

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

ORDINANCE NO. 2023-013

**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 (EDGEWOOD)**

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, on December 14, 2021, the Borough Council 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 Block 20 Lot 6 161 Edgewood Terrace South Bound Brook Borough, Somerset County, NJ,” (the “Redevelopment Plan”) dated February 14, 2022; and

WHEREAS, on May 17, 2023, the Planning Board conducted a public hearing and 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

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, the Borough Council desires to amend 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 Planner has prepared an amended redevelopment plan titled Redevelopment Plan Block 20 Lot 6 161 Edgewood Terrace South Bound Brook Borough, Somerset County, NJ,” (the “Redevelopment Plan”) dated September 12, 2023; and

WHEREAS, in consideration of the comments received from the Planning Board and the guidance form the Borough Planner the plan has been amended to limit the building height to four stories, limit the development to 30 residential units, permit surface and sub surface parking and adjust the unit sizes; and

WHEREAS, the Borough Council recognizes that the property subject to the redevelopment plan is contaminated and has remained unoccupied for over a decade; and

WHEREAS, the Borough Council believes that the adoption of the Redevelopment Plan, as amended herein, 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” as amended and dated September 12, 2023 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 7. 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

Ordinance 2023-013

NOTICE IS HEREBY GIVEN, that Ordinance 2023-013 entitled:

“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 (EDGEWOOD)

Introduced at a regular meeting of the Mayor and Council of the Borough of South Bound Brook, in the County of Somerset, held on September 12, 2023 was adopted at a regular council meeting held on October 10, 2023.

Approved

Caryl “Chris” Shoffner

Attest:

Christina Fischer, Municipal Clerk