

RESOLUTION NO. 2016-12-20

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MANSFIELD ACCEPTING THE PLANNING BOARD'S PRELIMINARY
INVESTIGATION DESIGNATING CERTAIN PARCELS LOCATED IN
'STUDY AREA' [US HIGHWAY ROUTE 206] WITHIN THE TOWNSHIP AS
"AREAS IN NEED OF NON-CONDEMNATION REDEVELOPMENT"
PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW
PURSUANT TO N.J.S.A. 40A-12A**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment in accordance with the Act, including Sections 3, 5 and 6 thereof; and

WHEREAS, the Township has determined that the designation of redevelopment areas will foster the investment of private capital, the construction of projects and businesses that will benefit the Township, its residents and property owners; and

WHEREAS, on NOVEMBER 29, 2016, the Township Committee adopted Resolution 2016-11-10 which referred certain parcels in 'Study Area' [US Highway Route 206], a copy of which is attached as Exhibit A, to the Planning Board to perform a preliminary investigation whether all or a portion of those parcels within the Study Area would qualify as "Areas in Need of Non-Condemnation Redevelopment" under the Act; and

WHEREAS, on December 27, 2016, following due notice in accordance with the Act, the Planning Board held a public hearing pursuant to the Act and Resolution 2016-11-10 to investigate and determine whether the parcels within the Study Area satisfy the statutory criteria as a "Non-Condemnation Redevelopment Area" under the Act; and

WHEREAS, during the hearing, the Planning Board considered testimony of various interested parties, and examined a report, dated December 8, 2016 on the report prepared by Barbara J. Fegley, AICP, PP, and entitled "Preliminary Investigation for the Determination of an Area in Need of Non-Condemnation Redevelopment, Block 3, Lots 3.01, 3.02, 4, 5.01, 6.01, 6.02, 6.03, 6.05, 6.06, 6.07, 6.08, 6.09, 9, 10.01 and Block 4, Lots 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7, 8.01, 8.02, 8.03, 9, 10.01, 10.02, 11 as shown on the Mansfield Township Tax Map, and attached as exhibit 'B', which evaluated the parcels within the 'Study Area' [US Highway Route 206] collectively and individually to determine whether the individual parcels could be included within a "Non-Condemnation Redevelopment Area"; and

WHEREAS, the Planner's Report a copy of which is attached as Exhibit B, contained a map, dated December 8, 2016, prepared by Barbara J. Fegley, AICP, PP, titled 'Preliminary Investigation for the Determination of an Area in Need of Non-Condemnation Redevelopment', Block 3, Lots 3.01, 3.02, 4, 5.01, 6.01, 6.02, 6.03, 6.05, 6.06, 6.07, 6.08, 6.09, 9, 10.01 and Block 4, Lots 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7, 8.01, 8.02, 8.03, 9, 10.01, 10.02, 11, the "Planners Report" which delineated the physical boundaries of the Study Area; and

WHEREAS, following an evaluation of the Planners' Report and testimony received, the Planning Board adopted Resolution No. P.B. 2016-12-17 a copy of which is attached as Exhibit C, recommending which parcels identified in the Planners' Report be designated by the Township Committee as Non-Condemnation Redevelopment Areas under the Act; and

WHEREAS, the Planner's Report recommended that properties identified as Block 3, Lots 3.01, 3.02, 4, 5.01, 6.01, 6.02, 6.03, 6.05, 6.06, 6.07, 6.08, 6.09, 9, 10.01 and Block 4, Lots 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7, 8.01, 8.02, 8.03, 9, 10.01, 10.02, 11, on the Official Tax Map of Mansfield Township, New Jersey identified be designated Non-Condensation Redevelopment Areas; and

WHEREAS, the Township Committee has reviewed the Planners' Report and desires to accept the recommendation of the Planning Board and to resolve that (i) the parcels set forth in Exhibit D (the "Redevelopment Areas") satisfies the criteria set forth in the Act, including *N.J.S.A.40A:12A-3*, *N.J.S.A.40A:12A-5* and *N.J.S.A.40A:12A-6*, and (ii) that such parcels be designated as Non-Condensation Redevelopment Areas, respectively;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Mansfield as follows:

1. **DESIGNATION OF AREAS IN NEED OF REDEVELOPMENT.** The Township Committee hereby determines that the parcels set forth in Exhibit A satisfy the criteria set forth in the Act, including *N.J.S.A.40A:12A-3*, *N.J.S.A.40A:12A-5* and *N.J.S.A.40A:12A-6*, and therefore are "areas in need of redevelopment" and are hereby designated Non-Condensation Redevelopment Areas, respectively pursuant to the Act. These areas shall be known collectively as the "Study Area Non-Condensation Redevelopment Area." [US Highway Route 206]

2. **RESOLUTION TO BE FILED WITH DEPARTMENT OF COMMUNITY AFFAIRS.** The Clerk of the Township is hereby directed to file a copy of this resolution, including all exhibits, with the Commissioner of the Department of Community Affairs ("DCA"), in accordance with the requirements of *N.J.S.A. 40A:12A-6(b)(5)*.

3. **NOTICE OF ADOPTION.** Notice of Adoption of this resolution shall be published in the Official Newspaper of the Township within a week of its date of adoption. Such Notice shall clearly state that (i) a copy of this resolution has been filed with the Commissioner of the Department of Community Affairs, (ii) when this resolution shall become effective and (iii) that anyone wishing to contest the validity of this resolution shall have 45 days from the date of publication of the notice.

4. **NOTICE OF DETERMINATION.** Notice of the determination from the Commissioner of the Department of Community Affairs shall be served, within 10 days after the determination, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent, in accordance with the requirements of *N.J.S.A. 40A:12A-6(b)(5)*.

5. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

6. **AVAILABILITY OF THE RESOLUTION.** A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

7. **EFFECTIVE DATE.** As the Condensation Redevelopment Areas and Non-Condensation Redevelopment Areas are located in areas in which development, redevelopment are to be encouraged, this Resolution shall become effective upon the filing with DCA as set forth in Section 2 hereof.

CERTIFICATION

I, LINDA SEMUS, RMC, CMR, Municipal Clerk of the Township of Mansfield, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the Resolution adopted by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at their regular meeting held on December 28, 2016 at the Mansfield Township Municipal Complex, at 7:30 PM.

LINDA SEMUS, RMC, CMR,
Municipal Clerk

EXHIBIT A

Township Committee Resolution No. 2016-11-10

EXHIBIT B

Planner's Report, dated December 8, 2016

EXHIBIT C
Resolution No. P.B. 2016-12-17

EXHIBIT D
Redevelopment Areas

<u>BLOCK</u>	<u>LOT</u>	<u>Property Location</u>
3	3.01	US Highway Route 206
3	3.02	
3	4	
3	5.01	
3	6.01	
3	6.02	
3	6.03	
3	6.04	
3	6.06	
3	6.07	
3	6.08	
3	6.09	
3	9	
3	10.01	
3	10.02	
3	11	
4	4.01	
4	4.02	
4	4.03	
4	5	
4	6.01	
4	6.02	
4	7	
4	8.01	
4	8.02	
4	8.03	
4	9	
4	10.01	
4	10.02	
4	11	