

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #19-136**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY DESIGNATING APPROXIMATELY 22 ACRES KNOWN AS BLOCK 40, LOT 4 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN AS A “NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT” UNDER THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ.)**

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”) authorizes municipalities to determine whether certain parcels of land within the municipality constitute a “non-condemnation area in need of redevelopment” as described in Section 5 of the Redevelopment Law; and

**WHEREAS**, to determine whether a certain parcel of land constitutes an area in need of redevelopment, the Township Committee of the Township of Raritan (the “Township Committee”) by way of Resolution No. 2019-92, dated March 19, 2019, authorized and directed the Township of Raritan Planning Board (the “Board”) to conduct a preliminary investigation to determine whether the area identified as Block 40, Lot 4 as shown on the Tax Map of the Township of Raritan consisting of approximately 22 acres (the “Study Area”), meets the criteria set forth in Section 5 of the LRHL and should be designated as a “non-condemnation area in need of redevelopment”; and

**WHEREAS**, the Board authorized the undertaking of the preliminary investigation as to whether the Study Area, or any portion thereof, constitutes an area in need of redevelopment in accordance with the LRHL; and

**WHEREAS**, the LRHL requires the Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as “an area in need of redevelopment”, at which hearing the Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

**WHEREAS**, the LRHL requires that the Board, prior to conducting such public hearing, publish notice in a newspaper of general circulation in the Borough once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

**WHEREAS**, the LRHL further requires that such notice be mailed at least ten (10) days prior to such public hearing to the last owner(s) of the relevant properties in accordance with the Township’s assessment records; and

**WHEREAS**, the Board held a public hearing (the “Public Hearing”) to determine whether the Study Area is a “non-condemnation area in need of redevelopment” under the criteria set forth in Section 5 of the LRHL at a regular meeting of the Board on May 29, 2019; and

**WHEREAS**, notice of the Public Hearing was provided in the official newspaper of the Township on two consecutive weeks, the last being not less than ten (10) days before the Public Hearing; and

**WHEREAS**, the Board also provided notice to property owners in the Study Area; and

**WHEREAS**, at the Public Hearing, Jessica Caldwell, P.P, A.I.C.P. of J. Caldwell & Associates, Inc. presented a report dated May 3, 2019 entitled “Area In Need of Redevelopment Study, United States Bronze Powders, Inc., Block 40, Lot 4- 408 US Route 202;” and

**WHEREAS**, at the Public Hearing, the Board reviewed the Report and considered the testimony of Ms. Caldwell; and

**WHEREAS**, the Board also gave members of the public an opportunity to speak and ask questions related to this matter; and

**WHEREAS**, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Board, on May 29, 2019, by unanimous voice vote, determined that the Study Area met one or more criteria to designate the Study Area as an “area in need of redevelopment”, which was memorialized by way of PB Resolution 11-2019 which is attached hereto as Exhibit “A;” and

**WHEREAS**, the Township Committee agrees with the recommendation of the Board that the Study Area be designated as a “non-condemnation area in need of redevelopment” pursuant to the LRHL; and

**WHEREAS**, the Township Committee now desires to authorize and direct Jessica Caldwell, P.P., A.I.C.P., to prepare a draft redevelopment plan for the Study Area and to present same to the Township Committee for its consideration.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Raritan, in the County of Hunterdon, State of New Jersey, as follows:

1. The Township Committee hereby designates Block 40, Lot 4 as shown on the Tax Map of the Township of Raritan consisting of approximately 22 acres, as a “non-condemnation area in need of redevelopment” (the “Determination”) pursuant to the LRHL.
2. The Determination shall authorize the Township of Raritan to use all of the powers provided by the Legislature for use in a redevelopment area excluding the use of eminent domain, thus designating it a “Non-Condensation Redevelopment Area”.

3. The Township Clerk is hereby directed to transmit a certified copy of this Resolution by regular and certified mail to the Commissioner of Community Affairs (the "Commissioner") for review. The Determination of the Study Area as a "non-condemnation area in need of redevelopment" shall not take effect without first receiving the review and approval of the Commissioner. If the Commissioner does not issue an approval or disapproval within thirty (30) calendar days of transmittal, the Determination shall be deemed to be approved.
4. Notice of the Determination (the "Notice") shall be served within ten (10) days of the Determination, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which the notice of Determination may be sent.
5. A property owner who received notice of the Determination as set forth above who does not file a legal challenge to the Determination affecting his or her property within 45 days of receipt of such notice shall thereafter be barred from filing such a challenge.

**ATTEST:**

  
\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

  
\_\_\_\_\_  
Jeffrey Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by vote by the Township Committee of the Township of Raritan at a meeting held on June 5, 2019.

  
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Lisa Fania, RMC  
Township Clerk

# **Exhibit “A”**

**TOWNSHIP OF RARITAN PLANNING BOARD  
HUNTERDON COUNTY, NEW JERSEY**

**RECOMMENDING THAT 408 U.S. ROUTE 202, BLOCK 40, LOT 4  
SHOULD BE DETERMINED A NON-CONDEMNATION AREA IN NEED  
OF REDEVELOPMENT.**

**RESOLUTION No.: 11-2019**

**WHEREAS**, pursuant to Township Committee Resolution No. 2019-92, adopted on March 19, 2019, and P.L. 2003, Chapter 159, the Township of Raritan Planning Board (the "Board") conducted a public hearing on May 29, 2019, to determine whether or not the property in the Township identified below could be designated as an area in need of redevelopment pursuant to the criteria set forth in Sections 5 and 6 of the Local Redevelopment and Housing Law (N.J.S.A. 40A: 12A-1 et. seq.).

**WHEREAS**, the property is identified on the Township Tax Assessor's Records as follows:

408 U.S. Route 202, Block 40, Lot 4, (the "Study Area")

**WHEREAS**, a map showing the boundaries of the Study Area and the location of the various parcels included in the Study Area, as well as the Preliminary Investigation - Area In Need of Redevelopment Non-Eminent Domain Report dated May 3, 2019, were prepared by Jessica Caldwell, PP/FAICP; and

**WHEREAS**, notices required pursuant to N.J.S.A. 40A:12-6 were properly mailed, advertised and otherwise all timely served in the Courier News on May 11 and 18, 2019; and

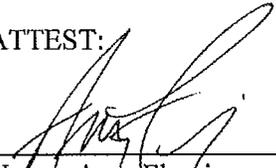
**WHEREAS**, based on the testimony presented at the hearing, the Planning Board undertook to determine and recommend to the Township Committee whether the Study Area be designated an area in need of redevelopment. This recommendation by this Resolution will be sent to the Township Committee of the Township of Raritan for further action as per the requirements of the Local Redevelopment and Housing Law. Thereafter, the Township Committee can approve, reject, or amend the Planning Board's recommendation and may adopt a resolution determining that the Study Area, or any part thereof, is an area in need of redevelopment.

**WHEREAS**, various interested parties appeared (or were given the opportunity to appear) at the public hearing on May 29, 2019, and participated therein, and Board Planner Jessica Caldwell PP/FAICP testified and was subject to questioning concerning the criteria for the Study Area under the Redevelopment and Housing Law.

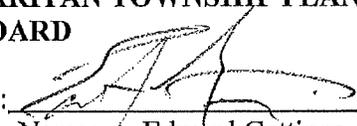
**NOW THEREFORE IT BE RESOLVED**, that the Board determined 408 U.S. Route 202, Block 40, Lot 4 in the Study Area meet the criteria to be designated an area in need of redevelopment.

**BE IT FURTHER RESOLVED**, that this Resolution, adopted this 29<sup>th</sup> day of May, 2019, memorializes the action taken by the Board at its May 29, 2019, meeting.

ATTEST:

  
\_\_\_\_\_  
Name: Amy Fleming  
Title: Planning Board Secretary

**RARITAN TOWNSHIP PLANNING BOARD**

By:   
\_\_\_\_\_  
Name: Edward Gettings  
Title: Planning Board Chairman

Dated: May 29, 2019