

**TOWNSHIP OF CEDAR GROVE
ESSEX COUNTY NEW JERSEY**

SPECIAL PUBLIC MEETING

MINUTES

FEBRUARY 28, 2022

1. ROLL CALL, INVOCATION AND FLAG SALUTE

Mayor Tanella called the meeting to order at 7:00 p.m.

Present: Councilmembers Peterson, Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella
Also Present: Township Manager Tucci, Township Attorney Nabbi, Township Clerk Stutz

The flag salute was led by Mayor Tanella.

Mayor Tanella made the required announcement concerning the Open Public Meetings Act as follows: Adequate notice of this meeting was duly provided to the Verona-Cedar Grove Times and the Star Ledger on February 14, 2022, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building Lobby in accordance with the Open Public Meeting Act.

2. NEW BUSINESS

- a) To consider introduction of Pending Ord. #22-889 – Ordinance Amending Chapter 268 of Township Code entitled “Zoning” to allow second principal permitted use in R-8 Zone District within 200 feet of MF-AH Zone District for emergency access/egress

The Clerk read the ordinance by title only:

**AMENDING THE ZONING ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE,
COUNTY OF ESSEX AND STATE OF NEW JERSEY**

WHEREAS, in an effort to satisfy its constitutional obligations to provide for Affordable Housing pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), the Township adopted Ordinances providing for inclusionary developments in the MF-AH Zone;

WHEREAS, multi-family residential Inclusionary Housing Developments in the MF-AH Zone must provide sufficient secondary access for emergency services vehicles and emergency egress for residents which will require more than one point of access/egress for safety purposes; and

WHEREAS, in order to accommodate such secondary emergency access/egress, said multifamily projects in the MF-AH Zone may require emergency access through parcels not within said MF-AH Zone multifamily zone district, but rather through adjoining lots in the R-8 zone district within 200 feet of the MF-AH Zone.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Cedar Grove, in the County of Essex and State of New Jersey, as follows:

The following shall be permitted as a second principal permitted use on the R-8 zone district of the Township of Cedar Grove within 200 feet of the MF-AH Zone: emergency access/egress driveway providing emergency access/egress to and from a public road and a multifamily residential development in the MF-AH Zone. The emergency access driveway may be shared in common with the underlying principal use on the property. In addition to

serving as access for the principal structure on the non-MF-AH zoned property, said emergency access/egress driveway may be only utilized to provide access/egress to and from said multifamily residential development in the MF-AH Zone for emergency responders, and development residents, and a public road in the event of an emergency.

BE IT FURTHER ORDAINED, that all ordinances of the Township that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that if any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Councilwoman Peterson moved that Pending Ordinance #22-889 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of April 4, 2022, seconded by Deputy Mayor Maceri, and passed by the following vote:

AYE: Councilmember Peterson, Skabich, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSTAIN: Councilman Zichelli

- b) To consider adoption of Pending Ord. #22-886 – Ordinance Vacating Public Rights in Right-of-Way Through Block 280, Lot 320

The ordinance was read by title only as follows:

AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE COUNTY OF ESSEX AND STATE OF NEW JERSEY, VACATING ALL PUBLIC RIGHTS IN A SIXTY-FOOT-WIDE RIGHT-OF-WAY THROUGH BLOCK 280, LOT 320.

Mayor Tanella stated that the public hearing on this item was conducted at the February 7, 2022 meeting of the Township Council.

Deputy Mayor Maceri moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Councilwoman Skabich, and passed by the following vote:

AYE: Councilmembers Peterson, Skabich, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSTAIN: Councilman Zichelli

- c) To consider adoption of Pending Ord. #22-887 – Ordinance Vacating Water Line Easement Through Lots 247 and 320 in Block 280

The ordinance was read by title only as follows:

AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX AND STATE OF NEW JERSEY, VACATING A WATER LINE EASEMENT THROUGH LOTS 247 AND 320, IN BLOCK 280, CEDAR GROVE TOWNSHIP, NEW JERSEY

Mayor Tanella stated that the public hearing on this item was conducted at the February 7, 2022 meeting of the Township Council.

Councilwoman Skabich moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Councilwoman Peterson, and passed by the following vote:

AYE: Councilmembers Peterson, Skabich, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSTAIN: Councilman Zichelli

- d) To consider adoption of Pending Ord. #22-888 – Ordinance Vacating Portion of Public Right-of-Way Known as cliffside Drive

The ordinance was read by title only as follows:

AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX AND STATE OF NEW JERSEY, VACATING A PORTION OF THE PUBLIC RIGHT-OF-WAY KNOWN AS CLIFFSIDE DRIVE, CEDAR GROVE, NEW JERSEY

Mayor Tanella stated that the public hearing on this item was conducted at the February 7, 2022 meeting of the Township Council.

Deputy Mayor Maceri moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Councilwoman Peterson, and passed by the following vote:

AYE: Councilmembers Peterson, Skabich, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSTAIN: Councilman Zichelli

3. MEETING OPEN TO RESIDENTS OF THE TOWNSHIP WISHING TO BE HEARD ON ANY ITEM ON OR OFF THE AGENDA CONCERNING TOWNSHIP BUSINESS

Mayor Tanella opened this portion of the meeting to anyone wishing to be heard. There being no one present wishing to be heard, Mayor Tanella closed this portion of the meeting.

4. ADJOURNMENT

Councilman Zichelli moved adjournment of the public council meeting, seconded by Deputy Mayor Maceri, and passed by the following vote:

AYE: Councilmembers Peterson, Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

The meeting adjourned at 7:05 p.m.

PETER TANELLA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK