmes,

Board Members Absent: Antoinette Jones

Professionals Present:
Rich Wostbrock, Board Engineer
Gerard Haizel, Board Planner
Alexandra Reyes, Board Secretary
Joseph Wenzel, Board Attorney

Correspondence: None

MINUTES:

Motion made by Member Faustin and seconded by Member Mobley to approve the minutes as distributed.

Those in Favor: Member Bennett, Member Faustin, Member Onyiuke, Council Vice-President Eason, Chairman Holmes

Those Opposed: None

Not Voting/Abstained: Member Mobley

Those Absent: Antoinette Jones, Mayor Warren (Arrived 7:38PM)

The motion carried 5-0-1-2.

Motion made by Council Vice- President Eason second by Mayor Warren Case #21-12 Public Service and Gas Company to Number 7 on the agenda

Those in Favor: Member Bennett, Member Faustin, Member Onyiuke, Council Vice-President Eason, Mayor Warren, Chairman Holmes

Those Opposed: None

Not Voting/Abstained: Member Mobley

Those Absent: Antoinette Jones.

The motion carried 6-0-1-1

Motion made by Council Vice- President Eason second by Member Bennett to approve the 2022 Planning Board meeting schedule.

Those in Favor: Member Bennett, Member Faustin, Member Onyiuke, Council Vice-President Eason, Mayor Warren, Chairman Holmes

Those Opposed: None

Not Voting/Abstained: Member Mobley

Those Absent: Antoinette Jones.

The motion carried 6-0-1-1

Case #21-12 Public Service Electric and Gas Corp – 536 Freeman Street Preliminary, Final Major Site Plan approval and consolidated approval- Carried Application

Board Attorney Wenzel provided notice on behalf of the Applicant Attorney Karl Kemm stating that the applicant has requested an adjournment to further review based upon the public input and would like to carry the matter to the Next Planning Board Meeting March 23rd 2022. Re-notice not required from the applicant.

Memorialize Resolution Case #21-11 H.A.N.D.S. Inc - 523 Freeman Street Preliminary and final approval Major Site Plan approval. Minor Subdivision Review.

Motion made by Council Vice- President Eason second by Faustin to Memorialize Resolution Case #21-11 H.A.N.D.S. Inc - 523 Freeman Street Preliminary and final approval Major Site Plan approval. Minor Subdivision Review.

Those in Favor: Member Faustin, Member Onyuke, Member Mobley, Council Vice-President Eason, Mayor Warren.

Those Opposed: Member Bennett, Chairman Holmes

Not Voting/Abstained: None

Those Absent: Antoinette Jones.

The motion carried 5-0-1-1

Central Orange Redevelopment Area in Needs Study with Condemnation (AINS) presented by Nishuane Group

Mrumayee Atre, Associate at Nishuane Group presented the Central Orange Redevelopment Area in Needs Study with Condemnation (AINS) presented by Nishuane Group. Ms. Atre introduced the plan by explaining What is an Area in need of Study ? The study area is analyzed based on the existing conditions and to determine whether one or more local redevelopment and housing criteria are met for each of the properties. The analyzes is used to determine if the area is in need of rehabilitation. The proposed findings and recommendations are as followed:

Benefits for Redevelopment:

- A Redevelopment plan will identify how an area will be developed, including use and intensity o fuse
- May allow for eminent domain (condemnation) or not (non-condemnation)
- Grant tax exemptions and abatements.

Area in need of Rehabilitation ;

- An extensive repair, reconstruction or renovation of existing structures.
- Exercise all redevelopment powers, except the ability to acquire private property by eminent domain
- Grant five-years property tax exemption and abatement.

Ms.Atre continued to explain The Local Redevelopment Housing Laws which allows for two types of redevelopment areas: condemnation Redevelopment: Condemnation Redevelopment Areas and Non-Condemnation Redevelopment.

Condemnation allows for the utilization of eminent domain in acquisition of property, non-condemnation does not.

Purpose of CORA Area in Need Study:

- To determine whether the existing Central Orange Redevelopment Area continues to be “in need of redevelopment” in accordance with the LRHL Criteria.
- The Area was initially designated in 2003
- There has been a significant development since
- To be consistent with the 2018 Master Plan
- Based on the findings of this study –the Council will consider whether to re-designate the Area as a Condemnation/Non-Condemnation Redevelopment Area.

Ms. Atré explained briefly the steps on the redevelopment process as followed:

1. Council authorized Planning Board to conduct Area in Need of Study
2. Study is prepared
3. Findings presented to Planning Board, which then recommends designation to Council (Current Step of the process)
4. If approved, Area in Need of Redevelopment is designated
5. Redevelopment Plan is drafted and presented to the Planning Board
6. Council Adopts Redevelopment Plan
7. Council Oversees Implemenattion of Plan
8. Council selects a redeveloper and negotiates an agreement.

Local Redevelopment Housing Law Criteria were presented as followed:

- “A” Criterion: Deterioration
- “B” Criterion: Abandon Commercial and Industrial Buildings
- “C” Criterion: Public and Vacant Land
- “D” Criterion: Obsolete Layout and Design
- “E” Criterion: Property Ownership and Title Issues
- “F” Criterion: Fire and Natural Disaster
- “G” Criterion: Urban Enterprise Zone
- “H” Criterion: Smart Growth Consistency

Section 3 Criterion: Properties that do not meet the statutory criteria (A-H) but are essential to be included in the designation to effectively redevelop the area.

There are 6 Criterion in Area in Need of Rehabilitation:

- “1” Criterion: Substantial Deterioration/Substandard Buildings
- “2” Criterion: Age of Housing Stock that is more then 50 years

- “3” Criterion: Pattern of Vacancy, under utilization and abandonment
- “4” Criterion: Outstanding Property Taxes
- “5” Criterion: Brownfield Site or Environmental Contamination
- “6” Criterion: Age of Water and Sewer Infrastructure at least 50 years old

The Study consist of 643 Parcels, it is approximately 130 acres of the total Area. The Study is located in a Urban Enterprise Zone, Opportunity Zone Track and Smart Growth Area. It is recommended for Condemnation Area as well ad Non-Condemnation.

Ms. Atré Stated that the Area in need of Study is Consistent with the 2018 Master Plan for the Central Orange Area. The Objectives of the Master Plan are:

- Identify and assess vacant/abandoned contiguous parcels for potential use as public open space
- Redevelopment Plans should be developed for targeted development areas around the City, to incentivize development. Targeted sites include the former Orange Memorial Hospital Site.
- The permitted uses within each of the sub-districts of the CORA should be revisited to allow for a greater variety of recreational and entertainment uses.

The current Zoning chart of the Central Orange Redevelopment plan consist of 6 District labeled A- F. Ms. Atré stated that along with multiple site visits, municipal findings were also considered along with Planning Department reports, Tax assessor report, inspection report, Police department reports, Fire department reports, Contamination sites information from NJDEP.

The following Block and Lots were designated on the below Criterias:

Criteria A:

The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or posses any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

Block	Lot
2701	7, 8, 9, 11, 14, 20, 21
2702	7
2705	1
3702	4
3704	27
3501	2, 8, 10, 18, 22
3502	4, 5, 6, 9, 10
3601	18, 27
3401	10, 11
3402	8, 11, 13,
3403	12, 23
3404	9, 16, 18, 31
3405	20 – 23, 25 – 27

Block	Lot
3301	16, 17, 23, 30 – 32, 34, 48, 61, 62, 66
3303	3
3304	2, 10 – 12, 21, 35
3201	24
3203	3, 12, 14

Criteria B

The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes the abandonment of such buildings or the same being allowed to fall into so great a state of disrepair as to be un-tenantable

Block	Lot
3202	4

Criteria C

Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

Block	Lot
2701	7, 8, 9, 11, 14, 20, 21
2702	7
2705	1
3702	4
3704	27
3501	2, 8, 10, 18, 22
3502	4, 5, 6, 9, 10
3601	18, 27
3401	10, 11
3402	8, 11, 13,
3403	12, 23
3404	9, 16, 18, 31
3405	20 – 23, 25 – 27

Block	Lot
3301	16, 17, 23, 30 – 32, 34, 48, 61, 62, 66
3303	3
3304	2, 10 – 12, 21, 35
3201	24
3203	3, 12, 14

Criteria D

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

Block	Lot	Block	Lot
2701	13, 16, 18, 19	3402	1 – 3, 12, 26, 42, 43
2702	1, 5	3403	1, 3, 6, 9, 10, 18, 33, 35
2703	3	3404	1, 11, 19, 26
2705	3	3405	1
3102	1, 2	3301	1, 7, 11, 12, 15, 25, 27 – 29, 43 – 45, 50, 51, 64
3702	5 – 12, 14, 16, 17, 20, 22 - 24	3303	1, 11, 16 – 21, 40, 42 - 45
3703	6, 7, 8, 10	3304	1, 5 – 9, 13 – 16, 24, 25, 43
3704	19, 26, 28, 29, 33, 34, 42, 43	3201	1, 25
3501	1, 4, 6, 9, 12, 13, 19, 20, 23 - 25, 30, 32 - 36	3202	2, 11, 12.01
3503	2	3203	1, 2, 5, 21
3601	1, 2, 4, 33 - 38		
3401	1, 2, 4, 20 – 22, 24, 25		

There are no properties designated under Criteria E or F

Criteria G

The execution of the actions for the adoption of the plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment for the purpose of granting tax exemptions within the enterprise zone.

Findings: All parcels in the study area are located in the City's Urban Enterprise Zone, *except* Block 3702, lots 1 – 3, 21 – 30, Block 3302, Block 3201, lots 14 – 22, Block 3202, Block 3203.

Criteria H

The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Findings: All parcels in the study area are located in the Smart Growth Area.

Section 3

A redevelopment area may include lands, buildings, or improvements with which of themselves are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary, with or without change in this condition for the effective redevelopment of the area of which are a part.

Findings: Several parcels in the study area meet Section 3 criteria, as the inclusion of those parcels is critical for development of the area as a whole.

Ms. Atre concluded the presentation by presenting the list of 63 parcels recommended for condemnation reflecting all Block and Lots with designated address.

Board Professionals

Gerard Haizel, Board Planner- No comments.

Rich Wostbrock, Board Engineer- No comments.

Motion by Member Mobley and **seconded** by Member Bennett to open public comment. All in favor.

Art Austin- 204 Taylor St : Is there are project proposed to start?

Robert Goldsmith- Represents the Contract purchaser for 188 South Essex Ave, concerned about the report reflecting draft on the website. The property being listed under Condemnations. Board Attorney Wenzel and City Attorney Mizrahi

James Ward- 743 Haxton Ave : Raised concerns in regards to properties being designated under condemnation.

Karen Wells- Why was the historic commission not consulted during the study. City Attorney Mizrahi addressed Ms. Wells concerns.

Aubrey Murdock- How many site visits were made? How is the area designated vacant? Who defines Highest and best use?

Kami Willis- 678 Burnside: When was the case study received by the Planning Board, How long has the case study been in progress, was public works involved in the study.

Janis B- 765 Valley St: Condemnation concerns.

Paul Lombardo- Property under condemnation

Jodi Leight- 219 South Essex Ave: Historic commission concerns, Tax abatement, designation of Area in need of redevelopment.

Art – LADF Holdings representative: Highest and best use designation, distinctions in the criteria designated.

Daniel W 47 Cleveland St- How was notice provided to the public of the Study? Concerns in regards to public input towards the Study.

Robert Wislocky- 183 Oakwood- Raised concerns of his property being under condemnation.

Wayne Jackson- 366 Mechanic St- Vacant and Abandon property list.

Keisha Joiner- Union Baptist Church representative- Concerns in regards to the highlighted properties on page 71 of the Study. When will the Study become final.

Anthony Johnson- 219 South Essex: Public involvement in the Study

Veronica Scott- 548 Argyle Ave: Raised concerns in regards to the changes brought by the study.

Motion by Council Vice-President Eason and **seconded** by Member Faustin to close the public comment. All in favor.

Motion by Member Bennett second by Mayor Warren that the properties listed in the Study presented by Nishuane Group known as the Central Orange Redevelopment Area should be declared as an area in need of redevelopment by satisfying the criteria as set forth in N.J.S.A. 40A:12A-5 (a), (b), (c), (d), (g) and Section 3 and also be declared as an area in need of rehabilitation by satisfying the criteria as set forth in N.J.S.A. 40A:12A-5 (1), (3), (5) and (6). Further, move that certain parcels within the Central Orange Redevelopment Area as identified in the Nishuane Study be considered for potential condemnation by public agencies for redevelopment. Additionally, move that the City Council of the City of Orange Township consider for adoption the Non-Condemnation and Condemnation Central Orange Redevelopment Area and authorize the preparation of a redevelopment plan in accordance with law.

Those in Favor: Member Bennett, Member Faustin, Member Onyiuke, Member Mobley, Council Vice-President Eason, Mayor Warren, Chairman Holmes.

Those Opposed: None

Not Voting/Abstained: None

Those Absent: Vice-Chair Jones

Motion Passes 7-0-0-1

Old Business: None

New Business: None

Motion to adjourn by Bennett and seconded by Member Mobley at 9:41 PM. All in favor.

Next regular scheduled meeting for Wednesday, March 23rd at 7:30 p.m. via virtually using Zoom Meeting.

Prepared By: Alexandra Reyes.