

**TOWNSHIP OF BELLEVILLE
ESSEX COUNTY, NEW JERSEY**

ORDINANCE NO. 45-23

DATE OF INTRODUCTION: 12/12/23 **DATE OF ADOPTION:** _____
Legal Advertisement: 12/21/23 **Legal Advertisement:** _____

TITLED:

ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BELLEVILLE, COUNTY OF ESSEX, NEW JERSEY ADOPTING THE AMENDED ROCHE DIAGNOSTICS REDEVELOPMENT PLAN CONCERNING PROPERTY LOCATED AT 11 FRANKLIN AVENUE (BLOCK 2301, LOTS 1.01, 1.02, 1.03, 1.04 AND 1.05 (FORMERLY LOT 1))

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF BELLEVILLE, NEW JERSEY:

WHEREAS, on or about February 22, 2011 and September 25, 2012, the Belleville Township Council (the "Township Council") adopted Resolutions Nos. 11-64 and 12-298 respectively, directing the Planning Board of the Township (the "Planning Board") to conduct a preliminary investigation into whether the +/- 18.71 acre property identified as Block 2301, Lot 1 on the tax maps of the Township, also known as 11 Franklin Avenue, Belleville, New Jersey (the "Property") qualifies as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, the Property is generally bounded by developed properties to the northwest, Franklin Avenue to the southeast, Mill Street to the northeast and Clara Maass Medical Center to the southwest; and

WHEREAS, the Planning Board held a public hearing on or about October 11, 2012 and adopted a resolution on December 13, 2012 recommending that the Township Council designate the Property as an area in need of redevelopment; and

WHEREAS, on or about June 11, 2013, the Township Council adopted Resolution No. 13-159 designating the Property as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, (a) on or about August 27, 2013, the Township Council adopted Ordinance No. 3373, approving and adopting a redevelopment plan for the Redevelopment Area entitled the "Redevelopment Plan, Block 2301, Lot 1, Roche Diagnostic, 11 Franklin Avenue"; (b) thereafter, the Township amended same on December 19, 2016, pursuant to Ordinance No. 3463, and (c) thereafter, the Township amended same on February 13, 2018, pursuant to Ordinance No. 3493 (collectively referred to as the "Original Redevelopment Plan"); and

WHEREAS, since the date of designating the Redevelopment Area and adoption of the Original Redevelopment Plan, (a) the Redevelopment Area has been subdivided into separate tax

parcels designated as Block 2301, Lot 1.01, Block 2301, Lot 1.02, Block 2301, Lot 1.03, Block 2301, Lot 1.04, and Block 2301, 1.05 all as shown on the official tax map of the Township of Belleville, portions of which have been redeveloped pursuant to the Original Redevelopment Plan; and (b) Certificates of Completion have been issued for Block 2301, Lot 1.02 (convenience store with fuel sales), Block 2301, Lot 1.03 (self-storage facility), and a portion of Block 2301, Lot 1.04 (gourmet coffee shop); and

WHEREAS, CME Associates prepared a redevelopment plan amending the Original Redevelopment Plan for the Redevelopment Area entitled the “Roche Diagnostic Redevelopment Plan, Block 2301, Lots 1.01, 1.02, 1.03, 1.04 and 1.05 (formerly known as Lot 1), 11 Franklin Avenue”, dated through December 1, 2023 (the “Redevelopment Plan”), and same will be referred same to the Planning Board for master plan consistency review under N.J.S.A. 40A:12A-7(e); and

WHEREAS, the Planning Board, at its regularly scheduled meeting held on _____, 202__, reviewed the Redevelopment Plan, considered the testimony of the Township’s professional planning consultant and all other matters in the record regarding the same in accordance with N.J.S.A. 40A:12A-7(e), and stated its findings in the letter report to Township Council from Planning Board counsel, dated _____, 20__; and

WHEREAS, the Township believes that the redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan is in the best interests of the Township and the health, safety, morals and welfare of its residents and is in accord with the public purpose and provisions of the applicable federal, state and local laws.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Belleville, County of Essex, State of New Jersey, being the governing body thereof, that pursuant to N.J.S.A. 40A:12A-7 the Township Council hereby accepts, approves, amends and adopts the Redevelopment Plan together with the changes recommended by the Planning Board, as and if stated in the letter report of Planning Board counsel referenced herein, if any; and

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of this Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, to the extent that any portion of the Redevelopment Plan conflicts with or amends or modifies any provision of any other of the Township’s development regulations, the Redevelopment Plan shall supersede, amend or modify, as applicable, such development regulations and the zoning district map included in the Township’s zoning ordinance shall be deemed amended accordingly; and

BE IT FURTHER ORDAINED, this Ordinance shall be part of the Redevelopment Plan, and to the extent necessary the Township of Belleville Code, as though codified and fully set forth therein. The Township Clerk shall have this Ordinance codified and incorporated in the official copies of the Redevelopment Plan, and to the extent necessary the Township of Belleville Code; and

BE IT FURTHER ORDAINED, the Township Clerk is directed to file a copy of the Redevelopment Plan along with a copy of this Ordinance in the Office of the Township Clerk for inspection by the public; and

BE IT FURTHER ORDAINED, prior to adoption of this Ordinance on second and final reading the Township Council shall refer this Ordinance to the Planning Board for its review and recommendations in accordance with N.J.S.A. 40A:12-7; and

BE IT FURTHER ORDAINED, the Township Council hereby amends the zoning district map of the Township of Belleville to reflect that Block 2301, Lot 1.01, Block 2301, Lot 1.02, Block 2301, Lot 1.03, Block 2301, Lot 1.04, and Block 2301, 1.05 are zoned in accordance with the Redevelopment Plan as amended by this Ordinance; and

BE IT FURTHER ORDAINED, this Ordinance shall take effect in accordance with the laws of the State of New Jersey after final passage.


On a motion by Council Member: COZZARELLI

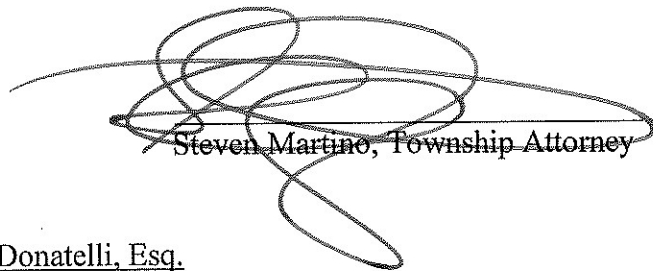
Seconded by Council Member: ROVELL

INTRODUCTION

Adopted by the Municipal Council of the Township of Belleville, N.J.									
COUNCIL RECORD OF VOTE									
Council Member	YES	NO	N.V.	AB.	Council Member	YES	NO	N.V.	AB.
COZZARELLI	X				ROVELL	X			
DE PEÑA				X	STRUMOLO BURKE	X			
GRAZIANO				X	MAYOR MELHAM	X			
NOTARI	X								
X - Indicates Vote				N.V. - Not Voting			AB - Absent		

I, Alberto Cabrera, Registered Municipal Clerk of the Township of Belleville do hereby certify that the foregoing is a true copy of an Ordinance introduced by the Belleville Township Council at a meeting held on the 12th day of DECEMBER, 2023.


Alberto Cabrera, Municipal Clerk


Steven Martino, Township Attorney

Dean Donatelli, Esq.
Redevelopment Counsel