

**BOROUGH OF BERLIN
COUNTY OF CAMDEN
STATE OF NEW JERSEY
ORDINANCE NO. 2023-09**

ORDINANCE OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 1100, LOTS 4, 6, 7, 8, 9 AND 9.01 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BERLIN IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1, *et seq.*) (“LRHL”)

WHEREAS, the LRHL authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, by virtue of Resolution R1-30:2016 adopted on January 10, 2016, the Mayor and Borough Council of the Borough of Berlin authorized and directed the Berlin Joint Land Use Board (“JLUB”) to undertake the preliminary investigation of property located at Block 1100, Lots 4, 7, 8, 9 and 9.01 (“Study Area #1”) as a Non-Condensation Redevelopment Area; and

WHEREAS, by virtue of Resolution 2021:102 adopted on August 12, 2021, the Mayor and Borough Council of the Borough of Berlin authorized and directed the Berlin Joint Land Use Board (“JLUB”) to undertake the preliminary investigation of property located at Block 1100, Lot 6 (“Study Area #2”) as a Non-Condensation Redevelopment Area; and

WHEREAS, in accordance with the Resolution adopted by the Mayor and Borough Council, the JLUB conducted an investigation to determine whether Study Area #1 should be designated as an Area in Need of Redevelopment and considered an Area in Need of Redevelopment Study for Block 1100, Lots 4, 7, 8, 9 and 9.01 prepared by Megan J. Stanley, PP, AICP; and

WHEREAS, in accordance with the Resolution adopted by the Mayor and Borough Council, the JLUB conducted an investigation to determine whether Study Area #2 should be designated as an Area in Need of Redevelopment and considered an Area in Need of

Redevelopment Study for prepared by Christopher Dochney, PP; and

WHEREAS, the JLUB conducted a public hearing on April 11, 2016 concerning the designation of Study Area #1 as a Non-Condensation Redevelopment Area and the meeting was open to the public and all members of the public had an opportunity to address questions and comments to the JLUB; and

WHEREAS, the JLUB conducted a public hearing on November 8, 2021 concerning the designation of the Study Area #2 as a Non-Condensation Redevelopment Area and the meeting was open to the public and all members of the public had an opportunity to address questions and comments to the JLUB; and

WHEREAS, the JLUB prepared a map showing the boundaries of the proposed redevelopment area and the locations of the various parcels and property included therein, including Study Area #1 and Study Area #2 appended to the map was a statement setting forth the basis for the investigation; and

WHEREAS, at the April 11, 2016 public hearing, the JLUB heard sworn testimony from its professional planner, Megan J. Stanley, PP, AICP, who presented substantial credible evidence that Block 1100, Lots 4, 7, 8, 9 and 9.01 qualified as an Area in Need of Redevelopment pursuant to LRHL (“ANR Area”); and

WHEREAS, at the November 8, 2021 public hearing, the JLUB heard sworn testimony from its professional planner, Christopher Dochney, PPC, who presented substantial credible evidence that Block 1100, Lot 6 qualified as an Area in Need of Redevelopment pursuant to LRHL (“ANR Area”); and

WHEREAS, at the conclusion of April 11, 2016 public hearing as described above, the JLUB adopted Resolution 16-05, recommending that the Mayor and Borough Council designate

Study Area #1 on the Official Tax Map of the Borough of Berlin as an Area in Need of Non-
Condemnation Redevelopment; and

WHEREAS, at the conclusion of November 8, 2021, public hearing as described above,
the JLUB adopted Resolution 21-19, recommending that the Mayor and Borough Council
designate Study Area #2 on the Official Tax Map of the Borough of Berlin as an Area in Need of
Non-Condemnation Redevelopment; and

WHEREAS, the Mayor and Borough Council agreed with the conclusions of the JLUB
that Study Area #1 and Study Area #2 met the aforementioned criteria for Non-Condemnation
Redevelopment Area designation; and

WHEREAS, by virtue of Resolution R5-16:2016, adopted on May 12, 2016, the Mayor
and Borough Council determined that Study Area #1 qualified as an Area in Need of Non-
Condemnation Redevelopment; and

WHEREAS, by virtue of Resolution 2022:032, adopted on February 10, 2022, the Mayor
and Borough Council determined that Study Area #2 qualified as an Area in Need of Non-
Condemnation Redevelopment; and

WHEREAS, the Mayor and Borough Council have deemed it in the best interest of the
public health, safety and welfare to adopt a Redevelopment Plan as set forth in Exhibit "A"
attached hereto and made a part hereof for Study Areas on the Official Tax Map of the Borough of
Berlin.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the
Borough of Berlin, County of Camden, State of New Jersey, as follows:

SECTION 1. Adoption of Redevelopment Plan. The Mayor and Borough Council of the
Borough of Berlin, County of Camden and State of New Jersey hereby adopt the Redevelopment

Plan for Block 1100, Lots 4, 6, 7, 8, 9 and 9.01 on the Official Tax Map of the Borough of Berlin appended and attached hereto as Exhibit “A”.

SECTION 2. The Mayor and Borough Council of the Borough of Berlin hereby declare and determine that the said Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the redevelopment of the Borough in the designated area and is otherwise in conformance with N.J.S.A. 40A:12A-1 *et seq.*

SECTION 3. Amendment of Zoning Map. The Zoning Map of the Borough of Berlin shall be and is hereby supplemented and amended so as to provide for the Redevelopment Plan to encompass the ANR Area as an overlay zoning district. The Zoning Map shall include the ANR Area as a Redevelopment Area to which the Redevelopment Plan is applicable.

SECTION 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6. Upon adoption of this Ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board, New Jersey Department of Community Affairs and other agencies as required by law.

SECTION 7. This Ordinance shall take effect immediately upon final passage and publication in accordance with law, and approval from the New Jersey Department of Community Affairs.

Introduced: February 9, 2023

Adopted:

This is to certify that the foregoing Ordinance was adopted by the Borough Council at a regular meeting of the Borough of Berlin held on October 12, 2023.



RICHARD MILLER, MAYOR

Rachel Von der Tann

RACHEL VON DER TANN,
DEPUTY MUNICIPAL CLERK

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Berlin at a regularly scheduled meeting on October 12, 2023, at the Berlin Borough Municipal Building.

Rachel Von der Tann

RACHEL VON DER TANN,
DEPUTY MUNICIPAL CLERK

Date: October 13, 2023

EXHIBIT "A"
REDEVELOPMENT PLAN

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