

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 15-89

DIRECTING THE UPPER DEERFIELD TOWNSHIP PLANNING BOARD TO CONDUCT A STUDY TO DETERMINE WHETHER THE PROPERTY KNOWN AS BLOCK 1901, LOTS 15, 15.02, 15.03 AND 16 AS SHOWN ON THE UPPER DEERFIELD TOWNSHIP TAX MAP (AND COMMONLY REFERRED TO AS THE BRISTOL PONDS PROJECT) MEETS THE REQUIREMENTS FOR A DECLARATION FOR AREA IN NEED OF REDEVELOPMENT.

WHEREAS, there exists in Upper Deerfield Township certain lands and premises identified as Block 1901, Lots 15, 15.02, 15.03 and 16 as shows on the Upper Deerfield Township Tax Map (the “Property”); and

WHEREAS, a portion of the Property was previously approved for development as a garden-style apartment complex; and

WHEREAS, the apartment complex has not proceeded to construction and is claimed by the current owners to be a victim of the economic downturn commencing in 2007 and continuing thereafter; and

WHEREAS, the current owner and prospective developer have requested that the Township consider declaring the Bristol Ponds Project, together with some adjoining lots (collectively referred to herein as the “Property”), to be an area in need of redevelopment preparatory to the Township considering the adoption of a redevelopment plan for the development of the Property; and

WHEREAS, the Township Committee recognizes that the Property could be developed for mixed commercial and residential uses, and that the residential use could stimulate commercial development which is the primary focus of the Township Committee; and

WHEREAS, the owner and prospective developer have agreed to pay all professional service fees incurred by the Township in conducting the necessary studies to determine whether or not the Property qualifies as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “Redevelopment Law”) and has agreed to deposit in escrow funds to cover the costs of those professional services as more particularly set forth in the draft Escrow Agreement attached hereto; and

WHEREAS, the Township Committee of Upper Deerfield Township has agreed to direct the Planning Board to proceed with the necessary studies to determine whether or not the Property qualifies as an area in need of redevelopment under the Redevelopment Law, without making any commitment as to the declaration of the Property to be an area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED by Township Committee as follows:

1. The Planning Board is hereby directed to proceed with the study to determine whether or not the Property qualifies as a property in need of redevelopment pursuant to the Redevelopment Law.
2. The study shall not be commenced until such time as the owner/developer has executed the Escrow Agreement and has made the initial deposit thereunder.
3. All costs and fees associated with the study to be conducted by the Planning Board and any review and analysis to be done by Township Committee and the Professionals of the Township Committee and/or the Planning Board shall be paid from the Escrow Account to be administered in the same fashion as escrow accounts are administered pursuant to N.J.S.A. 40:55(d) and -53.1, -53.2 and -53.2(a).
4. The Mayor and Municipal Clerk are hereby authorized to execute the Escrow Agreement substantially in the form attached hereto.
5. The action taken herein does not constitute a commitment to declare the Property to be an area in need of redevelopment, and only refers the matter to the Planning Board, for study and report to Township Committee.

Moved By: John Daddario

Seconded By: John O'Neill

VOTING

James P. Crilley
John L. Daddario
John T. O'Neill, Sr.
Bruce T. Peterson
Scott Smith

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held May 7, 2015.

Roy J. Spoltore, Township Clerk