

ORDINANCE 2017- 05

AN ORDINANCE ADOPTING THE UPDATED AND AMENDED REDEVELOPMENT PLAN FOR BLOCK 92, LOTS 15, 16, 18 18.01, 20, 21, 23, 23.03 AND 23.04; BLOCK 92.103, LOTS 1 THRU 4; BLOCK 92.104, LOTS 1 THRU 16; BLOCK 92.105, LOTS 1 THRU 23; BLOCK 92.106, LOTS 1 THRU 24; BLOCK 92.107, LOTS 7 & 8; BLOCK 92.108, LOTS 15 THRU 24; BLOCK 92.109, LOTS 14 & 15; BLOCK 92.113, LOTS 42 THRU 45, INCLUSIVE OF ANY AND ALL STREETS, "PAPER" STREETS, PRIVATE DRIVES, AND RIGHTS-OF-WAY, BARNEGAT TOWNSHIP, NEW JERSEY

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has adopted Ordinance 2016-23 thereby adopting a Redevelopment Plan for the above referenced property; and

WHEREAS, said Ordinance was adopted on second and final reading on September 6, 2016; and

WHEREAS, there exists an area in Barnegat Township, west of the New Jersey Garden State Parkway and south of West Bay Avenue, which is currently zoned in the RL/AC Residential Low/Adult Community and the CN Neighborhood Commercial Zones consisting of those parcels of property designated as:

Block 92, Lots 15, 16, 18 18.01, 20, 21, 23, 23.03 AND 23.04; Block 92.103, Lots 1 thru 4; Block 92.104, Lots 1 thru 16; Block 92.105, Lots 1 thru 23; Block 92.106, Lots 1 thru 24; Block 92.107, Lots 7 & 8; Block 92.108, Lots 15 thru 24; Block 92.109, Lots 14 & 15; Block 92.113, Lots 42 thru 45, inclusive of any and all streets, "paper" streets, private drives and rights-of-ways (the "Redevelopment Property"); and

WHEREAS, on June 21, 2010, the Township Committee adopted Resolution 2010-285 which authorized the Planning Board of the Township of Barnegat to conduct an investigation to determine whether the property was in need of redevelopment, in accordance with the provisions of N.J.S.A. 40A:12A-1, *et seq.*; and

WHEREAS, pursuant to the report dated March 3, 2012 entitled, "Shoreline Sand and Gravel Area in need of Redevelopment Investigation, Barnegat Township, Ocean County, New Jersey", prepared by the Township Engineer, the Planning Board opined on April 10, 2012 to recommend to the Township Committee that the Redevelopment Property identified hereinabove, be determined as a Redevelopment Area; and

WHEREAS, on April 7, 2014, the Township Committee adopted Resolution 2014-229 which authorized the Redevelopment Study; and

WHEREAS, the Township Engineer, CME Associates, subsequently prepared a Redevelopment Study on behalf of the Barnegat Township Planning Board to create a Plan for the Redevelopment Property; and

WHEREAS, the Redevelopment Plan serves as a planning tool to fulfill the goals of rebuilding abandoned and/or underutilized properties, increasing tax ratables, improving the local economy, and improving the appearance of the Community throughout the development of the Redevelopment Property; and

WHEREAS, the portion of the property in the RL/AC Zone encompasses approximately 123 acres and is predominately comprised of properties that contain the Shoreline Sand and Gravel, LLC Sand and Gravel Mining Facility; and

WHEREAS, a smaller portion of the Redevelopment Property is located within a CN Zone which encompasses a total area of approximately 17 acres; and

WHEREAS, of the 140 acres of property, approximately 113 acres were dedicated to the Sand and Gravel operation while the remaining 27 acres consists of vacant land; and

WHEREAS, the Township Committee has been in consultation with the Pinelands Commission to review the proposed Redevelopment Plan for the redevelopment area, and the Pinelands Commission has recommended modifications to the Redevelopment Plan in order to be consistent with the Comprehensive Management Plan adopted by the Pinelands Commission; and

WHEREAS, the negotiations and discussions has resulted in an updated Redevelopment Plan prepared by the Township Consulting Engineer, CME Associates, dated January 31, 2017; and

WHEREAS, the Township Committee wishes to adopt the updated Redevelopment Plan for the Redevelopment Area as prepared by CME Associates, dated January 31, 2017, a true copy of which is on file with the Office of the Township Clerk and can be reviewed by the public during normal business hours; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:12A-6, prior to the adoption of the Redevelopment Plan, the Township Committee must refer the updated Plan to the Planning Board for comments and recommendations; and

WHEREAS, Township Committee has considered the Redevelopment Plan at a regular meeting held on February 7, 2017 and wishes to adopt the Shoreline Sand & Gravel and Compass Point Updated Redevelopment Plan as recommended by the Planning Board.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

1. The Updated Shoreline Sand & Gravel and Compass Point Redevelopment Plan is hereby adopted.

2. Neither the adoption of this Redevelopment Plan nor a Redevelopment Agreement will permit or allow for a Payment in Lieu of Taxes agreement (i.e., PILOT).


3. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

4. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

5. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

NOTICE


NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **February 7, 2017 at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **March 7, 2017, at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.



Michele Rivers, RMC, Township Clerk

CERTIFICATION

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey, do hereby certify that the foregoing Ordinance was duly adopted on second reading by the Barnegat Township Committee at their meeting held on the 7th day of March, 2017.



MICHELE RIVERS, RMC
Township Clerk