Resolution # 227-7.24

RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK, COUNTY OF MIDDLESEX, NEW JERSEY, DESIGNATING BLOCK 143, LOT 24.06 BE CLASSIFIED A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitutes an area in need of redevelopment; and

WHEREAS, on September 18, 2023, the Township Council adopted Resolution 291-9.23 directing the Planning Board to undertake an investigation to determine whether the property known as Fidelity Plaza, Block 143 Lot 24.06, qualifies 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.

WHEREAS, in furtherance of the referral by the Governing Body, the Planning Board retained planning consultants Heyer, Gruel & Associates (the "Consultant"), to conduct a study and prepare a report as to the proposed redevelopment of the Study Area; and

WHEREAS, on or about June 13, 2024, Heyer, Gruel & Associates prepared a report entitled, "Block 143, Lot 24.06 Area in Need of Redevelopment Investigation Report," (the "Report"); and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its recommendation to the Township Council, as to whether the Study Area should be designated as non-condemnation area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by the determination that the Study Area is an area in need of redevelopment; and

WHEREAS, on July 16, 2024, the Planning Board held a duly noticed public meeting and reviewed the Report, heard testimony from representatives of the Consultant, and conducted a public hearing during which time all persons who were interested in or would be affected by a determination regarding the Study Area had the opportunity to be heard; and

WHEREAS, the Consultant concluded in the Report and testified to the Planning Board that the Study Area satisfies the criteria for a redevelopment area designation as set forth in the Redevelopment Law pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, after the conclusion of the public hearing, the Planning Board adopted a resolution memorializing its recommendation that the Study Area be designated as a "non-condemnation area in need of redevelopment" pursuant to the Redevelopment Law; and

WHEREAS, the Mayor and Township Council concurs with the conclusion of the Planning Board that the Study area satisfies the criteria for redevelopment area designation set forth in the Redevelopment Law and finds that such conclusion is supported by substantial evidence; and

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NOW THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey, based on the Report and recommendation of the Planning Board, that the study area and property known as Fidelity Plaza, Block 143 Lot 24.06, qualifies 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.

BE IT FURTHER RESOLVED, that the Township Clerk transmit a copy of this resolution to the Commissioner of the Department of Community Affairs (NJDCA) for review and approval, of which the NJDCA has 30-days to approve or disapprove the area, If the NJDCA takes no action within 30 days, the study area is approved.

Michael C. Hritz
Director of Community Development

Justine Progebin
Business Administrator

Ronald Gordon, Esq.
Township Attorney (Approved legal form)

RECORDED VOTE

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MEHTA 1	✓			
GUADAGNINO	A			
ANDREWS 2	✓			
DAVIS	✓			
SOCIO	A			
HUTCHINSON	✓			
MAYOR WOMACK				

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at a meeting duly held on the 29th day of July, 2024.

Lisa Russo, Township Clerk

PLANNING BOARD OF THE TOWNSHIP OF NORTH BRUNSWICK RESOLUTION RECOMMENDING TO THE GOVERNING BODY OF THE TOWNSHIP OF NORTH BRUNSWICK THAT BLOCK 143, LOT 24.06 BE DESIGNATED AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* ("LHRL"), the Township Council of the Township of North Brunswick ("Governing Body") may direct the Planning Board of the Township of North Brunswick ("Planning Board") to conduct an investigation and conduct a public hearing to determine whether an area within the Township is in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to the LRHL, the Governing Body adopted Resolution #291-923 on September 18, 2023, authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether Block 143, Lot 24.06 (the "Study Area") qualifies as a non-condemnation area in need of redevelopment; and

WHEREAS, in furtherance of the referral by the Governing Body, the Planning Board retained planning consultants Heyer, Gruel & Associates, to conduct a study and prepare a report as to the proposed redevelopment of the Study Area; and

WHEREAS, on or about June 13, 2024, Heyer, Gruel & Associates prepared a report entitled, "Block 143, Lot 24.06 Area in Need of Redevelopment Investigation Report," (the "Report"); and

WHEREAS, the Report was prepared by analyzing the applicability of statutory criteria under N.J.S.A. 40A:12A-5 to the Study Area, the boundaries of which are set forth on a map entitled, "Redevelopment Area Study Map," contained at page 5 of the Report; and

WHEREAS, after public notice was published in the Home News Tribune on June 27, 2024 and July 5, 2024, and mailed by regular and certified mail to the owners of property in the Study Area, the Planning Board conducted a hearing on July 16, 2024, to consider the matter of the proposed designation of the Study Area as an area in need of redevelopment; and

WHEREAS, at the public hearing John Barree of Heyer, Gruel & Associates presented testimony regarding the findings and conclusions of the Report, and the conclusion that the Study Area meets the criteria for an area in need of redevelopment under N.J.S.A. 40A:12A-5(a)

due to the Study Area's substandard and dilapidated condition and obsolesce for its intended purpose, and 5(b) due to substantial prolonged vacancies; and

WHEREAS, the following exhibits were entered into the record and considered by the Planning Board: Exhibit A-1, a twenty-five slide power point presentation highlighting the salient points of the Report; and

WHEREAS, the hearing was opened to the public, with no member of the public commenting on the proposed designation of the Study Area as an area in need of redevelopment; and

WHEREAS, at the conclusion of the public hearing, the Planning Board concurred with the findings in the Report that the Study Area constitutes and meets the criteria under the LHRL and supports a recommendation to the Governing Body that the Study Area be determined and declared to be a non-condemnation area in need of redevelopment;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of North Brunswick that it is hereby recommended that the Township Council of the Township of North Brunswick declare Block 143, Lot 24.06 to be a non-condemnation area in need of redevelopment.

THIS IS TO CERTIFY that the foregoing is a true copy of the Resolution adopted by the Planning Board of the Township of North Brunswick at its public meeting held on July 16, 2024.

Janice A. Larkin
Planning Board Secretary