

Exhibit “A”



TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, N.J. 07052

Department of Planning and Development

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TO: Richard Trenk, Esq., Township Attorney
FROM: Paul Grygiel, AICP, PP, Planning Director
DATE: March 4, 2019
RE: **Potential Rezoning – Portion of Block 117**

I have looked into an issue raised by the Downtown West Orange Alliance regarding split zoning of certain properties in the Tory Corner section of downtown West Orange. It is my recommendation that consideration be given to adjusting the zone boundary between the B-1 Business zone and the I Industrial zone in Block 117 for the reasons described below.

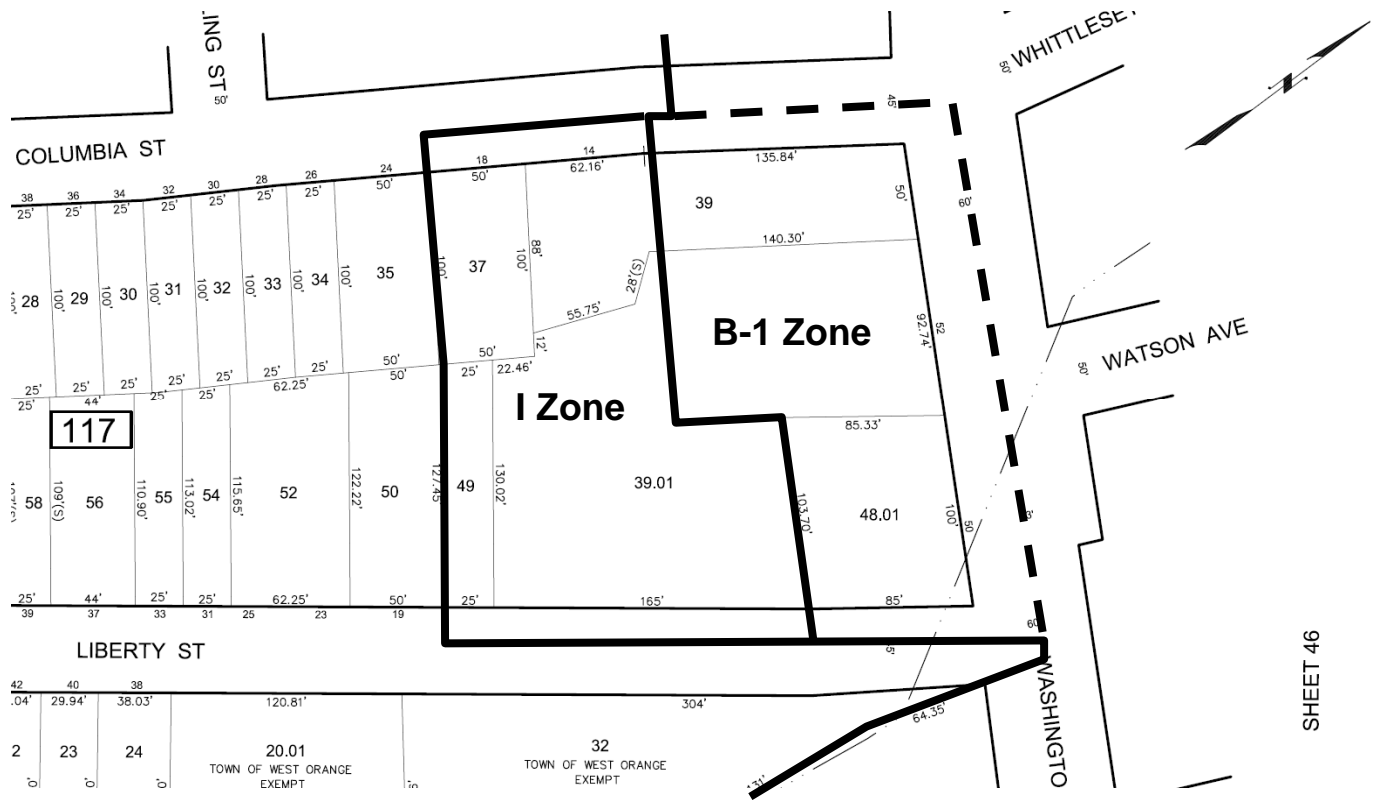
All properties fronting on Washington Street in Tory Corner are located in the B-1 zone, other than Washington School located at the intersection of Main Street and Washington Street. On the south side of Washington Street, the B-1 zone boundary runs along lot lines except in one location: Block 117. On that block, two parcels (Lots 38.01 and 39) are split between the B-1 and I zones. It is noted that these two parcels and the other lot in Block 117 fronting on Washington Street (Lot 48.01) are developed with uses that are not permitted in the B-1 zone (automobile and truck repair and automobile sales). Moving the zone boundary to Washington Street to include the entirety of Lots 38.01 and 39, as well as Lot 48.01, in the I zone would eliminate this nonconforming condition.

A counterargument could be made that the intention of including the northern portions of Lots 38.01 and 39 and Lot 48.01 in the B-1 zone is to encourage their transformation to permitted uses. However, the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-62a requires zoning ordinances to “be drawn with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land.” Given the existing uses on these parcels, it may be appropriate for the Township Council to reconsider their placement all or in part in the B-1 zone.



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Below is a map showing the existing zone boundaries at the northern end of Block 117 and the potential change to this boundary.



SHEET 46

Legend:

- Existing zone boundary
- Potential amended zone boundary

