

ORDINANCE #23-22

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN KNOWN AS 1970 ROUTE 35 REDEVELOPMENT PLAN IN CONNECTION WITH BLOCK 425, LOT 2.02 AS SHOWN ON THE MUNICIPAL TAX MAP IN ACCORDANCE WITH N.J.S.A. 40A:12A-7, AND SUPPLEMENTING AND AMENDING THE GENERAL ORDINANCES AND ZONING MAP OF THE BOROUGH OF SAYREVILLE

WHEREAS, the Borough Planning Board (the "Planning Board") was directed by the Borough Council, pursuant to Resolution No. 2021-269 dated October 12, 2021, to conduct a preliminary investigation in order to investigate whether the Club Pure property located at 1970 State Highway 35, Sayreville, New Jersey 08872 and identified as Block 425, Lot 2.02 on the Municipal Tax Map, inclusive of any and all streets, paper streets, private drives and right of ways (the "Study Area") should be determined to be a Non-Condensation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the "LRHL"); and

WHEREAS, on October 20, 2021, the Planning Board received Borough Council Resolution No. 2021-269 dated October 12, 2021, and directed Michael P. Fowler Associates, LLC ("Fowler") to perform a preliminary investigation as to whether the Study Area constitutes an "area in need of redevelopment" in accordance with the LRHL; and

WHEREAS, on February 16, 2022, the Planning Board held a public hearing, at which a report was presented by Fowler, that concluded that the property met the statutory criteria to be designated as an area in need of redevelopment. The Planning Board made a recommendation to the Borough Council concurring with Fowlers' report and testimony; and

WHEREAS, at its March 14, 2022 meeting, the Borough Council adopted Resolution No. 2022-75 designating Block 425, Lot 2.02 (the "Area") as a non-condemnation area in need of redevelopment, and authorizing Heyer, Gruel & Associates of Red Bank, NJ ("HGA") to prepare a Redevelopment Plan; and

WHEREAS, HGA prepared a proposed a redevelopment plan entitled "1970 Route 35 Redevelopment Plan, Borough of Sayreville, Middlesex County, NJ, May 20, 2022" (the "Plan"), which Plan was referred by the Borough Council to the Planning Board for review in accordance with the provisions of N.J.S.A. § 40A:12A-7(e); and

WHEREAS, at its June 15, 2022 meeting, the Planning Board approved the aforementioned Plan, as amended, which is attached hereto as Exhibit A, and referred the same to the Borough Council for review and approval; and

WHEREAS, at its July 20, 2022 meeting, the Planning Board will memorialize its action approving the Plan which occurred at the aforementioned June 15, 2022 meeting; and

WHEREAS, the Borough Council has reviewed said Plan and wishes to adopt the same and amend its Zoning Map and General Ordinances to include the land use, bulk requirements, and design standards contained in the Plan; and

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

Section 1. The Borough hereby approves and establishes the Plan, which is attached hereto as Exhibit A, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. The Plan shall supersede all provisions of the Zoning and General Ordinances of the Borough of Sayreville regulating development in the area addressed by the Plan, unless otherwise noted in the Plan.

Section 3. Final adoption of the Plan by the Borough Council shall be considered an amendment of the Borough of Sayreville Zoning Map. The Zoning District Map in the Zoning Ordinances of the Borough shall be amended to include the boundaries described in the Plan and the provisions therein.

Section 4. All of the provisions of the Plan shall supersede the applicable development regulations of the Borough's Ordinances, as and where indicated, for the properties subject to said Plan. In the event of any inconsistencies between the provisions of the Plan and any prior ordinance of the Borough of Sayreville, the provisions of the Plan shall govern.

Section 5. Chapter XXIII entitled "Zoning" of *The Revised General Ordinances of the Borough of Sayreville*, is hereby supplemented and amended to include the land use, bulk requirements, and design standards contained in said Redevelopment Plan for lands known as Block 425, Lot 2.02.

Section 6. A copy of this Ordinance shall be forwarded to the Planning Board in accordance with N.J.S.A 40A:12A-7e.

Section 7. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

Section 8. The within Ordinance shall take effect in the time and manner provided by law.

Exhibit A is attached

INTRODUCED/APPROVED ON FIRST READING

DATED: June 18, 2022

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: August 15, 2022

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2022.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney