

Resolution 2017-06

**RESOLUTION OF THE LAND USE BOARD OF THE
BOROUGH OF SOUTH TOMS RIVER, COUNTY OF
OCEAN, NEW JERSEY RECOMMENDING THE
ADOPTION OF THE AMENDMENTS TO THE DOVER
ROAD REDEVELOPMENT PLAN PURSUANT TO THE
LOCAL REDEVELOPMENT AND HOUSING LAW,
N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, as amended (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, in accordance with the Redevelopment Law, the municipal council (the "**Council**") of the Borough of South Toms River (the "**Borough**") on April 27, 2015 adopted Resolution 2015-121 which designated the entire Borough as an "Area in Need of Rehabilitation" pursuant to *N.J.S.A. 40A:12A-14*; and

WHEREAS, on March 27, 2017, the Borough adopted Resolution 2017-99 designating Block 20, Lots 11.02 and 12 as an area in need of redevelopment (the "**Redevelopment Area**"); and

WHEREAS, in order to facilitate the development of the Redevelopment Area and effectuate the redevelopment of same, the Borough has determined to develop a redevelopment plan for the Redevelopment Area pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, Heyer, Gruel & Associates prepared a redevelopment plan entitled: "Dover Road Redevelopment Plan" dated April 2017 (the "**Redevelopment Plan**") providing the development standards for the Redevelopment Area; and

WHEREAS, pursuant to the Redevelopment Law, the planning board of the Borough (the "**Land Use Board**") must review the Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan to the Borough in accordance with the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law; and

WHEREAS, on May 15, 2017, the Land Use Board, presented the Redevelopment Plan and allowed all those present who wished to comment to be heard; and

WHEREAS, the Land Use Board reviewed the Redevelopment Plan and transmitted its recommendations relating to the Redevelopment Plan to the Borough Council in accordance with the provisions of Section 7 of the Redevelopment Law; and

WHEREAS, the Redevelopment Plan was updated to reflect the recommendations of the Land Use Board and forwarded to the Borough Council for review; and

WHEREAS, on June 26, 2017, the Borough Council enacted by Ordinance # 8-17 a redevelopment plan for the Redevelopment Area (the "**Initial Plan**"); and

WHEREAS, because the concepts for redevelopment in the Redevelopment Area have evolved since the enactment of the Initial Plan, the Borough Council desires to amend said Initial Plan and caused to be prepared draft amendments to the Initial Plan by Heyer, Gruel & Associates, dated September 2017 (the "**Amendments**"); and

WHEREAS, the Borough Council referred the proposed amendments to the Initial Plan to the Land Use Board by Resolution 2017-196, for its review and comment, pursuant to Section 7 of the Redevelopment Law; and

WHEREAS, the Land Use Board has reviewed the Amendments to the Initial Plan at a duly noticed public hearing on October 16, 2017; and

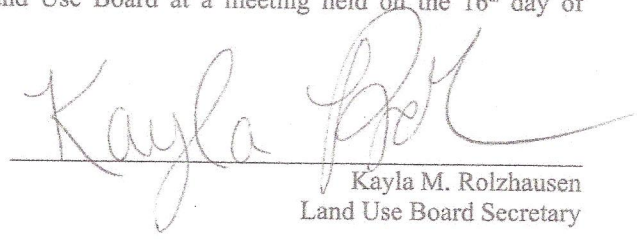
WHEREAS, in the opinion of the Land Use Board, the adoption of the Amendments to the Initial Plan is necessary and desirable in order to accomplish the effective redevelopment of the Redevelopment Area, and that such redevelopment would be in the best interests of the Borough and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of South Tom River, in the County of Ocean, New Jersey, as follows:

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The Land Use Board hereby affirms that the Amendments to the Initial Plan are consistent with the Borough's Master Plan and recommends to the Mayor and Borough Council that the Amendments to the Initial Plan attached hereto as Exhibit A is adopted by the Borough Council in order to accomplish the effective redevelopment of the Redevelopment Area.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. The Land Use Board Clerk is hereby directed to transmit a copy of this Resolution to the Mayor and Borough Council.
5. This Resolution shall take effect immediately.

CERTIFICATION

I, Kayla M. Rolzhausen, Land Use Board Secretary of the Borough of South Toms River, Ocean County, New Jersey, do hereby certify the foregoing to be a true and exact copy of the resolution which was adopted by the Land Use Board at a meeting held on the 16th day of October, 2017.



Kayla M. Rolzhausen
Land Use Board Secretary