



# Township of Hillsborough

COUNTY OF SOMERSET  
THE PETER J. BIONDI BUILDING  
379 SOUTH BRANCH ROAD  
HILLSBOROUGH, NJ 08844  
(908) 369-4313  
[www.hillsborough-nj.org](http://www.hillsborough-nj.org)

## ORDINANCE 2018-02

### **ORDINANCE AUTHORIZING EXECUTION OF FIVE (5) YEAR TAX EXEMPTION AND ABATEMENT AGREEMENT WITH APEX LAND ASSOCIATES, LLC, FOR THE REDEVELOPMENT OF THE PROPERTY IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP AS BLOCK 175, LOT 23.01**

**WHEREAS**, the Five Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., authorizes municipalities to grant exemptions and/or abatements from taxation pertaining to development projects in areas designated by the Township to be in need of rehabilitation or redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”); and

**WHEREAS**, on April 22, 2008, the Township Committee adopted a Resolution determining that the properties identified on the Tax Map of the Township as Block 175, Lots 39.01 and 39.03 and Block 177, Lots 23.01, 23.03, and 23.04 which property based on a 2017 Subdivision is now known as Block 175, Lots 39.01 and 23.01 and Block 177, Lot 23.04 (“Belle Mead GSA Depot Redevelopment Area”) are an “area in need of redevelopment” under the LRHL; and

**WHEREAS**, the Township Committee subsequently arranged for Bruce Rydel of CME Associates, a licensed professional planner of the State of New Jersey, to prepare a proposed redevelopment plan for the Belle Mead GSA Depot Redevelopment Area; and

**WHEREAS**, CME Associates prepared a proposed redevelopment plan for the Belle Mead GSA Depot Redevelopment Area, dated October 2008 (the “Redevelopment Plan”); and

**WHEREAS**, the Township Committee thereafter referred the Redevelopment Plan to the Township of Hillsborough Planning Board (“Planning Board”) for the Planning Board’s review and recommendation in accordance with N.J.S.A. 40A:12A-7e; and

**WHEREAS**, on October 23, 2008, the Planning Board adopted a Resolution determining the Redevelopment Plan to be consistent with the Township’s Master Plan and recommending the Township Committee adopt the Redevelopment Plan; and

**WHEREAS**, the Township Committee reviewed the Redevelopment Plan and the recommendations of the Planning Board and determined that it is was in the public interest to adopt the Redevelopment Plan for the Belle Mead GSA Depot Redevelopment Area; and

**WHEREAS**, on December 9, 2009, the Township Committee adopted Ordinance 2008-42 approving the Redevelopment Plan for the Belle Mead GSA Depot; and

**WHEREAS**, on December 9, 2017, Apex and Somerset County Improvement Authority entered into an “Agreement for the Purchase and Sale of Real Property” for that portion of the Belle Mead GSA Depot Redevelopment Area identified on the Tax Map of the Township as Block 175, Lot 23.01 (“Property”); and

**WHEREAS**, Apex proposes to develop the Property in accordance with the Redevelopment Plan adopted by the Township as amended by Ordinance 2017-21 with three (3) outdoor synthetic turf fields (one such field being designated as a Township Turf Field) and a state of the art indoor athletic and recreational facility of approximately 210,000 square feet with two (2) domes to be used for youth sports, training programs, clinics, camps, sports performance, fitness training, youth and adult leagues, tournaments and events (“Project”); and

**WHEREAS**, the Township has determined Apex possesses the proper qualifications and experience to implement and complete the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

**WHEREAS**, the Township negotiated a Redevelopment Agreement with Apex for develop of the Property; and

**WHEREAS**, the Township also negotiated a Lease Agreement with Apex for the use of a designated Township Turf Field to be constructed at the Property; and

**WHEREAS**, Apex completed and submitted to the Township an “Application for Five (5) Year Tax Exemption and Abatement for New Construction” in accordance with N.J.S.A. 40A:21-9; and

**WHEREAS**, as an incentive for Apex to construct the proposed Project and provide a designated Township Turf Field at the Property for use by the Township and Hillsborough based 501(c)(3) organizations, the Township wishes to grant Apex a Five Year Tax Exemption and Abatement in accordance with N.J.S.A. 40A:21-10.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows: (1) the Mayor and Township Clerk are authorized to execute the attached Five Year Tax Exemption and Abatement Agreement with Apex Land Associates, LLC, for the redevelopment of the Property and provision of a designated Township Turf Field; (2) the Township Clerk shall forward a copy of this Ordinance and the Five Year Tax Exemption and Abatement Agreement to the Director of

the Division of Local Government Services in the Department of Community Affairs within 30 days; and (3) this Ordinance shall take effect upon final adoption and publication according to law.

**ATTEST:**

**TOWNSHIP OF HILLSBOROUGH**

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Pamela Borek, Clerk

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Gloria McCauley, Mayor

Introduced: 3/13/18

Published: 3/2/18

Public Hearing:

Adopted:

Published: