

Resolution No. 9-2024

**RESOLUTION OF THE BOROUGH OF CLAYTON LAND USE BOARD
CONFIRMING MASTER PLAN CONSISTENCY OF ORDINANCE NO. 9-2024**

WHEREAS, Section 26.a of the Municipal Land Use Law (N.J.S.A. 40:55D-26.a) requires the Governing Body, prior to the adoption of a land development regulation or revision or amendment thereto, to refer same to the Land Use Board for determination of whether the regulation, revision or amendment is consistent with the Master Plan; and

WHEREAS, the statute provides the Land Use Board 35 days from the date of referral to conduct its review and submit a report to the Governing Body setting forth its recommendations and determinations as to Master Plan consistency which the Governing Body must evaluate and consider prior to the final adoption of the development regulation; and

WHEREAS, the Council of the Borough of Clayton has referred to the Land Use Board proposed Ordinance No. 9-2024 for Master Plan consistency review pursuant to the aforementioned statute; and

WHEREAS, pursuant to the New Jersey Department of Environmental Protection's ("NJDEP") updated requirements for Tier A MS4 Stormwater Permits, municipalities must adopt a tree replacement and removal ordinance; and

WHEREAS, Ordinance No. 9-2024 adopts the required tree replacement and removal ordinance; and

WHEREAS, on March 25, 2024, the Land Use Board reviewed the Ordinance; and

WHEREAS, the Board's Planner and Engineer, Wayne Roorda, PE, PP, CME, provided testimony on the Ordinance, and Mr. Roorda testified that Ordinance No. 9-2023 is consistent with the Master Plan and the 2017/2018 Master Plan Reexamination Report; and

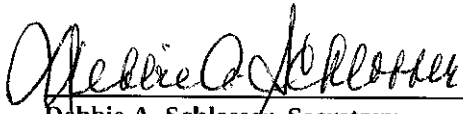
WHEREAS, the Land Use Board found that the Ordinance will help achieve compliance with the NJDEP's updated requirements for Tier A MS4 Stormwater Permits; and

WHEREAS, the Land Use Board has found and determined that Ordinance 9-2024 is consistent with the Master Plan and the 2017/2018 Master Plan Reexamination Report and made no recommendation for changes to the Ordinance prior to adoption.

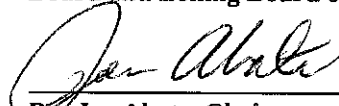
NOW, THEREFORE, BE IT RESOLVED by the Borough of Clayton Planning Board that Ordinance No. 9-2024, that has been referred from the Borough Council pursuant to N.J.S.A. 40:55D-26.a, is hereby declared consistent with the Master Plan of the Borough of Clayton and that no changes are recommended prior to adoption.

THIS RESOLUTION DULY ADOPTED at a regular meeting of the Borough of Clayton Planning Board held on Monday, April 22, 2024.

Attest:


Debbie A. Schlosser, Secretary

Borough of Clayton Combined Planning
Board and Zoning Board of Adjustment

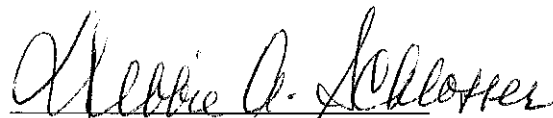

By: Joe Abate, Chairman

ROLL CALL VOTE

THOSE IN FAVOR	<u>9</u>
THOSE OPPOSED	<u>0</u>
THOSE ABSTAINED	<u>1</u>

CERTIFICATION

I hereby certify that the foregoing Resolution is a true copy of a Resolution adopted by the Borough of Clayton Combined Planning Board and Zoning Board of Adjustment at a regularly scheduled meeting of the Board held on April 22, 2024 at the Borough of Clayton Municipal Building, 125 Delsea Drive, Clayton, New Jersey 08312 at 7:00 p.m. and memorializes the decision reached by said Board on the herein application at the Board's March 25, 2024 meeting and public hearing.


Debbie A. Schlosser, Secretary