



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldwpnj.com>

Meeting: 06/22/20 07:00 PM

2020 RESOLUTION APPROVAL

RESOLUTION IN THE MATTER OF A PROPOSED ORDINANCE AMENDING CHAPTER 315, ARTICLE V, SECTION 34(B), THE ZONING MAP OF THE TOWNSHIP OF BLOOMFIELD, FACILITATING AN EXPANSION OF BROOKDALE SHOP RITE, LOCATED AT 1409 BROAD STREET, BLOCK 1231, LOT 43, ONTO PROPERTY LOCATED AT 400 BROADACRES DRIVE, BLOCK 1231, LOT 46 (PARCEL 3 IN THE BROADACRES OFFICE COMPLEX).

WHEREAS, at its meeting held on June 12, 2018, the Township of Bloomfield Planning Board reviewed a proposed Ordinance, as required by N.J.S.A. 40:55D-26(a), which would amend the Township Zoning Map by modifying the zone boundary line separating Brookdale Shop Rite, 1409 Broad Street in the Township of Bloomfield, Block 1231, Lot 43, and one of the parcels in the Broadacres office complex located at 400 Broadacres Drive, Block 1231, Lot 46 (the "2018 Ordinance"); and

WHEREAS, the Planning Board recommended adoption of the Ordinance and on May 21, 2018, the Mayor and Council of the Township of Bloomfield adopted Ordinance 18-18, which effectuated the modification of the zone line separating the CC and R-O Zones and Lots 43 and 46 (the "2018 Ordinance"); and

WHEREAS, on March 30, 2020, the governing body introduced an ordinance which would adjust the area of Lot 46 within the CC Zone to conform with the new plans for the Shop Rite expansion (the "2020 Ordinance"), and referred it to the Planning Board for review; and

WHEREAS, at its regular meeting on May 5, 2020, the Planning Board reviewed the proposed 2020 Ordinance, as required by N.J.S.A. 40:55D-26(a), to determine consistency with the Master Plan and to make any other comments the Board may deem appropriate; and

WHEREAS, at the public hearing, the Planning Board heard sworn testimony from Paul

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Phillips, with the firm Phillips, Preiss, Grygiel, Leheny, Hughes, LLC, its consulting planners, who explained the details of the proposed modification to the previously approved zone line amendment and the reasons therefore; and

WHEREAS, the Planning Board stated in its resolution: "The expansion envisioned by Brookdale Shop Rite would allow it to service the substantial increase in on-line orders with an enlarged storage area and an improved area to pick-up the orders. The building currently is set back only ten feet from the easterly lot line that it shares with Lot 46, which is part of the Broadacres office complex. An addition also cannot be constructed on the north side of the building because that is where the loading docks are located. Constructing an addition to the south or west of the building would result in the elimination of essential parking and would bring the building too close to Broad Street. Thus, expanding to the east into the parking area of Lot 46 is the only feasible site for an addition to the Shop Rite building."; and

WHEREAS, the Planning Board concluded: "While the 2002 Master Plan contemplated an expansion of the Brookdale Shop Rite, it did not contemplate that any such expansion would encroach into what is now the R-O Zone. [A]ny inconsistency between the moving of the CC Zone boundary line and the Master Plan should not be a deterrent to adopting the proposed Ordinance, since adoption will promote the viability of Brookdale Shop Rite, an important community resource, while imposing no perceptible detriments on 400 Broadacres Drive or, more generally, the R-O Zone."; and

WHEREAS, the Planning Board further concluded in its resolution: "Modifying the CC Zone boundary is, in some respects, inconsistent with the 2002 Master Plan, and not among the zone changes recommended by the 2104 Reexamination Report. Nonetheless, the Planning Board finds that the proposed boundary change to the CC Zone is supported by the acknowledgment in the 2002 Master Plan that the 'big box' stores in the CC Zone may need to

expand, and will therefore effectuate that component of the Land Use Element of the 2002 Master Plan. Moreover, the facts established before the Board demonstrated that adjusting the zone boundary line is the only practical means of facilitating the desirable expansion of Brookdale Shop Rite.”; and

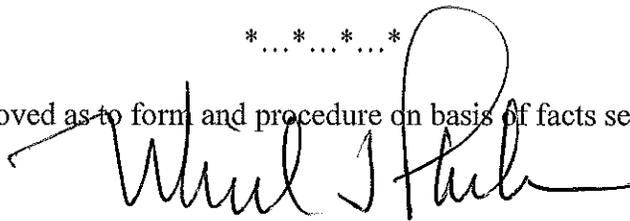
WHEREAS, the Planning Board recommended that the Township Council adopt the proposed 2020 Ordinance, and simultaneously adopt a resolution explaining its reasons for doing so, notwithstanding any inconsistency with the Master Plan, as required by N.J.S.A. 40:55D-62(a).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Bloomfield that it accepts the reasoning and conclusions adopted by the Planning Board, finding that the proposed boundary change to the CC Zone is supported by the acknowledgment in the 2002 Master Plan that the 'big box' stores in the CC Zone may need to expand, and will therefore effectuate that component of the Land Use Element of the 2002 Master Plan; and

BE IT FURTHER RESOLVED, the facts established before the Planning Board demonstrated that adjusting the zone boundary line is the only practical means of facilitating the desired expansion of Brookdale Shop Rite, notwithstanding any inconsistency with the Master Plan.

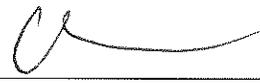
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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.

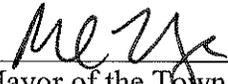


Chief Financial Officer

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on June 22, 2020.



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓ Vote Record – Resolution						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Table						
<input type="checkbox"/> Not Discussed						
<input type="checkbox"/> First Reading						
<input type="checkbox"/> Table with no Vote						
<input type="checkbox"/> Approve						
<input type="checkbox"/> Veto by Mayor						
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						
	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	