

Mayor and Council of the Borough of Allendale  
Special Session Meeting Minutes  
June 17, 2020

PRESENT: Mayor Ari Bernstein  
(in person)

PRESENT: Councilmembers Liz Homan, Edward O'Connell, Matthew O'Toole, Steve Sasso,  
(via teleconference) Jim Strauch and Amy Wilczynski

ABSENT: None

ALSO PRESENT: Borough Attorney Raymond Wiss (via teleconference)  
Acting Municipal Clerk Michelle Ryan (in person)

A Special Session Meeting of the Mayor and Council of the Borough of Allendale was held in the Municipal Building at 500 West Crescent Avenue, Allendale, NJ on June 17, 2020. However, due to the COVID-19 pandemic, access to the public was provided via GoToMeeting video and teleconferencing only, with adequate notice of same posted for public viewing. The meeting was called to order at 7:00p.m. by Mayor Bernstein who reminded the public to mute their phones so as not to distract from the business of the meeting. Mayor Bernstein advised the public that they would have an opportunity at an appropriate time during the meeting to be heard.

Mayor Bernstein asked that the Acting Municipal Clerk read the open public meetings statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the Municipal Building, published in The Record within the first 10 days of the New Year, and copies are sent to The Ridgewood News and Star Ledger. Notice of this meeting by the June 15, 2020 Sunshine Notice was sent to The Record, The Ridgewood News, and Star Ledger and has been posted on the public bulletin board in the Municipal Building and Borough Website."

**Public Comment:**

No one from the public came forward.

**Introduction of Ordinances:**

**Re-Introduction of 20-11**

Mayor Bernstein explained that this ordinance was introduced at the June 11, 2020 Mayor and Council meeting however the public notice was not able to be published in The Record on Monday, June 15<sup>th</sup> as required. Therefore, it is necessary to reintroduce it tonight.

Motion by Councilwoman Wilczynski that the following ordinance be re-introduced and passed on the first reading and setting June 30, 2020 at 8:00 pm or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of Allendale Municipal Building as the place for a hearing on said ordinances. Second by Councilwoman Homan.

The Acting Municipal Clerk read the title of the ordinance into the record:

**Ordinance 20-11 – AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING THE REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES**

Mayor and Council of the Borough of Allendale  
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SITUATED ALONG WEST CRESCENT AVENUE.

The Acting Municipal Clerk read the clear and concise statement:

The purpose of this Ordinance is to address amendments to the Redevelopment Plan originally approved by the Borough on March 28, 2019 through Ordinance 19-03. Such amendments/modifications were necessitated by changes in the business climate resulting from the COVID Pandemic. The most significant modification is an increase in the number of multi-family residential units from sixty (60) to seventy (70), and related modifications to the parking and traffic requirements related to both the residential and warehouse components of the proposed development project.

On a roll call, the vote to Re-Introduce Ordinance 20-11 was recorded as follows:

|                       |     |                          |     |
|-----------------------|-----|--------------------------|-----|
| Councilwoman Homan:   | aye | Councilman Sasso:        | aye |
| Councilman O'Connell: | aye | Councilman Strauch:      | aye |
| Councilman O'Toole:   | aye | Councilwoman Wilczynski: | aye |

(See Ordinance 20-11 attached and made a part hereof.)

**Resolutions:**

Mayor Bernstein explained that a conflict arose for the June 25<sup>th</sup> Mayor and Council meetings. Since a special meeting is needed for the public hearing and second reading of Ordinance 20-11, the Borough has decided to reschedule the June 25<sup>th</sup> meeting for June 30<sup>th</sup>.

A. **20-159**/Amend 2020 Meeting Schedule of the Mayor and Council

Motion by Councilman Strauch, second by Councilman Sasso that Resolution 20-159 be and is hereby approved.

On a roll call, the vote on Resolution 20-159 was recorded as follows:

|                       |     |                          |     |
|-----------------------|-----|--------------------------|-----|
| Councilwoman Homan:   | aye | Councilman Sasso:        | aye |
| Councilman O'Connell: | aye | Councilman Strauch:      | aye |
| Councilman O'Toole:   | aye | Councilwoman Wilczynski: | aye |

(See Resolution 20-159 attached and made a part hereof.)

**Adjournment**

There being no further business to come before the Mayor and Council, on a motion by Councilwoman Wilczynski, second by Councilman O'Connell, and unanimously carried, the meeting was adjourned at 7:06 p.m.

Respectfully submitted

Michelle Ryan  
Acting Municipal Clerk

**ORDINANCE # 20-11**

**ORDINANCE OF THE BOROUGH OF ALLENDALE,  
COUNTY OF BERGEN, STATE OF NEW JERSEY,  
AMENDING THE REDEVELOPMENT PLAN FOR  
CERTAIN PROPERTIES SITUATED ALONG WEST  
CRESCENT AVENUE.**

**WHEREAS**, on March 28, 2019, the Borough of Allendale (the “Borough”), pursuant to Ordinance # 19-03, adopted a Redevelopment Plan for certain properties situated along West Crescent Avenue; and

**WHEREAS**, the Borough has determined that certain modifications to such Redevelopment Plan are required based upon prevailing economic and related considerations; and

**WHEREAS**, such modifications are set forth in an Amended Redevelopment Plan dated June 10, 2020 which is attached hereto as **Exhibit “A”**, and is made a part hereof, and is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

**WHEREAS**, other than as set forth herein, all recitals and provisions of Ordinance # 19-03 are readopted and reconfirmed.

**NOW, THEREFORE**, be it ordained by the Mayor and Council of the Borough of Allendale as follows:

**Section 1.** The foregoing recitals are incorporated herein as though set forth at length herein.

**Section 2.** The Redevelopment Plan dated June 10, 2020 and attached hereto as Exhibit A and made a part hereof, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

**Section 3.** The Borough Council hereby finds and determines that pursuant to the Redevelopment Plan, that the Designated Redeveloper shall execute a Redevelopment Agreement, and all other documents necessary to bring the project to completion. Accordingly, a site plan, with bulk standards must be filed by the designated redeveloper with the Allendale Land Use Board for the Redevelopment Plan to be effectuated.

**Section 4.** The Governing Body may transfer or sell any municipal property pursuant to N.J.S.A. 40A:12A-8 g. “...lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary”. The Borough owned property located at 220 and 230 West Crescent Avenue (Block 1005, Lots 3 and 20 and a

portion of Lot 11) which are hereby authorized to be sold pursuant to the terms and conditions of the Redevelopment Agreement and other pertinent documents.

**Section 5.** If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

**Section 6.** A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

**Section 7.** This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Homan      |        | ✓      | ✓   |     |        |         |
| O'Connell  |        |        | ✓   |     |        |         |
| O'Toole    |        |        | ✓   |     |        |         |
| Sasso      |        |        | ✓   |     |        |         |
| Strauch    |        |        | ✓   |     |        |         |
| Wilczynski | ✓      |        | ✓   |     |        |         |
| Bernstein  |        |        |     |     |        |         |

I hereby certify that the foregoing is a true copy of an ordinance introduced by the Mayor and Council of the Borough of Allendale on June 17, 2020

Michelle Ryan  
Acting Borough Clerk

# 1 Introduction.

## *Basis for this Amended Redevelopment Plan.*

On March 28, 2019, the Borough Council of the Borough of Allendale adopted Ordinance No 19-03 “AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES SITUATED ALONG WEST CRESCENT AVENUE.” This Ordinance was introduced on first reading at the February 28, 2019 Council meeting and was referred to and reviewed by the Allendale Land Use Board on March 20, 2019. Attached to this Amended Plan is Ordinance Number 19-03, the Redevelopment Plan, dated February 19, 2019, and the memo referring the Plan to the Borough Council upon deliberation by the Land Use Board. On March 28, 2019 the Borough Council adopted Resolution #19-101 approving the Hampshire Venture Group, LLC as the Designated Redeveloper, pursuant to the Redevelopment Plan.

The 2019 Redevelopment Plan and this Amended Redevelopment Plan has been prepared for the West Crescent Avenue area of the Borough of Allendale, Bergen County, New Jersey, previously designated as an area in need of redevelopment and situated in Planning Area-1 as specified in the State Development and Redevelopment Plan (“SDRP”). This Planning Area is the preferred area for redevelopment in the State of New Jersey.

The properties are situated along West Crescent Avenue, specifically, Block 1005, Lots 3 and Lot 20 and a portion of Block 1005, Lot 11 having street addresses of 230 W. Crescent Avenue and 220 W. Crescent Avenue (these parcels as indicated in Figure 1 are referred to as the “Property”, or “Properties”, and the “Redevelopment Plan Area”). The Redevelopment Plan Area is in a D-1 Multi-residential overlay zone, authorized and enabled pursuant to Section 3 A. 3) of the Redevelopment Plan. The underlying zoning is an industrial zoning district and the property is currently owned by the Borough of Allendale but will be repurposed pursuant to a Redevelopment Agreement as may be executed between the Borough and the Hampshire (“Designated Redeveloper”).

The following Figure 1 shows the Redevelopment Plan Area property details.

Figure 1.

| The Borough of Allendale, New Jersey      |                      |                        |
|---|----------------------|------------------------|
| Scope of Potential W. Crescent Avenue ANR |                      |                        |
| Bl-L0T                                    | PROPERTY OWNER       | Property Location      |
| 1005-3                                    | Borough of Allendale | 230 W. Crescent Avenue |
| 1005-20                                   | Borough of Allendale | 220 W. Crescent Avenue |
| 1005-11                                   | Borough of Allendale |                        |

This Amended Redevelopment Plan has been prepared consistent with the State of New Jersey Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et seq. A principal purpose of the 2019 Redevelopment Plan and this 2020 Amended Plan is for the Borough of Allendale to sell (or “dispose of”) the Property to meet the objectives of this Plan, specifically the repurposing of the Property.

While the Borough of Allendale currently owns the Redevelopment Area Property, the Allendale Governing Body may transfer any municipal property pursuant to N.J.S.A. 40A:12A-8 g. which states that a municipality may "...lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary" when the municipal property is included in a Redevelopment Plan area and subject to a Redevelopment Plan. The 2019 Redevelopment Plan and this Amended Redevelopment Plan permit and envision such a transfer of sale of the Property.

All amendments to the 2019 Redevelopment Plan are hereinafter clearly set forth. The Purpose and Policy Goals stated in the 2019 Redevelopment Plan remain unchanged with the exception that Section 2 A. Purpose of the 2019 Redevelopment Plan is amended to read:

"have the successful respondent build sufficient space so as to attract quality commercial space, include **warehouse**/self-storage facilities, and a residential development component consistent with affordable housing requirements-with a focus on ~~senior citizen and~~ workforce housing (defined as a certain percent of market rate housing)." Please note that the term successful respondent is now the Designated Redeveloper. Due to changing market conditions, including the residential market as well as the business of storage unit rentals, it is necessary to amend the 2019 Redevelopment Plan. These changing market conditions are amplified by the 2020 COVID-19 pandemic.

Further, Section 2 C. Redevelopment Plan Objectives is amended as follows:

6) This Redevelopment Plan provides the structure to comply with the provisions of N.J.S.A. 40A:12A-7 "Adoption of redevelopment plan". The following statutory elements are covered in this Redevelopment Plan. To wit:

*7. a. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, c.79 (C.40A:12A-5 or 40A:12A-14), as appropriate.*

*b. A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan. **The provision of affordable together with market rate housing is a principle purpose of this Plan. Twenty-nine units will be "non-market" or affordable units, of which twenty (20) are age-restricted and Six (6) residential units are to be COAH type units, with an additional three (3) below market units for first responders.***

This Amended Redevelopment Plan shall NOT replace or supersede any provision of the Borough of Allendale Land Use Ordinance regulating development in the Redevelopment Area, with the exception of the nuanced notations included in the 2019 Redevelopment Plan as amended by this 2020 Amendment and through the addition (inclusion in the zoning ordinance) of the Overlay Zone. In any situation where zoning issues are not specifically addressed herein, the Allendale Land Use Ordinance shall be applicable.

Final adoption of this Plan by the Council shall be considered an amendment of the Borough of Allendale Zoning Map inasmuch as the multi-family use (Overlay Zone) is now a permitted use at Block 1005, Lot 20.

*The 2019 Redevelopment Plan Shall Remain In Effect.*

Only those changes to the 2019 Redevelopment Plan specifically and expressly included herein shall modify and amend the 2019 Redevelopment Plan and said amendments shall be referred to as the 2020 Amended Redevelopment Plan (covering West Crescent Avenue).

## 2. Amendments to the 2019 Redevelopment Plan.

The following amendments (with new text highlighted in yellow) are the approved amendments (changes) to the 2019 Redevelopment Plan at Section 3 A:

"2) The Property situated at Block 1005, Lot 20 shall have multi-family residential properties of a maximum of ~~sixty (60)~~ **seventy (70)** units as a "Primary intended use" as defined in the Borough's Zoning Ordinance. The Redeveloper shall, within thirty days of adoption of this Redevelopment Plan by the adoption of the requisite Borough Council Ordinance, provide a specific schedule of bulk standards, which shall be consistent with any conceptual site plan submitted **as part of the Redevelopment Agreement.** ~~in response to the SOI/RFQ.~~

3) Accordingly, § 270-72 A. 9 of the municipal code is hereby amended (added) to permit as an additional permitted use at Block 1005, Lot 20 ~~the~~ multi-family residences. This shall be considered the D-1 Multi-residential overlay zone. The density limitation shall be a maximum of ~~sixty (60)~~ **seventy (70)** having a height of 48 feet, shall be permitted on this parcel in an attractive **four-story** arrangement."

5) **Parking: Residential Use: 1 parking space/stall per 1-bedroom unit and 1.75 parking spaces/stalls per 2-bedroom unit. Twenty percent (20%) of all parking spaces may be "compact car" parking spaces having a dimension of 8 feet by 17 feet.**

6) **Shared parking: Shared parking for passenger vehicles (limited to two axels per vehicle) as permitted by the RSIS shall be permitted within the Redevelopment Plan Area to satisfy a proposed project's parking requirements situated in the Redevelopment Plan area. The standards set out in this Redevelopment Plan including but not limited to the bulk standards shall be applied to all development in the Redevelopment Plan. This will include both the uses permitted in the underlying D-1 and D-2 Industrial Zone and those permitted by the overlay zoning. The shared parking plan may include municipal parking lots. However, trucks must park and load/unload in designated areas only.**

7) **Trucking service: Section § 270-72A. (7)(d) is hereby amended to expand the permitted hours of "Truck Services" as included in this Section are modified to be 7:00 am to 10:00 pm Monday thru Friday and Saturday 8 am to 5 pm (no trucking services shall be permitted on Sunday. Further, §270-72 C is hereby modified to the same exact hours for truck or any other deliveries.**

8) Refrigeration facilities permitted pursuant to §270-72 C shall be restricted to 25% of the total warehouse space.

9) The existing warehouse building may stay in place and may be improved, rehabilitated and occupied as provided in Article XV of the Zoning Ordinance, the D-1 and D-2 Industrial Zone at §270-72 through §270-78, as modified in this Redevelopment Plan. The existing warehouse may be divided into units. If the warehouse is divided the Bulk Standards stipulated in the D-1 and D-2 Zone, including at §270-75 shall NOT apply to any such dividing of the warehouse and the Redevelopment Plan shall control. This Redevelopment Plan stipulates that the existing building may stay in place and be repurposed without applying new or additional bulk standards requiring restrictions on the site, except parking shall not be more restrictive than is currently in existence on the site (current site specific requirements).

The Designated Redeveloper shall submit a site plan application consistent with the following schedule of bulk standards which may be deviated from upon approval of the Planning Board.” (In Allendale the board is the statutory Land Use Board.)

*Certain Conditions of the 2019 Redevelopment Plan are Reiterated for Clarity.*

1) Upon approval of the Redevelopment Agreement, the Governing Body shall have found the Project land uses and repurposing concepts consistent with the Redevelopment Plan.

Further: Except where otherwise required by any of the aforesaid Planning Board approvals this Redevelopment Plan and the Redevelopment Area shall be governed by Site Plan Submission Requirements and Subdivision Submission Requirements of the Allendale Borough Land Use Ordinance.

By reference herewith the Redevelopment Project shall be constructed in accordance with the Redevelopment Plan and approved site plan. Any modification that would cause a “d” variance pursuant to N.J.S.A. 40:55D-70(d) shall require the Redeveloper to seek an amendment by the Governing Body to the Redevelopment Plan. Any modification from the Redevelopment Plan or the approved site plan, that would be deemed a “design waiver” or a “bulk standard deviation”, which shall be considered as the equivalent of and akin to the provisions of a “c” variance pursuant to N.J.S.A. 40:55D-70(c), shall be submitted to the Borough Planning Board for consideration as part of a site plan application by the Redeveloper, subject to prior review of the Borough Planner.

However, the multi-residential property bulk standards shall not be inconsistent with the concept plan submitted as part of the **Redevelopment Agreement**. ~~with the response to the SOL/RFQ.~~

*Approvals by other Agencies.*

The Designated Redeveloper and the Borough, as the Redevelopment Agency, are required to provide the Borough Clerk with copies of all environmental permits made to federal, state and county agencies upon filing such applications, as may be required by the Redevelopment Agreement to be executed between the Designated Redeveloper and the Borough.

*Interpretation of Plan.*

To be clear: Any changes to the use permitted in the Redevelopment Plan Area shall be permitted only by means of an amendment to the Redevelopment Plan made by the Borough Governing Body. Any appeal for interpretation for of any section of this Redevelopment Plan or Redevelopment Plan Area shall be made to the Governing Body, acting in its capacity as Redevelopment Agency (Entity) for this Redevelopment Plan.

*Site Plan Required.*

Notwithstanding any provision of the 2019 Redevelopment Plan to the contrary, the completed site plan application shall be submitted by the Designated Redeveloper on or before October 31, 2020.

In addition, a Project Plan delineating the construction of improvements within the redevelopment area, prepared in accordance with the general requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), and, further, shall be submitted by the Designated Redeveloper for review and approval by the Allendale Land Use Board. The Project Plan shall be approved pursuant to provisions of this Redevelopment Plan and the enabling ordinance thereto.

This Amended Redevelopment Plan has been prepared by BENECKE ECONOMICS.

Fred Suljic, P.P.  
Robert Benecke  
May 12, 2020

**BOROUGH OF ALLENDALE**

**PUBLIC NOTICE**

**ORDINANCE 20-11 – AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES SITUATED ALONG WEST CRESCENT AVENUE**

was re-introduced at a special meeting of the Mayor and Council of the Borough of Allendale, in the County of Bergen, New Jersey, held on Wednesday, June 17, 2020 and will be further considered for final passage after public hearing at a special meeting of the Mayor and Council to be held in the Council Chambers, Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey on Tuesday, June 30, 2020 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

The purpose of this Ordinance is to address amendments to the Redevelopment Plan originally approved by the Borough on March 28, 2019 through Ordinance 19-03. Such amendments/modifications were necessitated by changes in the business climate resulting from the COVID Pandemic. The most significant modification is an increase in the number of multi-family residential units from sixty (60) to seventy (70), and related modifications to the parking and traffic requirements related to both the residential and warehouse components of the proposed development project.

A copy of this ordinance may be obtained without cost between the hours of 9:00 a.m. and 4:30 p.m. at the Office of the Municipal Clerk, 500 West Crescent Avenue, Allendale, New Jersey.

Michelle Ryan  
Acting Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 06/17/2020**

**RESOLUTION# 20-159**

| Council         | Motion | Second | Yes | No | Abstain | Absent |
|-----------------|--------|--------|-----|----|---------|--------|
| Homan           |        |        | ✓   |    |         |        |
| O'Connell       |        |        | ✓   |    |         |        |
| O'Toole         |        |        | ✓   |    |         |        |
| Sasso           |        | ✓      | ✓   |    |         |        |
| Strauch         | ✓      |        | ✓   |    |         |        |
| Wilczynski      |        |        | ✓   |    |         |        |
| Mayor Bernstein | ---    | ---    |     |    |         |        |

**AMEND 2020 MEETING SCHEDULE OF THE MAYOR AND COUNCIL**

**BE IT RESOLVED** that the 2020 Meeting Schedule of the Mayor and Council adopted by Resolution #20-03 be amended to change the date of the June 25, 2020 Work and Regular Sessions to Tuesday, June 30, 2020; and

**BE IT FURTHER RESOLVED** that the Work Session will commence at 7:30 p.m. and the Regular Session will commence at 8:00 p.m. on Tuesday, June 30, 2020; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to The Record, Star Ledger, and Ridgewood News, as well as be posted on the Borough Hall Bulletin Board and Borough Website.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 17, 2020.

Michelle Ryan  
Acting Municipal Clerk