

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

**ORDINANCE NO. 2023-011**

**ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 400 CANAL ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 1, LOT 2 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 (GAF)**

**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 February 19, 2019, the Borough Council of the Borough of South Bound Brook, through Resolution 19-013, directed the Planning Board to conduct a preliminary investigation to determine if properties identified as Block 1, Lot 2, Block 55, Lots 1, 2, and 3, and Block 56, Lots 1.01, 3, 4, 6, 7, 7.01, and 8 meet the criteria to be determined as “Non-Condensation area in need of redevelopment (the “**Study Area**”); and

**WHEREAS**, the Borough Planning Board, after conducting the required investigation and holding a public hearing on May 8, 2019, recommended that the Study Area met the statutory criteria; and

**WHEREAS**, the Borough Council on May 14, 2019 adopted a Resolution accepting the Planning Board’s recommendation that the area was found to meet the necessary statutory criteria, and designated the entire Study Area as a *Non-condemnation Area in Need of Redevelopment*; and

**WHEREAS**, 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, prepared a redevelopment plan for the Redevelopment Area entitled “Redevelopment Plan 400 Canal Road Block 1, Lot 2,” (the “Redevelopment Plan”) dated March 8, 2023; and

**WHEREAS**, upon introduction upon first reading of this Ordinance, the Planning Board is requested to review the Redevelopment Plan, to determine if the Redevelopment Plan was not inconsistent with the Master Plan of the Borough of South Bound Brook; 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 400 Canal Road Block 1, Lot 2" 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: 8-8-2023

Published: 8-17-2023

Adopted: 9-12-2023

ATTEST:

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CHRISTINA FISCHER, Clerk

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CARYL SHOFFNER, Mayor

Borough of South Bound Brook

Ordinance 2023-011

NOTICE IS HEREBY GIVEN, that Ordinance 2023-011 entitled:

“AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 400 CANAL ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 1, LOT 2 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 (GAF)”

Introduced at a regular meeting of the Mayor and Council of the Borough of South Bound Brook, in the County of Somerset, held on August 8, 2023 was adopted at a regular council meeting held on September 12, 2023.

Approved

Caryl “Chris” Shoffner

Attest:

Christina Fischer, Municipal Clerk