

**SPECIAL EMERGENCY DIRECTIVE NO. 01 -2021**

**EXTENDING SPECIAL EMERGENCY DIRECTIVE NO. 03-2020 DATED NOVEMBER 17, 2020, AND SUPERSEDING PROVISIONS SET FORTH IN CHAPTER 33 PERTAINING TO PROVIDING TEMPORARY EMERGENCY MEDICAL FACILITIES**

**WHEREAS**, a worldwide pandemic has occurred involving the coronavirus more commonly known as COVID-19; and

**WHEREAS**, on March 9, 2020, pursuant to Executive Order No. 103, the Governor of the State of New Jersey declared a State of Emergency pursuant to N.J.S.A. App. A.:9-33 et seq. and a Public Health Emergency pursuant to N.J.S.A. 26:13-1 et seq. due to COVID-19; and

**WHEREAS**, Holy Name Medical Center (HNMC) has recently acquired Lots 1-6 in Block 3002 along Chadwick Road across the street from the hospital grounds; and

**WHEREAS**, HNMC proposes to construct a temporary parking lot to accommodate the anticipated parking needs for the second round of COVID-19 cases; and

**WHEREAS**, given the current COVID-19 Public Health Emergency and State of Emergency, the zoning, subdivision and site plan approval process to approve such proposed temporary emergency medical facilities has experienced extensive delays; and

**WHEREAS**, the provisions set forth in Chapter 33, Development Regulations, of the Code of the Township of Teaneck are sufficient and proper during typical circumstances, but present a potential impediment to protect and maintain the health, safety, and welfare of New Jersey residents and visitors against the effects of COVID-19 with respect to the provision of emergency medical care; and

**WHEREAS**, N.J.S.A. App. A: 9-33 et seq., and all amendments and supplements thereto, confer upon the municipal emergency management coordinators certain emergency powers; and

**WHEREAS**, the Charter of the Township of Teaneck and the Administrative Code of the Township of Teaneck confer the power and duty of the Township Manager to act to provide for the health, safety and welfare of the Township of Teaneck in an emergency situation, through special emergency directives; and

**WHEREAS**, consistent with the directives set forth in the aforesaid Executive Orders of the Governor, and the authority granted under N.J.S.A. App. A: 9-33 et seq. and the Charter and Administrative Code of the Township of Teaneck, the temporary relaxation of some of the requirements of Chapter 33, Development Regulations, of the Code of the Township of Teaneck, pertaining to the provision of temporary emergency medical facilities would further the public health, safety and welfare of the Township of Teaneck; and

**WHEREAS**, pursuant to the aforesaid authority, the Township Manager issued Special Emergency Directive No. 03-2020 dated November 17, 2020, which provided, in part, that the procedural requirements for obtaining site plan, subdivision and zoning approvals for the construction of temporary emergency medical facilities, including parking areas, are hereby



temporarily suspended, effective immediately and until the termination of the COVID-19 health emergency or until the rescission of said Special Emergency Directive, whichever first occurs; and

**WHEREAS**, pursuant to Executive Order 244 of the Governor dated June 4, 2021, the Governor declared that:

1. The Public Health Emergency declared in Executive Order No. 103 (2020) pursuant to the EHPA, N.J.S.A. 26:13-1, et seq., is hereby terminated.
2. The State of Emergency declared in Executive Order No. 103 (2020) pursuant to N.J.S.A. App.A.:9-33 et seq. continues to exist in the State of New Jersey; and

**WHEREAS**, as a result of the Delta variant of COVID-19, COVID-19 cases continue to pose a danger to the public health, safety and welfare; and

**WHEREAS**, in light of the continuing State of Emergency, it would be in the public interest of the citizens of the Township of Teaneck to extent the temporary suspension of the procedural requirements for obtaining site plan, subdivision and zoning approvals for the construction of temporary emergency medical facilities, including parking areas, *nunc pro tunc* from the date of the termination of the Public Health Emergency on June 4, 2021 and until the termination of the State of Emergency initially declared in Executive Order No. 103 (2020) pursuant to N.J.S.A. App.A.:9-33 et seq. or until the rescission of this Special Emergency Directive, whichever first occurs;

**NOW, THEREFORE**, by virtue of the authority conferred by N.J.S.A. App. A: 9-33 et seq., the Charter of the Township of Teaneck and the Administrative Code of the Township of Teaneck, DEAN KAZINCI, Manager of the Township of Teaneck, and LARRY ROBERTSON, Teaneck's Office of Emergency Management Coordinator, do hereby ORDER and DIRECT, subject to the Rules and Regulations hereafter set forth, that the procedural requirements for obtaining site plan, subdivision and zoning approvals for the construction of temporary emergency medical facilities, including parking areas, are hereby temporarily suspended, *nunc pro tunc* from the date of the termination of the Public Health Emergency on June 4, 2021 and until the termination of the State of Emergency initially declared in Executive Order No. 103 (2020) pursuant to N.J.S.A. App.A.:9-33 et seq. or until the rescission of this Special Emergency Directive, whichever first occurs. To the extent that any provisions set forth in Chapter 33, Development Regulations, of the Code of the Township of Teaneck is inconsistent with the within Special Emergency Directive, such provisions of Chapter 33 of the Code of the Township of Teaneck are superseded to the extent of such inconsistency; and BE IT FURTHER

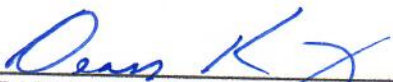
RESOLVED that Temporary Medical Emergency Facilities shall comply with the following Rules and Regulations:

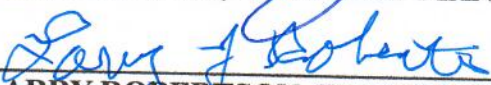
- a. Temporary Emergency Medical Facilities shall be defined to include medical facilities, including parking lots, which are immediately necessary to care for and treat patients suffering from COVID-19 during the current health emergency.
- b. Applications for temporary emergency medical facilities shall be submitted to Teaneck's Construction Code Official for processing.



- c. Unless specifically excepted by the Construction Code Official, all plans shall comply with the setback, coverage, height, floor area ratio, landscaping and other substantive criteria applicable for site plans, subdivisions and zoning, other than the provisions relating to uses.
- d. A survey prepared by a licensed surveyor and a proposed site plan and subdivision plan, if applicable, prepared by a licensed architect or engineer shall be required pursuant to Section 33-18(d)(5)a.5 and 6, setting forth the information required by the foregoing provisions and 33-18(d)(5)b.1 thru 4.
- e. The Construction Official is hereby authorized to issue permits to applicants seeking relief from the requirements of Chapter 33 of the Code of the Township of Teaneck for temporary emergency medical facilities, in accordance with the rules and regulations promulgated hereunder without the necessity of appearing before or obtaining formal approval of the Planning Board or Board of Adjustment.
- f. Any permits issued by the Construction Official under these temporary rules and regulations promulgated hereunder shall expire upon the termination of the State of Emergency initially declared in Executive Order No. 103 (2020) pursuant to N.J.S.A. App.A.:9-33 et seq. or until the rescission of this Special Emergency Directive, whichever first occurs. Applicants shall comply with any County, State, or Federal, requirements and all other applicable regulatory authorities (e.g. Department of Health, Fire Department, Fire Marshall, Police Department, Uniform Construction Code).
- g. Upon the termination of the State of Emergency initially declared in Executive Order No. 103 (2020) pursuant to N.J.S.A. App.A.:9-33 et seq. or until the rescission of this Special Emergency Directive, whichever first occurs, the Applicant shall, within six months thereafter, either remove such temporary emergency medical facilities and restore the premises to the condition which existed prior to the construction of such facilities or make application to the appropriate land use board for a site plan, subdivision and/or zoning approval.
- h. All permits previously approved pursuant to Special Emergency Directive No. 03-2020 dated November 17, 2020, are hereby extended in accordance with the terms of the within Special Emergency Directive.

IN WITNESSED WHEREOF WE HAVE SET OUR HANDS AND SEALS ON THIS 27<sup>th</sup>  
 DAY OF November, 2021.

  
 DEAN KAZINCI, TOWNSHIP MANAGER

  
 LARRY ROBERTSON, TEANECK'S OEM  
 COORDINATOR