

RESOLUTION NO. 2010-284

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY, DIRECTING
THE TOWNSHIP PLANNING BOARD TO UNDERTAKE A
PRELIMINARY INVESTIGATION OF BLOCK 174, LOTS 13,
36, 37, 47, 47.01 AND 48; BLOCK 175, LOTS 1 AND 2;
BLOCK 176, LOT 1; BLOCK 177, LOT 1; BLOCK 178, LOT
1; BLOCK 179, LOTS 1 AND 2; BLOCK 180, LOTS 1
THROUGH 5 INCLUSIVE; BLOCK 181, LOT 1; BLOCK 182,
LOT 1; BLOCK 183, LOT 1; BLOCK 184, LOTS 1, 2 AND 3,
BARNEGAT TOWNSHIP, OCEAN COUNTY, NEW JERSEY,
AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT
TO THE LOCAL REDEVELOPMENT AND HOUSING LAW**

WHEREAS, the Township Committee of the Township of Barnegat, Ocean of County, State of New Jersey (the "Township") is concerned about the physical conditions and lack of economic activities on certain lands which front on a portion of Gunning River Road within the Township; and

WHEREAS, certain parcels of land located and fronting on this roadway appear to be blighted, or appear to contain property in need of environmental remediation, or are underutilized or not properly utilized as defined by the Local Housing and Redevelopment Law; and

WHEREAS, the property fronting on Gunning River Road is a former landfill which abuts residential areas of the Township; and

WHEREAS, the Township believes that the property referenced herein has been underutilized due to lack of resources to create and provide certain regional improvements and infrastructure; and

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WHEREAS, certain commercial activity and proposed infrastructure within the Township will have a powerful effect on the viability of the former landfill fronting on Gunning River Road; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Act”) provides legal mechanisms to assist municipalities in arresting and reversing conditions such as those listed above; and

WHEREAS, Section 6 of the Act permits a municipality to authorize its planning board of conduct an investigation to determine whether specified parcels satisfy certain statutory criteria which would support a designation of such parcels as “an area in need of redevelopment”; and

WHEREAS, the Township desires to direct the Planning Board of the Township of Barnegat (the “Planning Board”) to conduct a preliminary investigation as required by Section 6 of the Act to determine whether the parcels, a complete description of which is referenced herein below in subparagraph number 1, meet the statutory criteria supporting the designation as an area in need of redevelopment:

NOW, THEREFORE, BE IT RESOLVED, this 21st day of June, 2010, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. The Township directs the Planning Board to conduct a preliminary investigation of the property known and designated as Block 174, Lots 13, 36, 37, 47, 47.01 and 48; Block 175, Lots 1 and 2; Block 176, Lot 1;

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Block 177, Lot 1; Block 178, Lot 1; Block 179, Lots 1 and 2; Block 180, Lots 1 through 5 inclusive; Block 181, Lot 1; Block 182, Lot 1; Block 183, Lot 1; Block 184, Lots 1, 2 and 3, for possible inclusion in a Redevelopment Plan, pursuant to the Act.

2. The Township authorizes and directs the Mayor, Township Clerk, and Township Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.

3. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Honorable Jeffrey Melchiondo, Mayor;
- (b) David Breeden, Administrator;
- (c) Jerry J. Dasti, Esq.;
- (d) John J. Hess, P.E., P.P., C.M.E.;
- (e) Cynthia Rahn, Planning Director;
- (f) Michael McKenna, Esq.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on the 21st day of June, 2010, a quorum being present and voting in the majority.

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KATHLEEN WEST, TOWNSHIP CLERK

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS**
Forked River, New Jersey 08731

JJD/caf[Barnegat Resolutions 2010-GL#18725]
[Tanners Property - Redevelopment Plan-GL#19096]]