

**ORDINANCE 06-24**  
**TOWNSHIP COUNCIL - MINE HILL TOWNSHIP**  
**MORRIS COUNTY, NEW JERSEY**  
**AN ORDINANCE OF MINE HILL TOWNSHIP ADOPTING THE REDEVELOPMENT PLAN**  
**PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW,**  
**N.J.S.A. 40A:12A-1, ET. SEQ.,**  
**FOR PROPERTY LOCATED AT LOTS 2-12 & 29.02, BLOCK 1303 AND LOT 1 IN BLOCK 1304**

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**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., permits municipalities to adopt and amend regulations dealing with areas declared to be “in need of redevelopment” and “in need of rehabilitation”; and

**WHEREAS**, the Township Council of Mine Hill Township adopted a Redevelopment Plan for properties known as Lots 2-12 and 29.02 in Block 1303 (“Redevelopment Area”) situated on Route 46 and Reynolds Street prepared by Colliers Engineering & Design via Ordinance 06-23 on July 20, 2023 in accordance with the provisions of the NJ Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

**WHEREAS**, subsequent to the adoption of Ordinance 06-23, the Township Council directed the Planning Board via Resolution 169-23 to undertake a preliminary investigation in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq., to determine whether property known as Lot 1 in Block 1304 constitutes an area in need of redevelopment without the use of the power of eminent domain pursuant to N.J.S.A. 40A:12A et seq.; and

**WHEREAS**, Lot 1 in Block 1304 was intended to be developed for parking that would service the Redevelopment Area and provisions were included in the Redevelopment Plan that was adopted on July 20, 2023 to allow for such stalls to be credited toward the overall parking stall total; and

**WHEREAS**, the Board thereafter authorized its professional planners, Paul M. Sterbenz, P.E., PP and Daniel N. Bloch, PP, AICP, to prepare a preliminary investigation report, which report was completed and is dated January 2, 2024; and

**WHEREAS**, the Board thereafter properly published and served notice of a public hearing as to whether the subject property known as Lot 1 in Block 1304 should be designated as an area in need of redevelopment without the use of the power of eminent domain; and

**WHEREAS**, the Board conducted a public hearing on February 5, 2024, on the question of whether to recommend that the subject property be designated as an area in need of redevelopment without the use of the power of eminent domain, and

**WHEREAS**, at said public hearing the Board reviewed the January 2, 2024 report prepared by Messrs. Sterbenz and Bloch, accepted said report in evidence, heard evidence from the Board’s planning consultant and professional engineer, and allowed members of the public to cross examine the Board’s professionals, address questions to the Board and present their own testimony; and

**WHEREAS**, consistent with the reports and testimony of the Board’s professional planner and engineer, the Board did determine at the conclusion of the public hearing that there is sufficient evidence to support the findings that the subject property satisfies the criteria set forth in subsection “h” and in Section 3 of N.J.S.A. 40A:12A-5 (the NJ Redevelopment Law), and recommended that the Council designate the subject property as an area in need of redevelopment without the use of the power of eminent domain; and

**WHEREAS**, the Board adopted a resolution to memorialize its findings at the February 5, 2024 Planning Board Meeting; and

**WHEREAS**, the Township Council of Mine Hill Township agreed with the findings of the Planning Board and designated Lot 1 in Block 1304 as an area in need of redevelopment at its meeting of February 15, 2024 and as memorialized in Resolution No. 037-24; and

**WHEREAS**, Resolution No. 037-24 directed that the Redevelopment Plan previously adopted under Ordinance No. 06-23 be amended to incorporate Lot 1 in Block 1304 and not to have a stand-alone Redevelopment Plan for Lot 1 in Block 1304; and

**WHEREAS**, the previously approved Redevelopment Plan was updated in accordance with Resolution No. 037-24 to incorporate provisions relative to the redevelopment of Lot 1 in Block 1304 into the overall Redevelopment Plan; and

**WHEREAS**, the Township Council seeks to adopt the amended Redevelopment Plan via ordinance at this time; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of Mine Hill Township as follows:

**SECTION ONE:**

The aforementioned recitals are incorporated herein as though fully set forth at length.

**SECTION TWO:**

The zoning map of Mine Hill Township is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the Property.

**SECTION THREE:**

The Redevelopment Plan for properties located at Lots 2-12 and 29.02 in Block 1303 and Lot 1 in Block 1304 entitled “ 168 Route 46 Redevelopment Plan Amended – Block 1303, Lots 2-12 and 29.02 and Block 1304, Lot 1 Route 46 and Randolph Avenue, Mine Hill Township, Morris County, New Jersey; prepared by Paul M. Sterbenz, P.E., PP and Daniel N. Bloch, PP, AICP, of Colliers Engineering & Design dated June 13, 2024, a copy of which is attached hereto as Exhibit ‘A’ and incorporated by reference, is hereby approved pursuant to N.J.S.A. 40A:12A-7 and is on file with the Township Clerk.

**SECTION FOUR**

If any section, subdivision, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, paragraph, clause or provision and the remainder of this ordinance shall be deemed valid and effective. All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION FIVE**

This ordinance shall become effective upon final passage and publication according to law.

I hereby certify the foregoing to be a true copy of an Ordinance passed by the Mine Hill Township Council at a duly convened meeting held on\_\_\_\_\_.

Adopted: Mine Hill Township Council

\_\_\_\_\_  
Presiding Council Member

\_\_\_\_\_  
Date

Approved:

\_\_\_\_\_  
Sam Morris, Mayor

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Marcia H. Istvan, Deputy Township Clerk

\_\_\_\_\_  
Date