

**TOWNSHIP OF LONG HILL  
RESOLUTION 22-256  
SETTING FORTH THE REASONS FOR ADOPTING ORDINANCE 498-22 ADOPTING 1106-1122  
VALLEY ROAD DEVELOPMENT PLAN DESPITE THE FACT THAT IT IS INCONSISTENT WITH THE  
MASTER PLAN**

**WHEREAS**, the Township Committee introduced Ordinance 498-22 adopting the 1106-1122 Valley Road Development Plan at its August 10, 2022 meeting and referred the ordinance to the Planning Board in accordance with the requirements of N.J.S.A. 40A:12A-7 and N.J.S.A. 40:55D; and

**WHEREAS**, the Planning Board thereafter submitted a report dated September 27, 2022 in which it found that the Ordinance is inconsistent with the master plan, but nonetheless recommended its adoption; and

**WHEREAS**, N.J.S.A. 40A:12A-7 provides that:

"Prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan. This report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate. The governing body, when considering the adoption of a redevelopment plan or revision or amendment thereof, shall review the report of the planning board and may approve or disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following the recommendations. Failure of the planning board to transmit its report within the required 45 days shall relieve the governing body from the requirements of this subsection with regard to the pertinent proposed redevelopment plan or revision or amendment thereof. Nothing in this subsection shall diminish the applicability of the provisions of subsection d. of this section with respect to any redevelopment plan or revision or amendment thereof"; and

**WHEREAS**, N.J.S.A. 40:55D-62 provides that:

"...the governing body may adopt a zoning ordinance or amendment or revision thereto which in whole or part is inconsistent with or not designed to effectuate the Land Use Plan Element and the Housing Plan Element, but only by affirmative vote of the majority of the full authorized membership of the governing body, with the reasons of the governing for so acting set forth in a resolution and recorded in its minutes when adopting such a zoning ordinance . . ."; and

**WHEREAS**, the Planning Board in its report to the Township Committee noted that:

"The Township's 1996 Master Plan was reexamined in 2003, 2009, 2013, 2017, and 2018. Additional elements have also been adopted, including the Downtown Valley Commercial District Element (2017) and the Housing Element and Fair Share Plan (2018). The Downtown Valley Commercial District Element specified that 'single family detached residences or any other residential uses on the first floor' in the Valley Commercial District should be prohibited which is contrary to the proposed Redevelopment Plan, which permits assisted living residences on the ground floor. Among the objectives of the Housing Element is to 'Continue to encourage housing diversity to accommodate the needs of people of various ages and income levels in the community, in accordance with local, state, and regional needs.' This ordinance does further that objective. However, neither the Downtown Valley Commercial District Element nor the Housing Element recommend permitting residential uses on Valley Road of the type and scale that the Redevelopment Plan allows. Based on the above, the

Redevelopment Plan is inconsistent with the Township's Master Plan.

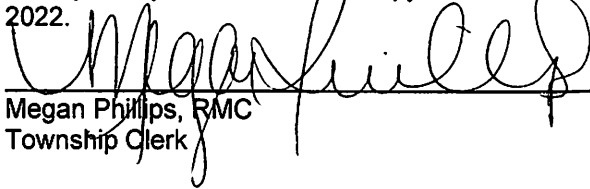
Nonetheless, the Planning Board recommends that the Township Committee adopt Ordinance #498-22 which adopts the 1106-1122 Valley Road Redevelopment Plan in order to permit land uses on an appropriate site in the Valley Commercial District which will meet market demand for such uses and facilitate the orderly redevelopment of Valley Road.”; and

**WHEREAS**, the Township Committee is following the recommendations of the Planning Board;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, by affirmative vote of the majority of its full authorized membership, that, for the reasons set forth in the Planning Board's September 27, 2022 report, Ordinance 498-22 should be adopted despite the fact that it is inconsistent with the master plan.

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
		DORSI	x			
	x	LAVENDER	x			
		PISERCHIA				x
		RAE	x			
x		VERLEZZA	x			

I, Megan Phillips, Township Clerk of the Township of Long Hill, County of Morris, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Township Committee September 28, 2022.

  
Megan Phillips, RMC  
Township Clerk