

Ordinance

No. 9-2023

AN ORDINANCE OF THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE DOWNTOWN PRESERVATION DISTRICT IN THE BOROUGH OF WESTVILLE

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”) the Mayor and Council of the Borough (the “Borough Council”) designated Block 12, Lot 1; Block 13, Lots 1 & 2; Block 13.01, Lot 1; Block 13.02, Lot 1; Block 14, Lots 1, 2, & 3; Block 17, Lot 1; Block 18, Lots 1 & 3-8, inclusive; Block 21, Lots 1-5 inclusive; Block 24, Lots 1-5 inclusive; Block 28, Lot 1; Block 30, Lots 1-5 inclusive; Block 31, Lots 1, 2, 3, 3.01, 11 & 13-25 inclusive; Block 33, Lots 1-5 inclusive, 5.01, & 6-25 inclusive; Block 33.01, Lot 1; Block 34, Lots 1-5 inclusive, 30-33 inclusive, and 35-43 inclusive; Block 47, Lots 42 & 44-49 inclusive; Block 48, Lots 1-10 inclusive, 10.01 & 11-18 inclusive; Block 50, Lots 1-6 inclusive; and Block 51, Lots 1-4 inclusive & 11, within the Borough as an area in need of redevelopment (the “Redevelopment Area”) by way of Resolution #133-01, adopted on November 28, 2001; and

WHEREAS, on December 12, 2001, the Borough Council adopted Ordinance #8-01, which adopted a redevelopment plan for the Redevelopment Area entitled the “Redevelopment Area Study and Redevelopment Plan for the Downtown Preservation District Borough of Westville in the County of Gloucester New Jersey,” dated October 2001 (the “Redevelopment Plan”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a governing body may adopt, revise or amend a redevelopment plan for an “area in need of redevelopment”; and

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough of Westville to amend the Redevelopment Plan to allow for acquisition of certain parcels within the Redevelopment Area which have remained vacant and/or are abandoned or are in a state of disrepair in order to bring such parcels back into productive use, as set forth in this Ordinance (“2023 Plan Amendment”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Borough Council adopted a Resolution referring the 2023 Plan Amendment to the Land Use Board of the Borough of Westville (the “Land Use Board”) for review and recommendation; and

WHEREAS, the Land Use Board, in its capacity as Planning Board, held a public hearing on July 10, 2023 and, finding the 2023 Plan Amendment to be consistent with and/or designed to effectuate the Borough Master Plan, recommended that the 2023 Plan Amendment be adopted, via Resolution No. (will be provided after July 10, 2023 Land Use Board meeting), which shall be considered the report of the Planning Board to the Borough Council as required by N.J.S.A. 40A:12A-7(e) (“Land Use Board Report”); and

WHEREAS, the 2023 Plan Amendment meets the requirements of N.J.S.A. 40A:12A-1, et seq., and is consistent with and/or designed to effectuate the Borough’s Master Plan for the reasons set forth in the 2023 Plan Amendment and the Land Use Board Report; and

WHEREAS, the Borough Council has reviewed and accepted the recommendations of the Land Use Board and determined that it is in the best interest of the Borough of Westville to adopt the 2023 Plan Amendment to effectuate redevelopment and rehabilitation within the Borough of Westville and specifically the Redevelopment Area; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council, in the Borough of Westville, County of Gloucester, State of New Jersey as follows:

Section 1. The above-mentioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Borough of Westville hereby Amends the Redevelopment Plan entitled, "Redevelopment Area Study and Redevelopment Plan for the Downtown Preservation District Borough of Westville in the County of Gloucester New Jersey," dated October 2001, prepared by Craig F. Remington, L.S., P.P., of Remington & Vernick Engineers, Inc., as follows:

LAND ACQUISITION is hereby amended as follows:

The Borough has determined that acquisition of the Blocks and Lots listed below may be necessary to effectuate this plan and is hereby authorized in furtherance of the Borough's Redevelopment efforts:

- Block 33, Lot 2
- Block 33, Lot 13
- Block 34, Lot 39
- Block 34, Lot 40
- Block 48, Lot 14
- Block 48, Lot 17

Section 3. The Borough hereby adopts the Redevelopment Plan Amendment set forth herein to the "Redevelopment Area Study and Redevelopment Plan for the Downtown Preservation District Borough of Westville in the County of Gloucester New Jersey," dated October 2001" to facilitate the development, redevelopment, and rehabilitation of the Borough of Westville and specifically the identified parcels within the Redevelopment Area.

Section 4. The Borough Council declares and determines that the Redevelopment Plan, as amended by this Ordinance, meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for redevelopment of the Redevelopment Area, and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq. and further declares and determines that this amendment is consistent with and/or is designed to effectuate the Master Plan.

Section 5. The Governing Body of the Borough of Westville shall have, be entitled to, and is hereby vested all power and authority granted by the aforementioned statutory provisions to effectuate the Redevelopment Plan and the 2023 Redevelopment Plan Amendment, which Amendment shall constitute an overlay zone to the extent set forth therein.

Section 6. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 8. This Ordinance shall take effect after final adoption and publication according to law.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Reintroduced: June 26, 2023

Adopted: July 24, 2023

BOROUGH OF WESTVILLE

**Fritz H. Sims, Jr.
MAYOR**

ATTEST:

**Kathleen Carroll
DEPUTY MUNICIPAL CLERK**