

**BOROUGH OF BUENA  
COUNTY OF ATLANTIC**

**ORDINANCE NO.756**

**ORDINANCE ADOPTING THE FINDINGS AND RECOMMENDATION  
SET FORTH IN PLANNING BOARD RESOLUTION NO. 2014-08 AND  
APPROVING THE EXTENSION COMMERCE CENTER  
REDEVELOPMENT PLAN FOR AN INDEFINATE PERIOD OF TIME**

**WHEREAS**, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, in 2006, Buena Borough Council ("Buena Council") adopted Resolution 107-06 directing the Planning Board of the Borough of Buena (the "Planning Board") to undertake a preliminary investigation to determine whether Block 145 lot 8.04 (the "Property") among other contiguous lots met the criteria of an area in need of redevelopment in accordance with N.J.S.A. 40A:12A-5; and

**WHEREAS**, on March 27, 2007, the Planning Board adopted Resolution 2007-11 wherein the Planning Board found that the Property met the criteria set forth in N.J.S.A. 40A:12A-5(c), (e) and (h) as an area in need of redevelopment; and

**WHEREAS**, on April 9, 2007, the Borough Council adopted Resolution 41-07 directing the Planning Board to create a Redevelopment Plan and recommended the adoption of an Ordinance adopting the Redevelopment Plan for the Commerce Center Redevelopment Area prepared by the Remington, Vernick and Walberg, Licensed Professional Planners, dated May, 2007 (the "Redevelopment Plan"); and

**WHEREAS**, on July 5, 2007 the State of New Jersey Department of Community Affairs, Office of Smart Growth approved the Property in need of redevelopment; and

**WHEREAS**, on April 22, 2008, the Planning Board adopted Resolution Number 2008-06, in which the Planning Board recommended that Borough Council adopt the changes to the Land Use Ordinance as set forth in the Redevelopment Plan; and

**WHEREAS**, on May 27, 2008, Borough Council adopted Ordinance 559 which adopted the Redevelopment Plan consistent with Resolution 2008-6 of the Planning Board.

**WHEREAS**, Section XII of the Redevelopment Plan provided that it was to be in effect for a period of ten (10) years from the date of adoption by the Borough Council;

**WHEREAS**, the Section XII of the Redevelopment Plan further provided "nothing herein shall be construed to limit the ability of the Governing Body to extend the duration of this Redevelopment Plan ... upon the adoption of an Ordinance authorizing same;" and

**WHEREAS**, the expiration of the Redevelopment Plan was May 27, 2018; and

**WHEREAS**, on March 25, 2024, Borough Council adopted Resolution Number 84-24 in which it found it to be in the best interest of the Borough of Buena for the Planning Board to conduct a subsequent investigation consistent with N.J.S.A. 40A:12A-5 to determine if the reasons set forth for the adoption of Ordinance 559 or such other criteria remain; to confirm that the Redevelopment Plan is still consistent with the Buena Borough Master Plan; and to provide recommendations regarding the adoption of an Ordinance extending the duration of the Redevelopment Plan; and

**WHEREAS**, the March 2024 Council Resolution authorized and directed the Buena Borough Planning Board to conduct hearings and investigations as required to determine whether the Property continues to meet the criteria as an area in need of redevelopment as defined by N.J.S.A. 12A-1, et seq.; and

**WHEREAS**, the Planning Board has considered the Redevelopment Plan and provided comment as to the consistency of the Redevelopment Plan with the Buena Borough Master Plan found the Property remains in an area in need of redevelopment and recommended the extension of the Redevelopment Plan for an indefinite amount of time in order to allow for the proper redevelopment of the Property; and

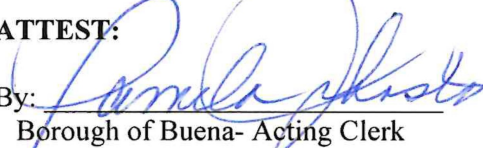
**NOW, THEREFORE**, be it Ordained, by the Council of the Borough of Buena, that the statements of the preamble, hereinabove, are incorporated herein as though fully set forth herein;


**BE IT FURTHER ORDAINED**, by the Council of the Borough of Buena, that the findings and recommendations set forth in the Borough of Buena Planning Board Resolution No. 2024-08 are hereby adopted;

**BE IT FURTHER ORDAINED** that the recommendation of the Borough of Buena Planning Board that the Redevelopment Plan for the Commerce Center Redevelopment Area be extended for an indefinite period of time to in order to allow for the proper redevelopment of the Property, be and is hereby adopted.

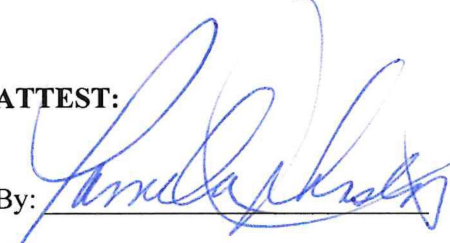
Passed First Reading: May 13, 2024

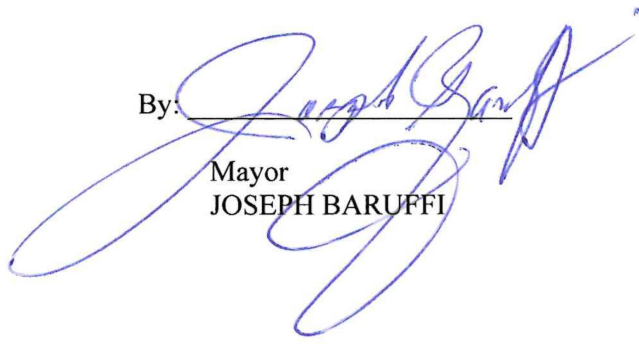
Passed Second Reading: May 28, 2024

**ATTEST:**  
By:   
Borough of Buena- Acting Clerk  
PAMELA JOHNSTON

By:   
Council President  
DOUGLAS ADAMS

**APPROVED** on this 28<sup>th</sup> day of May 2024, by the Mayor of the Borough of Buena.

**ATTEST:**  
By:   
Borough of Buena- Acting Clerk  
PAMELA JOHNSTON

By:   
Mayor  
JOSEPH BARUFFI