

# BOROUGH OF NORTH HALEDON

## ORDINANCE #13-2018

### AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH HALEDON AUTHORIZING REVISIONS AND/OR AMENDMENTS TO THE BELMONT AVENUE REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7

**WHEREAS**, on August 15, 2012, the Borough Council adopted Resolution No. 171-2012 designating Block 30, Lots 9, 11, 12, 12.01, 13, 13.01, 13.02, 14, 15, 16, 27 & 27.02 and Block 31, Lots 10, 10.04, 11, 11.02, 11.03, 11.04 & 12 on the tax maps of the Borough of North Haledon as an area in need of redevelopment which has come to be known as the Belmont Avenue Redevelopment Area; and

**WHEREAS**, thereafter a redevelopment plan entitled “Belmont Avenue Redevelopment Plan, North Haledon, New Jersey” (the “Plan”) was prepared by Kauker and Kauker, LLC for the Borough of North Haledon, and was the subject of public discussion at Borough Council meetings held on May 21, 2014, June 25, 2014 and July 9, 2014 after which, on July 9, 2014 the Borough Council (1) introduced Ordinance #16-2014 that would adopt the Plan and (2) adopted a resolution directing the Planning Board to review the Plan and transmit to the Borough Council a report containing the Planning Board’s recommendations concerning the Plan pursuant to the requirements of N.J.S.A. 40A:12A-7; and

**WHEREAS**, on August 6, 2014, the Borough Council received the Planning Board’s findings and recommendations regarding the Plan and the Borough Council adopted Resolution #142-2014 to address Planning Board’s recommendations regarding the Plan; and

**WHEREAS**, on August 6, 2014, the Borough Council held its second and final reading and adopted Ordinance #16-2014 which adopted the Plan, dated May 20, 2014 and last revised August 6, 2014; and

**WHEREAS**, the Borough Council now wishes to revise and/or amend the Plan pursuant to N.J.S.A. 40A:12A-7, which certain amendments were proposed by the Redeveloper 920 Belmont Acquisition, LLC at the April 4, 2018 public meeting;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey as follows:

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth.

**Section 2.** The Planning Board is hereby directed to review the proposed revisions and/or amendments to the Plan as attached hereto and incorporated herein as **Exhibit A** pursuant to N.J.S.A. 40A:12A-7(e) and shall transmit to the Borough Council, within 45 days after referral, a report containing its recommendations. Failure of the Planning board to transmit its report within the required 45 days shall relieve the Borough Council from the requirements of this subsection with regard to the pertinent proposed redevelopment plan or revision or amendment thereof.

**Section 3.** Upon adoption of this Ordinance, the Plan shall be amended and supplemented to include the amendments attached hereto and incorporated herein as **Exhibit A**.

**Section 4.** The Plan shall supersede the provisions of the Borough's zoning ordinances except as noted within the Plan.

**Section 5.** The Plan shall be implemented in accordance with the provisions of N.J.S.A. 40A:12A-1 et seq.

**Section 6.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

**Section 7.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**Section 8.** This Ordinance shall take effect upon the final passage and publication in accordance with applicable law.

#### NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on April 18, 2018, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on May 16, 2018 at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 7:30 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

Renate Elatab