

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2204

**AN ORDINANCE AMENDING THE HISTORIC PRESERVATION ORDINANCE FOR
THE TOWN OF WESTFIELD TO PERMIT EXPEDITIOUS REVIEW OF MINOR
WORK ON DESIGNATED PROPERTIES IN CERTAIN CIRCUMSTANCES**

WHEREAS, the Mayor and Town Council of the Town of Westfield (the “Town”) recently adopted certain substantial amendments to the Historic Preservation ordinance of the Town of Westfield; and

WHEREAS, the general intent of the Town’s Historic Preservation ordinance is to protect the historic character of the Town of Westfield by permitting the preservation by local designation of certain properties that contribute to the architectural, cultural, economic, political, or social history of the Town; and

WHEREAS, the Mayor and Town Council believe that the requirements applicable to those owning historic structures when they desire to make changes and improvements to those structures, should not be onerous, but should rather allow for the review of those changes and improvements in the most efficient, clearest, uncomplicated, and inexpensive manner possible; and

WHEREAS, the Ordinance already allows for informal review by the Historic Preservation Commission to be performed on a historically designated structure; and

WHEREAS, the Mayor and Council desire to facilitate a faster and simpler review process for minor applications for locally designated properties, as permitted by the New Jersey Municipal Land Use Law;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Westfield, County of Union, New Jersey, that Appendix III to the Town of Westfield Local Land Use Law shall be and is hereby amended, as follows:

SECTION I. Section 7(J)(1) of the Historic Preservation Ordinance of the Town of Westfield is hereby amended to read as follows:

1. Minor Applications.
 - a. Minor applications may be scheduled for review at the next regularly scheduled meeting of the Commission following notification to the applicant that the application has been deemed complete. No public notice other than that required for the meeting of the Commission pursuant to § 4.E.1 and § 4.E.9, hereof, shall be required. The Commission Secretary shall consult with the applicant regarding scheduling. The applicant need not be present for the

application to be considered and acted upon, however, should the applicant wish to attend the meeting, every effort shall be made, within the time limits prescribed for Commission action on the application (pursuant to N.J.S.A. 40:55D-111 and § 6.D and § 7.J, hereof) to accommodate the applicant's schedule.

- b. As an alternative to subsection (1)(a) above, pursuant to N.J.S.A. 40:55D-111 of the New Jersey Municipal Land Use law, in the case of a referral by the administrative officer of a minor application for the issuance of a permit pertaining to historic sites or property in historic districts, the chairperson of the Historic Preservation Commission or his or her designee may act in the place of the full Commission for purposes of issuing a certificate of appropriateness, without holding a public hearing. Such action by the Chairperson or his or her designee shall occur as soon as practicable after submission of an application by the property owner, but in no event later than 45 days after the application is deemed complete. In the event the Chairperson determines not to undertake such expedited review, the individual may still seek approval by presenting their case at a regularly scheduled full HPC meeting.

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION III. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IV. A copy of this Ordinance shall be available for public inspection at the office of the Town Clerk during regular business hours for the required statutory period.

SECTION V. This Ordinance shall take effect after passage and publication in the manner provided by law.

NOTICE

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Town Council of the Town of Westfield at a Regular Meeting held on February 9, 2021.

Tara Rowley, RMC
Town Clerk