

**Planning Board**  
**CITY OF GARFIELD**

**Resolution**

**Date:** December 14, 2017

**Submitted by:** Richard Devorig

**Resolution:** PB-10-2017

**Seconded by:** Low Ann Visotcky

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., provides in pertinent part, that a local governing body may cause a preliminary investigation to be made as to whether an area is in need of redevelopment; and

**WHEREAS**, the Governing Body of the City of Garfield adopted Resolution No. 15-351 on August 11, 2015, authorizing and directing the Planning Board to perform a preliminary investigation to determine whether certain areas located within the First Ward of the City of Garfield, specifically Blocks 34.01, Lot 10; Block 24.01, all Lots; Block 24.02, all Lots; Block 34.02, all Lots; Block 31.01, Lots 9.01 & 10; Block 31.02, all Lots; Block 48.02, all Lots and vacated portion of Hepworth Place, as shown on the official tax map of the City of Garfield constitute an "area in need of redevelopment" under the condemnation provisions of the New Jersey Local Redevelopment and Housing Law (LRHL); and

**WHEREAS**, the Municipal Land Use Law, N.J.S.A. 40:55D – 26, authorizes the Planning Board to issue a report and recommendation to the governing body recommending that an area be designated as in need of redevelopment or rehabilitation, specifically a Condemnation Redevelopment Area ("Study").

**WHEREAS**, after public hearings held on July 27, 2017, August 24, 2017, October 26, 2017, November 16, 2017 the following initial findings of facts were made, to wit:

1. John Szabo, AICP, PP, of Burgis Associates, Inc. testified and presented the study entitled, "Area in Need of Redevelopment Study, Condemnation Redevelopment Area, First Ward Study Area" dated May 2, 2017 and the Addendum thereto dated

November 2, 2017, which Study is made a part of the record herein.

**WHEREAS**, as a result of this process, Mr. Szabo testified the Study shows that the area identified therein is in need of redevelopment, specifically a Condemnation Redevelopment Area.

**WHEREAS**, the Study was explained to the public and the public had an opportunity to comment, ask questions and be heard with regard to these issues and provide their input.

**WHEREAS**, from the submissions made to the Planning Board, the testimony and evidence presented including the testimony and evidence of all interested parties and based upon the entire record, the following further findings of facts and conclusions of law were made:

1. All of the initial findings of facts as set forth in paragraph 1 through 3 and the “WHEREAS” paragraphs are hereby incorporated by reference herein as further findings of facts.
2. The Planning Board has determined that the area identified in the Study is in need of redevelopment, specifically a Condemnation Redevelopment Area.
3. The Planning Board has determined that it is in the best interests of the City to recommend that the area depicted in the Study be declared an area in need of redevelopment, specifically a Condemnation Redevelopment Area.
4. The Planning Board has determined that it is in the best interest of the City to adopt this Resolution and clearly state that this Resolution shall be, and hereby is, the report of the Planning Board as required by law, to the City Council and the Garfield Redevelopment Agency containing the Planning Board’s recommendation regarding the adoption of the Study and recommending that the area be declared an area in need of redevelopment, specifically a Condemnation Redevelopment Area.

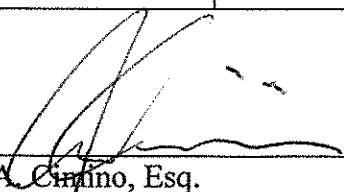
**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the City of Garfield that, based upon the foregoing findings of facts and conclusions of law, including all testimony

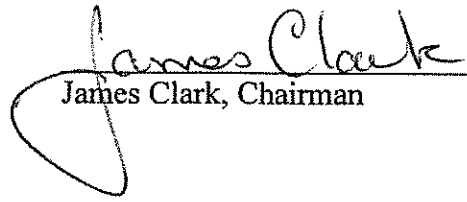
and evidence presented at the hearing and based upon the reports submitted to the Planning Board, that it is hereby recommended to the City Council and Garfield Redevelopment Agency that it adopt the Study prepared by Burgis Associates, Inc., entitled, "Area in Need of Redevelopment Study, Condemnation Redevelopment Area, First Ward Study Area" dated May 2, 2017, and the Addendum thereto dated November 2, 2017, as set forth herein and that this resolution shall be considered the report of the Planning Board to the City Council and Garfield Redevelopment Agency as required by law and that the Planning Board recommends that the area delineated in the Study be declared an area in need of rehabilitation.

**BE IT FURTHER RESOLVED**, that this Resolution will be published within ten (10) days of the date of the adoption of this resolution in the official newspapers of publication of the Planning Board of the City of Garfield.

A motion to approve said application was made by the following vote:


Member	Moved	Second	Aye	Nay	Abstain	Absent
Mayor Richard Rigoglioso			✓			
Councilwoman Erin Delaney			✓			
Chairman James Clark			✓			
Vice Chairman Michael Wisnovsky			✓			
Michael Garcia						A
Gracie Williams						A
Richard Derrig	✓		✓			
Gerald Walis						
Daniel Tummillo 1 <sup>st</sup> Alternate						A
Lou Ann Visotcky 2 <sup>nd</sup> Alternate		✓	✓			
<b>TOTAL</b>			6			

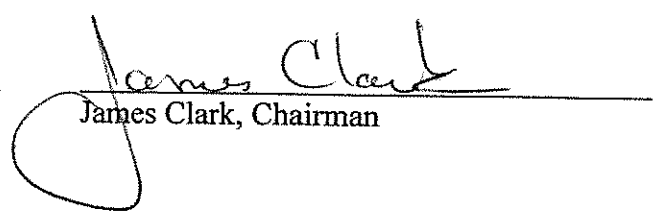
  
 Alyssa A. Cimino, Esq.  
 Planning Board Secretary

  
 James Clark, Chairman

The Board hereby memorializes its findings contained within this Resolution by the following vote:

Member	Moved	Second	Aye	Nay	Abstain	Absent
Mayor Richard Rigoglioso			✓			
Councilwoman Erin Delaney			✓			
Chairman James Clark			✓			
Vice Chairman Michael Wisnovsky			✓			
Michael Garcia						A
Gracie Williams						A
Richard Derrig	✓		✓			
Gerald Walis						
Daniel Tummillo 1 <sup>st</sup> Alternate						A
Lou Ann Visotcky 2 <sup>nd</sup> Alternate		✓	✓			
<b>TOTAL</b>			6			

  
 Alyssa A. Cimino, Esq.  
 Planning Board Secretary

  
 James Clark, Chairman