



Incorporated 1897

Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

ORDINANCE #22-11

ORDINANCE REINSTATNG PRIOR ZONING FOR PORTIONS OF THE POST OFFICE PLAZA REDEVELOPMENT AREA, AS AN AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OF THE BOROUGH OF CHATHAM, NEW JERSEY

WHEREAS, this Ordinance was introduced and read by title at a meeting of the Council for the Borough of Chatham (the “Council”) held on September 12, 2022; and

WHEREAS, by Ordinance No. 19-10 Adopted April 22, 2019, the Mayor and Council adopted the Post Office Plaza Redevelopment Plan (the “Plan”); and

WHEREAS, by Ordinance 21-22 adopted December 13, 2021, the Plan was amended; and

WHEREAS, by Resolution 22-169 adopted by the Mayor and Council May 2, 2022, the Mayor and Council determined that the affordable housing requirement for the Post Office Plaza Redevelopment Area would be achieved by a 15-unit residential structure to be located on Lot 10 in Block 121, in the Southeast corner along Bowers Lane; and

WHEREAS, the Mayor and Council have directed the Borough’s Affordable Housing Planning consultant, Kendra A. Lelie of TM Associates (the “Planner”) to prepare an amendment to the redevelopment plan to restate the redevelopment plan to solely address the affordable housing structure; and

WHEREAS, the Planner has prepared a Restated Redevelopment Plan dated September 8, 2022, (the “Restated Plan”), which shall extend only to Lots 10 and 17 in Block 121 as shown on the Tax Assessment Map of the Borough of Chatham (the “Tax Map”); and

WHEREAS, the Mayor and Council desire to confirm that the Zoning for the balance of the Post Office Plaza Redevelopment Area, not affected by the Restated Plan, shall revert to the zoning in place prior to the adoption of Ordinance 19-10; and

WHEREAS, pursuant to N.J.A.A. 40:55D-26, the Council will refer this Ordinance to the Planning Board of the Borough of Chatham (the “Board”) for a report as to which provision of this Ordinance, of any, may be inconsistent with the Master Plan of the Borough of Chatham, and any other recommendations the Board may have; and

WHEREAS, assuming that the Board considers this Ordinance at a public meeting held on September 21, 2022 and issues a report prior to October 11, 2022, the Council has scheduled this Ordinance for a public hearing on adoption for October 11, 2022; and

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Chatham as follows:

SECTION 1

Lots 11, 12 and 13 in Block 121, as shown on the Tax Map are restored to and shall hereafter be located in the B-4 Community Business District as set forth in Section 165-19 of the Borough Ordinances.

SECTION 2

Lots 13, 14 and 15, 16, 17 and 18 in Block 122, and Lot 1 in Block 122 as shown on the Tax Map are restored to and shall hereafter be located in the AFD-4 Affordable Housing District as set forth in Sections 165-39-45 of the Borough Ordinances.

SECTION 3

Lot 2 in Block 122, as shown on the Tax Map are restored to and shall hereafter be located in the B-3 General Business District as set forth in Section 165-18 of the Borough Ordinances.

SECTION 4

Borough of Chatham, Zoning Map shall be amended to show the revisions as set forth in Sections 1, 2, and 3 of this Ordinance.

SECTION 5

If any Sections, Subsections, paragraphs, sentence or any part of this Ordinance is judged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance.

SECTION 6

All Ordinances or parts of Ordinances that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent that such inconsistencies.

SECTION 7

This Ordinance shall take effect after: (1) final passage and publication as prescribed by law; (2) filing with the Morris County Planning Board; and (3) entry of an amended judgment of compliance and repose in the pending affordable housing declaratory judgment action titled I/M/O Chatham Borough Compliance with Third Round Mount Laurel Affordable Housing Obligations, Docket No. MRS-L1906-15, which amended judgment shall recognize the elimination of the following lots from the Post Office Plaza Redevelopment Plan, which lots will have their prior zoning designations restored pursuant to a separate ordinance: (a) Lots 11, 12 and 13 in Block 121, as shown on the Tax Map, which will be restored to and be located in the B-4 Community Business District as set forth in Section 165-19 of the Borough Ordinances; (b) Lots 13, 14 and 15, 16, 17 and 18 in Block 122, and Lot 1 in Block 122, as shown on the Tax Map, which will be restored to

and be located in the AFD-4 Affordable Housing District as set forth in Sections 165-39-45 of the Borough Ordinances; and (c) Lot 2 in Block 122, as shown on the Tax Map, which will be restored to and be located in in the B-3 General Business District as set forth in Section 165-18 of the Borough Ordinances.

Name	Motion	Second	Yes	No	Abstain	Absent
Treloar			X			
Mathiasen	X		X			
Dempsey			X			
Koronkiewicz			X			
Resto		X	X			
Truilo			X			

Introduced: September 12, 2022

Adopted:

Attest:

BOROUGH OF CHATHAM


 Vanesa L. Nienhouse
 Borough Clerk


 Thaddeus J. Kobylarz
 Mayor

CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of an Ordinance that was introduced on first reading and approved by the Borough Council at its Regular Meeting held on September 12, 2022.


 Vanessa L. Nienhouse, Borough Clerk

