ORDINANCE NO. 3617
INTRODUCED BY: MAYOR KELLY ON BEHALF OF THE BOARD OF COMMISSIONERS
INTRODUCED ON: JUNE 16, 2026
PUBLISHED: JUNE 17, 2026
PUBLIC HEARING: JULY 7, 2026
PUBLISHED: JULY 8, 2026

TOWNSHIP OF NUTLEY
ESSEX COUNTY, NEW JERSEY
ORDINANCE NO. 3617

AN ORDINANCE ADOPTING ROCHE TOWNHOME REDEVELOPMENT PLAN. THIS ORDINANCE CREATES AN OVERLAY ZONE FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 102, LOT 9, SO THAT THE PROPERTY CAN BE REDEVELOPED WITH TOWNHOMES AS PROVIDED IN THE REDEVELOPMENT PLAN.

WHEREAS, the Board of Commissioners of the Township of Nutley (the "Board of Commissioners") identified certain properties in the Township of Nutley (the "Township") designated as follows on the official Tax Map of the Township of Nutley (collectively, the "Study Area"): Block 102, Lot 9 to be considered for designation as a non-condemnation "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

WHEREAS, On October 6, 2025, pursuant to Resolution #272-25, the Board of Commissioners requested the Township Planning Board conduct a preliminary investigation to determine if the Study Area satisfied the criteria for designation as a non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, FAR Planning ("FAR") prepared a Preliminary Investigation Report of the Study Area dated December 2025; ("Investigation Report"); and

WHEREAS, on February 4, 2026, the Township Planning Board heard a public presentation of the Investigation Report, which included the opportunity for public discussion and participation and determined that the Study Area satisfied the criteria to be declared a non-condemnation "area in need of redevelopment" pursuant to the LRHL; and

WHEREAS, by Resolution dated February 4, 2026, the Board of Commissioners declared that the Study Area be declared a non-condemnation "area in need of redevelopment" pursuant to the LRHL ("Redevelopment Area");

WHEREAS, FAR Planning has prepared for the Township a form of Redevelopment Plan dated June 2026 ("Roche Townhome Redevelopment Plan"), which plan provides development standards and uses for the Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(d)-(e), upon introduction of this Ordinance, the Roche Townhome Redevelopment Plan shall be placed on file for public view with the Municipal Clerk and referred to the Nutley Planning Board for review and issuance of a report containing its recommendations, if any, concerning the Roche Townhome Redevelopment Plan and its consistency with the Nutley Township Master Plan within forty-five (45) days of referral.

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NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY DO ORDAIN, that pursuant to N.J.S.A. 40A:12A-7 the Board of Commissioners hereby accepts and approves the Roche Townhome Redevelopment Plan, and hereby adopts said Roche Townhome Plan; and

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause, orprovision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, to the extent that any portion of the Roche Southside Kingsland Street Redevelopment Plan conflicts with or amends or modifies any provision of any other of the Township's development regulations, the Roche Southside Kingsland Street Redevelopment Plan shall supersede or amend or modify, as applicable, such development regulations and the zoning district map included in the Township's zoning ordinance shall be deemed amended accordingly; and

BE IT FURTHER ORDAINED, this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Record of Vote	**Commissioner Thomas J. Evans**	**Commissioner Mauro G. Tucci**	**Commissioner Joseph P. Scarpelli**	**Commissioner Alphonse Petracco**	**Mayor John V. Kelly, III**
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					