

ORDINANCE A-27-2014

Title: AN ORDINANCE OF THE TOWNSHIP OF PENNSVILLE ADOPTING A REDEVELOPMENT PLAN FOR THAT PROJECT COMMONLY REFERRED TO AS PENNSVILLE NORTH REDEVELOPMENT AREA - PHASE II

WHEREAS, by Resolution No. 113-2011 dated May 19, 2011, the Township Committee of the Township of Pennsville (hereinafter referred to as Committee) directed the Pennsville Planning Board to conduct a preliminary investigation to determine if a designated area was in need of redevelopment; and

WHEREAS, by Resolution No. 164-2011 dated September 15, 2011, the Committee amended the designated area and added additional parcels to be considered and directed the Planning Board to conduct a preliminary investigation to determine if a designated area was in need of redevelopment; and

WHEREAS, by Resolution No. 179-2011 adopted October 6, 2011, titled the project as Pennsville North Redevelopment - Phase II; and

WHEREAS, by Resolution No. 192-2011 adopted October 20, 2011, the Committee amended Resolution No. 179-2011 to include a reimbursement provision if another redeveloper is named in lieu of Pennsville Redevelopment North, LLC; and

WHEREAS, by Resolution No. 45-2012 the Township's Mayor was authorized to execute an escrow agreement with Pennsville Redevelopment North, LLC; and

WHEREAS, by Resolution No. 12-05 dated May 14, 2012, the Planning Board recommended for adoption by the Committee the "Preliminary Investigation of an Area in Need of Redevelopment for the Area Known as the Expanded Pennsville North Redevelopment Area" dated April 3, 2012, with amendments; and

WHEREAS, by Resolution No. 174-2012 dated July 5, 2012, the Committee declared Tax Block 401, Lots 4, 16, 17, 18, 19, 20 and 21; and Block 501, Lot 2, to be an area in need of redevelopment; and

WHEREAS, the Township Clerk sent the said resolution to Richard E. Constable, III, Commissioner of the New Jersey Department of Community Affairs for review, and he replied by letter dated July 31, 2012, saying the area in need of redevelopment took effect upon transmittal by the Township Clerk to the Department of Community Affairs; and

WHEREAS, by Resolution No. 205-2012 adopted on August 16, 2012, the Committee directed the Pennsville Planning Board to prepare a redevelopment plan for Pennsville North Redevelopment - Phase II; and

WHEREAS, by Resolution No. 12-18 the Pennsville Planning Board authorized Timothy D. Michel, Inc., a New Jersey Licensed Professional Planner, to prepare a redevelopment plan for the area designated in need of redevelopment; and

WHEREAS, a redevelopment plan entitled "Expanded Redevelopment Plan for the Pennsville North Redevelopment Area" dated October 22, 2012, prepared by Timothy D. Michel, PP ("Plan") was received by the Planning Board and reviewed at the November 26, 2012, meeting; and

WHEREAS, by Resolution No. 56-2014 adopted February 6, 2014, the Committee added three tracts of land to Block 401, to wit: Lots 5, 6 and 7; however, the Planning Board did not include these lots; and

WHEREAS, a public hearing was held and members of the public were permitted to make comment; and as a result of the hearing and review, the Planning Board recommended several changes to the Plan; and

WHEREAS, the Planning Board also received and reviewed a memo titled "Expanded Redevelopment Plan for the Pennsville North Redevelopment Area" dated October 24, 2014, from Mr. Michel which detailed additional revisions required to be made part of the Revised Plan which would incorporate Township Ordinance A-2-2014; and

WHEREAS, the revised Plan entitled "Expanded Redevelopment Plan for the Pennsville North Redevelopment Area" dated July 30, 2013, prepared by Mr. Michel ("Revised Plan") was received by the Planning Board and reviewed at the October 27, 2014, meeting; and

WHEREAS, by Resolution No. 14-10 adopted on November 10, 2014, the Planning Board adopted the "Expanded Redevelopment Plan for the Pennsville North Redevelopment Area"; and

WHEREAS, the Committee has reviewed and preliminarily approved the aforesaid plan; and

WHEREAS, the Township Solicitor has advised the Committee that the Committee is relieved of the referral requirements of Subsection e. of 40A:12A07 based on the fact that the plan was prepared by the Pennsville Planning Board; and

WHEREAS, NJS 40A:12A-7 provides that no redevelopment project shall be undertaken "except in accordance with a redevelopment plan adopted by Ordinance of the municipal governing body";

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Pennsville, County of Salem, New Jersey, that

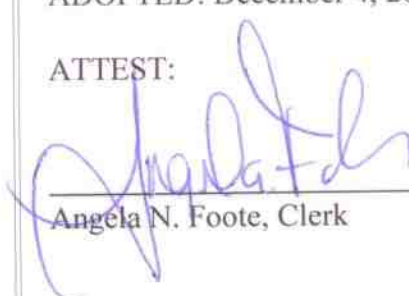
1. They hereby adopt the redevelopment plan prepared by Timothy D. Michel, Inc., which is dated October 29, 2014, a copy of which is attached hereto and incorporated herein as if more fully set forth herein at length.
2. The plan when adopted shall supercede as appropriate any provisions of the Land Use Ordinance of the Township of Pennsville adopted on November 17, 2014. The Committee, upon adoption of the plan, will amend the Township's zoning district maps as appropriate.
3. The Committee also finds that the plan either is substantially consistent with the municipal Master Plan or that it is designed to effectuate that plan. In the event of an inconsistency, the redevelopment plan shall prevail over the Master Plan.
  - I. All other provisions of the aforesaid Ordinance shall remain in full force and effect.
  - II. If any section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision will not effect the validity of this Ordinance as a whole or any part thereof.
  - III. All Ordinances, parts of Ordinances, heretofore adopted and that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

IV. This Ordinance shall be effective upon its final passage, adoption and publication in the manner prescribed by law.

ADOPTED: December 4, 2014

Approved by the Township Committee  
Township of Pennsville - November 17, 2014

ATTEST:

  
Angela N. Foote, Clerk

  
Chairman

First reading - November 17, 2014

Roll call vote:

	Yes	No	Abstaining	Absent
Marc S. Chastain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John J. Crawford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert E. McDade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richie G. Raine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard D Barnhart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adoption - December 4, 2014

Roll call vote:

	Yes	No	Abstaining	Absent
Marc S. Chastain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John J. Crawford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert E. McDade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richie G. Raine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard D Barnhart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>