

**BOROUGH OF SOUTH BOUND BROOK
COUNTY OF SOMERSET**

ORDINANCE NO. 2023-004

**ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR
CERTAIN PROPERTY LOCATED AT 161 EDGEWOOD TERRACE,
WHICH PROPERTY IS IDENTIFIED AS BLOCK 20, LOT 6 AS SHOWN
ON THE OFFICIAL TAX MAP OF THE BOROUGH OF SOUTH BOUND
BROOK, PURSUANT TO THE LOCAL REDEVELOPMENT AND
HOUSING LAW, N.J.S.A. 40A:12A-1 TO -89**

WHEREAS, the Borough of South Bound Brook, in the County of Somerset, New Jersey (the “Borough”), a public body corporate and politic of the State of New Jersey (the “State”), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 to -89, (the “Redevelopment Law”), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

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 an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, on March 9, 2021, the Borough Council adopted Resolution No. 2021-018 authorizing and directing the Planning Board of the Borough of South Bound Brook (the “Planning Board”) to conduct a preliminary investigation and hold a public hearing to determine if certain property located at 161 Edgewood Terrace, which property is identified as Block 20, Lot 6, as shown on the official Tax Map of the Borough (the “Study Area”), constitutes a non-condemnation “area in need of redevelopment”, in accordance with the Redevelopment Law; and

WHEREAS, on December 8, 2021, the Planning Board conducted a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Area in Need of Redevelopment Study Preliminary for Block 20 Lot 6” prepared by Malvika Apte, PP, AICP, of CME Associates, 1460 Route 9 South, Howell, New Jersey 07731, dated September 28, 2021 (the “Study”); and

WHEREAS, any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on December 8, 2021, the Planning Board unanimously voted to recommend that the Study Area be determined by the Borough Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law as it relates to Block 20, Lot 6; and

WHEREAS, on or about December 14, 2021, the Borough Council adopted a Resolution accepting the Planning Board’s recommendation that the Study Area was found to meet the necessary statutory criteria, and designated the entire Study Area as a “Non-condemnation Area in Need of Redevelopment” (the “Redevelopment Area”); and

WHEREAS, on or about November 1, 2022, the Borough Council directed the Borough Planner to prepare a Redevelopment Plan and to make recommendations for the Redevelopment Area pursuant to the Redevelopment Law, N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(e) and N.J.S.A. 40A:12A-15 of the Redevelopment Law, the Borough Planner, Malvika Apte, PP, AICP of CME Associates, has prepared a redevelopment plan for the Redevelopment Area entitled “Redevelopment Plan Block 20, Lot 6, 161 Edgewood Terrace, South Bound Brook Borough, Somerset County, NJ” (the “Redevelopment Plan”) dated February 14, 2023; and

WHEREAS, on or about March 15, 2023, the Planning Board reviewed the Redevelopment Plan, to determine if the Redevelopment Plan was not inconsistent with the Master Plan of the Borough of South Bound Brook and recommended the adoption of same to the Borough Council; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, the Borough Council desires to adopt the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the Borough for the redevelopment of the Redevelopment Area; and

WHEREAS, the Borough Council believes that the adoption of the Redevelopment Plan is in the best interest of the Borough for the redevelopment of the Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of South Bound Brook, in the County of Somerset, State of New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Redevelopment Plan titled “Redevelopment Plan Block 20, Lot 6, 161 Edgewood Terrace, South Bound Brook Borough, Somerset County, NJ” is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 3. The zoning district map in the zoning ordinance of the Borough is hereby amended to include the Property per the boundaries described in the Redevelopment Plan and the provisions thereon.

Section 4. If any section, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, portion or other part of this Ordinance directly involved in the controversy in which such judgment shall be rendered.

Section 5. All ordinances, or parts thereof, which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 6. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section 6. This ordinance shall take effect immediately upon final passage and publication according to law.

Introduced: _____

Published: _____

Adopted: _____

ATTEST:

CHRISTINA FISCHER, Clerk

CARYL SHOFFNER, Mayor

BOROUGH OF SOUTH BOUND BROOK
IN THE COUNTY OF SOMERSET, NEW JERSEY
Ordinance 2023-004
Notice of Pending Ordinance and Summary

The borough ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of South Bound Brook in the County of Somerset, State of New Jersey, held on February 14, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the Borough Council of the Borough of South Bound Brook, to be held at Borough Hall (trailer) 12 Main Street, South Bound Brook, NJ 08880 on March 14, 2023 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Borough Clerk's office for the members of the general public who shall request the same. The title and summary of the terms of such ordinance follows:

Title:

"AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 161 EDGEWOOD TERRACE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 20, LOT 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF SOUTH BOUND BROOK, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 TO -89"

Christina Fischer
Borough Clerk/Administrator